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LOS ANGELES CITY PLANNING COMMISSION

200 North Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300
www.planning.lacity.org

LETTER OF DETERMINATION

Governor's Office of Planning & Research

DATE: APR 08 2019

APR 12 2019

STATE CLEARINGHOUSE

Case No. CPC-2016-3630-ZC-HD-DB-MCUP-SPP-SPR-WDI

Council District: 13 – O'Farrell

CEQA: ENV-2016-3631-SCPE

Plan Area: Hollywood

Related Case: VTT-74496-CN-1A

Project Site: 6400 Sunset Boulevard; 1440-1460 North Cahuenga Boulevard;
6400-6416 West Sunset Boulevard; 1419 North Ivar Avenue;
1441-1453 North Ivar Avenue; 1418 North Cahuenga Boulevard

Applicant: 6400 Sunset, LLC
Representative: Edgar Khalatian, Mayer Brown, LLP

At its meeting of **March 14, 2019**, the Los Angeles City Planning Commission took the actions below in conjunction with the approval of the following project:

Mixed-use development containing 200 residential units, with 10 units reserved for Very Low Income Households (5 percent) and 7,000 square feet of ground floor commercial space within a 26-story building (maximum height of 285-feet) on the northern lot. The project would result in 231,836 square feet of new floor area and a maximum Floor Area Ratio (FAR) of 6:1.

1. **Found** that on November 21, 2018, the City Council determined in their independent judgment that the project is exempt from CEQA pursuant to **PRC Section 21155.1** as a Sustainable Communities Project, based on the entirety of the administrative record;
2. **Approved and recommended** that the City Council **adopt**, pursuant to Section 12.32 F and 12.32 Q of the Los Angeles Municipal Code (LAMC), a Zone Change and Height District Change to remove the "D" limitation on the site;
3. **Approved**, pursuant to LAMC Section 12.22 A.25, a Density Bonus Compliance Review, reserving five percent, or 10 units, for Very Low Income Households, resulting in seven additional units (four percent), and utilizing Parking Option 1, seeking the following incentives and waivers from Development Standards:
 - a. Pursuant to LAMC Section 12.22 A.25(g), an Off-Menu Incentive to permit floor-area averaging and residential density transfer across the project site; and
 - b. Pursuant to LAMC Section 12.22 A.25(g), a Waiver of Development Standards to permit compact parking spaces be utilized to meet 20 percent of the residential parking requirement.
4. **Approved**, pursuant to LAMC Section 12.24 W.1, a Master Conditional Use to permit the sale and dispensing of a full line of alcoholic beverages for on-site consumption at four establishments for the 7,000 square-foot ground floor commercial use;
5. **Approved**, pursuant to LAMC Section 11.5.7, a Project Permit Compliance Review for signage in the Hollywood Signage Supplemental Use District;

6. **Approved**, pursuant to LAMC Section 16.05, a Site Plan Review for a project that would result in an increase of 50 or more dwelling units;
7. **Adopted** the attached Conditions of Approval, as modified by the Commission; and
8. **Adopted** the attached Findings, as amended by Staff's Technical Modification dated March 12, 2019.

The vote proceeded as follows:

Moved: Khorsand
Second: Millman
Ayes: Choe, Mack, Padilla Campos
Nays: Perlman
Absent: Ambroz, Mitchell

Vote: 5 – 1



Cecilia Lamas, Commission Executive Assistant
Los Angeles City Planning Commission

Fiscal Impact Statement: There is no General Fund impact as administrative costs are recovered through fees.

Effective Date/Appeals: The decision of the Los Angeles City Planning Commission as it relates to the Zone Change and Height District Change is appealable by the Applicant only, if disapproved in whole or in part by the Commission. The action related to the Off Menu incentive is not appealable. The remainder of the Commission action is appealable to the Los Angeles City Council 20 days after the mailing date of this determination letter. Any appeal not filed within the 20-day period shall not be considered by the Council. All appeals shall be filed on forms provided at the Planning Department's Development Service Centers located at: 201 North Figueroa Street, Fourth Floor, Los Angeles; 6262 Van Nuys Boulevard, Suite 251, Van Nuys; or 1828 Sawtelle Boulevard, West Los Angeles.

FINAL APPEAL DATE: APR 29 2019

Notice: An appeal of the CEQA clearance for the Project pursuant to Public Resources Code Section 21151(c) is only available if the Determination of the non-elected decision-making body (e.g., ZA, AA, APC, CPC) **is not further appealable** and the decision is final.

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Attachments: Zone Change Ordinance, Modified Conditions of Approval, Amended Findings

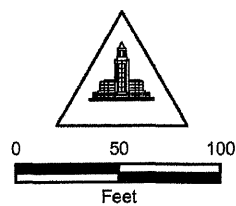
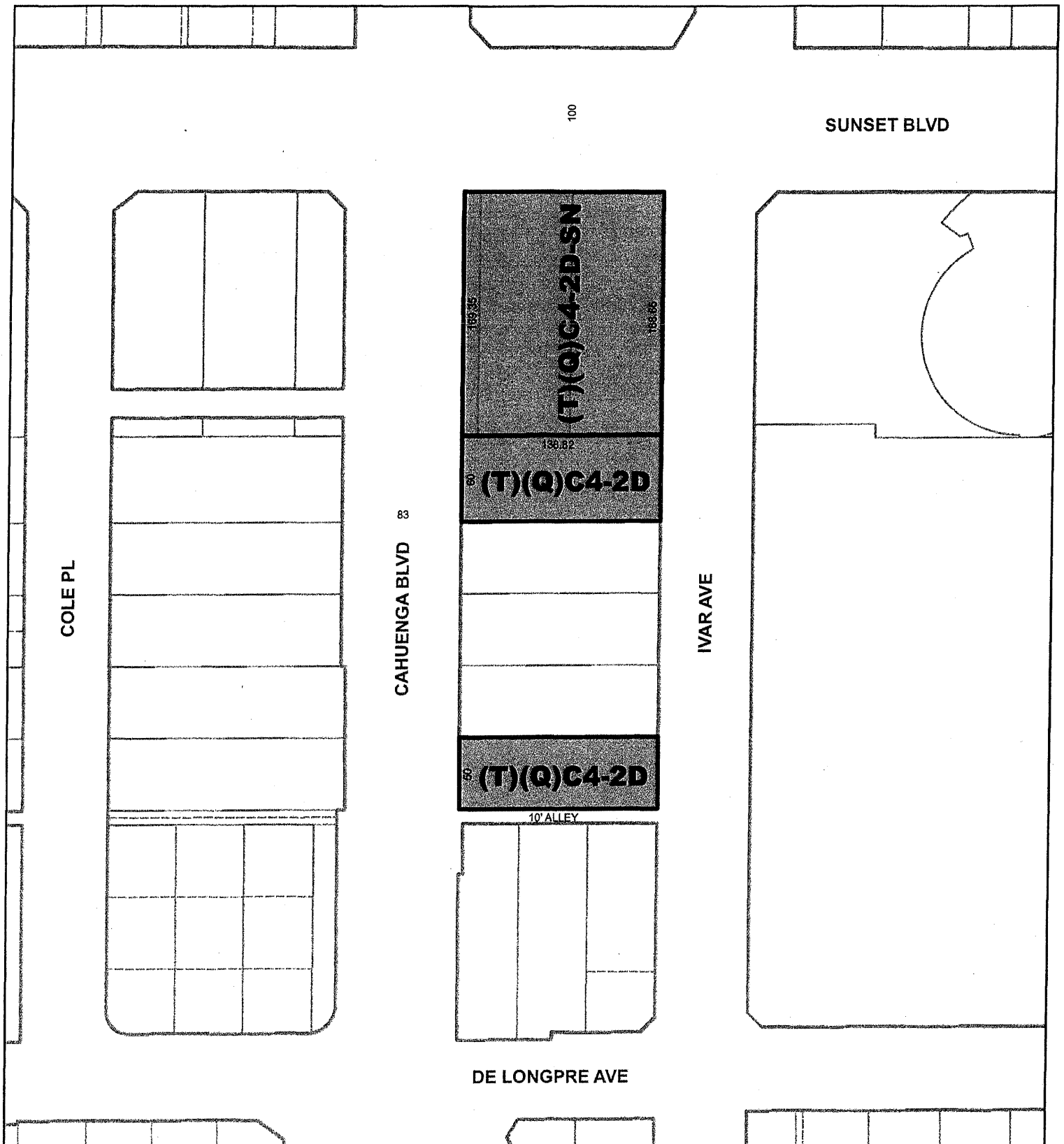
c: Heather Bleemers, Senior City Planner
Sergio Ibarra, City Planner
Jason McCrea, Planning Assistant

ORDINANCE NO. _____

An ordinance amending Section 12.04 of the Los Angeles Municipal Code by amending the zoning map.

THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

Section 1. Section 12.04 of the Los Angeles Municipal Code is hereby amended by changing the zone and zone boundaries shown upon a portion of the zone map attached thereto and made a part of Article 2, Chapter 1 of the Los Angeles Municipal Code, so that such portion of the zoning map shall be as follows:

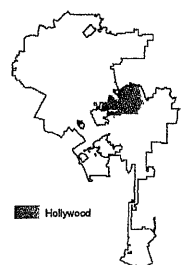


CPC-2016-3630-ZC-HD-DB-MCUP-SPP-SPR-WDI

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City of Los Angeles



(Q) QUALIFIED CONDITIONS OF APPROVAL

These conditions are presented as modified by the City Planning Commission on March 14, 2019. Pursuant to Section 12.32-G of the Municipal Code, the following limitations are hereby imposed upon the use of the subject property, subject to the "Q" Qualified classification.

1. The use and development of the 200 multi-family units shall not be permitted to operate as a Transit Occupancy Residential Structure (TORS). To enable the TORS apartment/hotel hybrid use, the applicant is required to request a Conditional Use Permit.
2. **Site Development.** Except as modified herein, the project shall be in substantial conformance with the plans and materials stamped "Exhibit A" and dated March 14, 2019, and attached to the subject case file. No change to the plans will be made without prior review by the Department of City Planning, and written approval by the Director of Planning, with each change being identified and justified in writing. Minor deviations may be allowed in order to comply with provisions of the Municipal Code, the subject conditions, and the intent of the subject permit authorization.
3. **Zoning.** In compliance with the LAMC, uses permitted in the (T)(Q)C4-2D-SN and (T)(Q)C4-2D Zone shall apply to the project site.
4. **Residential Density.** The project shall be limited to a maximum of 200 residential units.
5. **Commercial.** The project shall be limited to 7,000 square feet of commercial uses. The use of the subject property shall be limited to those uses permitted in the C4 Zone as defined in Section 12.16.A of the LAMC.
6. **Affordable Units.**
 - a. A minimum of 10 units, that is 5 percent of the 200 base dwelling units, shall be reserved as affordable units, as defined by the State Density Bonus Law 65915 (c)(1) or (c)(2).
 - b. **Changes in Restricted Units.** Deviations that increase the number of restricted affordable units or that change the composition of units or change parking numbers shall be consistent with LAMC Section 12.22-A,25.
 - c. **Adjustment of Parking.** In the event that the number of Restricted Affordable Units should increase, or the composition of such units should change (i.e. the number of bedrooms, or the number of units made available to Senior Citizens and/or Disabled Persons), or the applicant selects another Parking Option (including Bicycle Parking Ordinance) and no other Condition of Approval or incentive is affected, then no modification of this determination shall be necessary, and the number of parking spaces shall be re-calculated by the Department of Building and Safety based upon the ratios set forth pursuant to LAMC Section 12.22-A,25.
7. **Calculation of Residential Density.** For the purposes of calculating the total number of dwelling units allowed at the site, any land required to be dedicated for street or alley purposes may be included as lot area.
8. **Housing Requirements.** Prior to issuance of a building permit, the owner shall execute a covenant to the satisfaction of the Los Angeles Housing and Community Investment Department (HCIDLA) to make 10 units available to Extremely Low Income Households, for sale or rental as determined to be affordable to such households by HCIDLA for a

period of 55 years. Enforcement of the terms of said covenant shall be the responsibility of HCIDLA. The applicant will present a copy of the recorded covenant to the Department of City Planning for inclusion in this file. The project shall comply with the Guidelines for the Affordable Housing Incentives Program adopted by the City Planning Commission and with any monitoring requirements established by the HCIDLA. Refer to the Density Bonus Legislation Background section of this determination.

D LIMITATIONS

These conditions are presented as modified by the City Planning Commission on March 14, 2019. Pursuant to Section 12.32-G of the Municipal Code, the following limitations are hereby imposed upon the use of the subject property, subject to the D limitation.

A. Development Limitations:

1. **Floor Area Ratio.** Floor area over the entire site, as identified in the Ordinance Map, shall not exceed six times the buildable area of the site (6:1), or a total of 231,836 square feet of floor area.
2. **Building Height.** Building height shall be limited to a maximum height of 285 feet to the roof line and 290 feet (including parapet rooftop structures) consistent with Exhibit A.

CONDITIONS FOR EFFECTUATING (T) TENTATIVE CLASSIFICATION REMOVAL

These conditions are presented as modified by the City Planning Commission on March 14, 2019. Pursuant to Section 12.32-G of the Municipal Code, the (T) Tentative Classification shall be removed by the recordation of a final parcel or tract map or by posting of guarantees through the B-permit process of the City Engineer to secure the following without expense to the City of Los Angeles, with copies of any approval or guarantees provided to the Department of City Planning for attachment to the subject planning case file.

Dedication(s) and Improvement(s). Prior to the issuance of any building permits, the following public improvements and dedications for streets and other rights of way adjoining the subject property shall be guaranteed to the satisfaction of the Bureau of Engineering, Department of Transportation, Fire Department (and other responsible City, regional and federal government agencies, as may be necessary). Dedications and improvements herein contained in these conditions which are in excess of street improvements contained in either the Mobility Element 2035 or any future Community Plan amendment or revision may be reduced to meet those plans with the concurrence of the Department of Transportation and the Bureau of Engineering:

Responsibilities/Guarantees.

1. As part of early consultation, plan review, and/or project permit review, the applicant/developer shall contact the responsible agencies to ensure that any necessary dedications and improvements are specifically acknowledged by the applicant/developer.
2. Prior to issuance of sign-offs for final site plan approval and/or project permits by the Department of City Planning, the applicant/developer shall provide written verification to the Department of City Planning from the responsible agency acknowledging the agency's consultation with the applicant/developer. The required dedications and improvements may necessitate redesign of the project. Any changes to project design required by a public agency shall be documented in writing and submitted for review by the Department of City Planning.

3. BUREAU OF ENGINEERING

- a. Dedication Required
 - i. That a 20-foot radius property line returns or 15-foot by 15-foot cut corner be a limited dedication adjoining the subdivision at Sunset Boulevard intersection with Cahuenga Boulevard. Above dedication shall be limited to 15-foot above finished sidewalk grade and 10-foot below sidewalk grade.
 - ii. That the subdivider make a request to the Central District Office of the Bureau of Engineering to determine the capacity of existing sewers in this area.
- b. Improvements Required
 - i. Improve Ivar Avenue and Sunset Boulevard adjoining the subdivision, by the removal and reconstruction of the existing sidewalk to provide a new full-width concrete sidewalk with tree wells including any necessary transitions to join the existing improvements.
 - ii. Improve all newly dedicated corner cuts with concrete sidewalks.

4. BUREAU OF STREET LIGHTING

- a. Install street lighting facilities to serve the tract as required by the Bureau of Street Lighting.

Relocate and upgrade street lights; two (2) on Cahuenga Boulevard, two (2) on Sunset Boulevard, and two (2) on Ivar Avenue.

5. URBAN FORESTRY

- a. Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Street Tree Division of the Bureau of Street Maintenance. All street tree plantings shall be brought up to current standards. When the City has previously been paid for tree planting, the subdivider or contractor shall notify the Street Tree Division (213-485-5675) upon completion of construction to expedite tree planting.

CONDITIONS OF APPROVAL

(As modified by the City Planning Commission on March 14, 2019)

These conditions are presented as modified by the City Planning Commission on March 14, 2019.

Density Bonus Conditions of Approval

1. **Development Services Center.** Prior to sign-off on building permits by the Department of City Planning's Development Services Center for the project, the Department of City Planning's Major Projects Section shall confirm, via signature, that the project's building plans substantially conform to the conceptual plans stamped as Exhibit "A", as approved by the City Planning Commission.

Note to Development Services Center: The plans presented to, and approved by, the City Planning Commission (CPC) included specific architectural details that were significant to the approval of the project. Plans submitted at plan check for condition clearance shall include a signature and date from Major Projects Section planning staff to ensure plans are consistent with those presented at CPC.

2. **Residential Automobile Parking.** Vehicle parking shall be provided consistent with LAMC 12.22-A.25(d) Density Bonus Parking Option 1.
 - a. Residential parking shall be met with up to 20% of the minimum code required spaces as compact parking spaces.
 - b. Residential parking shall be reduced by 15% (43 stalls) pursuant to LAMC 12.21-A,4.
3. **Commercial Parking.** A minimum of 10 parking stalls for commercial uses shall be provided. In the event that the commercial area is reduced, parking shall be provided in compliance with LAMC Section 12.21-A,4.
4. **Bicycle Parking.** Bicycle parking shall be provided consistent with LAMC 12.21-A,16. Long-term bicycle parking shall be provided at a rate of one per dwelling unit or guest room. Additionally, short-term bicycle parking shall be provided at a rate of one per ten dwelling units or guest rooms, with a minimum of two short-term bicycle parking spaces. Short-term and long term bicycle parking for general retail stores and restaurants requires one bicycle parking per 2,000 square feet, with a minimum of two bicycle parking spaces for both long- and short-term bicycle parking. Based upon the number of dwelling units and commercial square footage, a minimum of 180 long-term and 21 short-term bicycle parking spaces shall be provided on-site.
5. **Floor Area Ratio (FAR).** The requested Off-Menu incentive allows for the Floor Area Ratio to be averaged across the site resulting in no greater than a 6:1 FAR.
6. **Density** The requested Off-Menu waiver incentive allows for the Density calculations to be averaged across the project site, resulting in a density no greater than 200 units.

Master Conditional Use Conditions**A. Entitlement Conditions – Master Conditional Use for Alcohol Sales.**

1. **Grant.** Approved herein is a Master Conditional Use Permit to allow for the service of a full line of alcoholic beverages for on-site sale and consumption at four establishments.

2. **Master Plan Approval (MPA) Requirement.** Each individual venue shall be subject to a Master Plan Approval (MPA) determination pursuant to Section 12.24-M of the Los Angeles Municipal Code, or as otherwise provided for in the LAMC for on-site alcohol sales in conjunction with the operation of restaurants, in order to implement and utilize the Master Conditional Use authorization granted. The purpose of the Master Plan Approval determination is to review each proposed venue in greater detail and to tailor site-specific conditions of approval for each of the premises subject to analysis of the venue's individual mode and character of operations including but not limited to hours of operation, seating capacity, size, security, live entertainment, the length of a term grant and/or any requirement for a subsequent MPA application to evaluate compliance and effectiveness of the conditions of approval. These conditions may include additional conditions not included in the Master Conditional Use Conditions of Approval. A Plan Approval without a hearing may be granted by the Chief Zoning Administrator if the operator agrees to the Conditional Use Permit Conditions.
3. **Employee Training.** Within six months of the effective date of the any subsequent plan approvals, all employees involved with the sale of alcoholic beverages shall enroll in the Los Angeles Police Department "Standardized training for Alcohol Retailers" (STAR). Upon completion of such training, the applicant shall request the Police Department to issue a letter identifying which employees completed the training. The applicant shall transmit a copy of the letter from the Police Department to the Zoning Administrator as evidence of compliance. In the event there is no change in the licensee, within one year of such change, this training program shall be required for all new staff.
4. **Additional Conditions.** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Department of City Planning to impose additional corrective conditions, if, it is determined by the Department of City Planning that such conditions are proven necessary for the protection of person in the neighborhood or occupants of adjacent property.
5. **Security.** The operator shall install and maintain surveillance cameras in all areas of the restaurant premises, including any outdoor dining area and a 30-day video library that covers all common areas of such business, including all high-risk areas and entrances or exits. The tapes shall be made available to the Police Department upon request.
6. **Lease Agreements.** All establishments applying for an Alcoholic Beverage Control license shall be given a copy of these conditions prior to executing a lease and these conditions shall be incorporated into the lease. Furthermore, all vendors of alcoholic beverages shall be made aware that violations of these conditions may result in revocation of the privileges of serving alcoholic beverages on the premises.
7. **Building Plans.** A copy of this grant and all Conditions and/or any subsequent appeal of this grant and resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.
8. **Ownership/Operator Change.** Should there be a change in the ownership and/or the operator of the business, the property owner and the business owner or operator shall provide the prospective new property owner and the business owner/operator with a copy of the conditions of this action prior to the legal acquisition of the property and/or the business. Evidence that a copy of this determination has been provided to the prospective owner/operator, including the conditions required herewith, shall be submitted to the BEST

(Beverage and Entertainment Streamlined Program) in a letter from the new operator indicating the date that the new operator/management began and attesting to the receipt of this approval and its conditions. The new operator shall submit this letter to the BESt (Beverage and Entertainment Streamlined Program) within 30 days of the beginning day of his/her new operation of the establishment along with the dimensioned floor plan, seating arrangement and number of seats of the new operation.

9. **MViP – Monitoring, Verification and Inspection Program.** At any time, before, during, or after operating hours, a City inspector may conduct a site visit to assess compliance with, or violations of, any of the conditions of this grant. Observations and results of said inspection will be documented and used to rate the operator according to the level of compliance. If a violation exists, the owner/operator will be notified of the deficiency or violation and will be required to correct or eliminate the deficiency or violation. Multiple or continued documented violations or Orders to Comply issued by the Department of Building and Safety which are not addressed within the time prescribed therein, may result in denial of future requests to renew or extend this grant.
10. **Covenant and Agreement.** Within 30 days of the effective date of this grant, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center or the BESt (Beverage and Entertainment Streamlined Program) for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Development Services Center or BESt (Beverage and Entertainment Streamlined Program) for inclusion in the case file.

Project Permit Compliance Conditions

1. **Use District.** All signs must comply with the Hollywood Signage Supplemental Use District Section 7.
2. **Illumination.** All Digital Displays shall have an illuminance not to exceed 0.3 footcandles above ambient illuminance.
3. **Illumination Transition.** All digital Displays shall have a brightness after sunset and before sunrise of no greater than 300 candelas per square meter.
4. **Refresh Rate.** All Digital Displays shall be limited to a refresh rate of no less than 8 seconds.

Site Plan Review Conditions

1. **Public Improvements.** Prior to the issuance of any building permits, public improvements and dedications for streets and other rights-of-way adjoining the subject property shall be guaranteed to the satisfaction of the Bureau of Engineering, Department of Transportation, Fire Department.
2. **Electric Vehicle Charging Stations.** The project shall include at least twenty (20)% of the total code required parking spaces provided for all types of parking facilities, but in no case less than one location, shall be capable of supporting future electric vehicle supply

equipment (EVSE). Plans shall indicate the proposed type and location(s) of EVSE and also include raceway method(s), wiring schematics and electrical calculations to verify that the electrical system has sufficient capacity to simultaneously charge all electric vehicles at all designated EV charging locations at their full rated amperage. Plan design shall be based upon Level 2 or greater EVSE at its maximum operating ampacity. Of the 20% EV Ready, five (5)% of the total code required parking spaces shall be further provided with EV chargers to immediately accommodate electric vehicles within the parking areas. When the application of either the 20% or 5% results in a fractional space, round up to the next whole number. A label stating "EVCAPABLE" shall be posted in a conspicuous place at the service panel or subpanel and next to the raceway termination point.

3. **Solar-Ready Buildings.** The project shall comply with the Los Angeles Municipal Green Building Code, Section 99.05.211, to the satisfaction of the Department of Building and Safety.
4. **Solar and Electric Generator.** Generators used during the construction process shall be electric or solar powered. Solar generator and electric generator equipment shall be located as far away from sensitive uses as feasible.
5. **Tree Maintenance.** All newly planted trees must be appropriately sized, staked and tied; provided with a watering moat; and shall be properly watered and maintained.
6. **Landscaping.** Prior to the issuance of a building permit, a landscape and irrigation plan shall be submitted to the Department of City Planning for approval. The landscape plan shall be in substantial conformance with the landscape plan stamped Exhibit A.
 - a. **Tree Wells.**
 - i. The minimum depth of tree wells shall be as follows:
 1. Minimum depth for trees shall be 42 inches.
 2. Minimum depth for shrubs shall be 30 inches.
 3. Minimum depth for herbaceous plantings and ground cover shall be 18 inches.
 4. Minimum depth for an extensive green roof shall be three inches.
 - ii. The minimum amount of soil volume for tree wells shall be based on the size of the tree at maturity as follows:
 1. 600 cubic feet for a small tree (less than 25 feet tall at maturity).
 2. 900 cubic feet for a medium tree (25-40 feet tall at maturity).
 3. 1,200 cubic feet for a large tree (more than 40 feet tall at maturity).
 - b. Any trees that are required pursuant to LAMC Section 12.21 G and are planted on any podium or deck shall be planted in a minimum three-foot planter.
 - c. New trees planted within the public right-of-way shall be spaced not more than an average of 30 feet on center, unless otherwise permitted by the Urban Forestry Division, Bureau of Public Works.
 - d. The applicant shall provide additional street trees on Sunset Boulevard and on Ivar Avenue to the satisfaction of the Urban Forestry Division, Department of Water Power, Department of Transportation, and the Director of Planning.

7. **Greywater Irrigation.** The Project shall be constructed with an operable recycled water pipe system for on-site greywater use, to be served from on-site non-potable water sources such as showers, washbasins, or laundry and used as untreated subsurface irrigation for vegetation or for cooling equipment. The system specifics shall be required as determined feasible by Department of Water and Power in consultation with Department of City Planning.
8. **Stormwater/irrigation.** The project shall implement on-site stormwater infiltration as feasible based on the site soils conditions, the geotechnical recommendations, and the City of Los Angeles Department of Building and Safety Guidelines for Storm Water Infiltration. If on-site infiltration is deemed infeasible, the project shall analyze the potential for stormwater capture and reuse for irrigation purposes based on the City Low Impact Development (LID) guidelines.
9. **Graffiti Removal.** All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
10. **Aesthetics.** The structure, or portions thereof shall be maintained in a safe and sanitary condition and good repair and free of graffiti, trash, overgrown vegetation, or similar material, pursuant to Municipal Code Section 91,8104. All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the decision maker.
11. **Trash/Storage.**
 - a. All trash collection and storage areas shall be located on-site and not visible from the public right-of-way.
 - b. Trash receptacles shall be stored in a fully enclosed building or structure, constructed with a solid roof, at all times.
 - c. Trash/recycling containers shall be locked when not in use.
12. **Mechanical Equipment.** Any structures on the roof, such as air conditioning units and other equipment, shall be fully screened from view of any abutting properties and the public right-of-way. All screening shall be setback at least five feet from the edge of the building.
13. **Lighting.** Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties, the public right-of-way, nor from above.
14. **Parking Structure Design.**
 - a. Facades of parking structures shall be screened to minimize their visual impact on the public realm.
 - b. Parking and loading access shall be a minimum of 25 feet from a primary building entrance, pedestrian paseo or public plaza.

- c. Entrances, elevators and stairs for parking structures shall be easily accessible and highlighted architecturally.
- d. Any above ground parking structure shall be designed to be utilized and easily repurposed to other uses. The conversion of floor area from parking into new uses may be subject to additional discretionary actions.
- e. Above ground parking structures shall have flat parking levels, not including the driveway ramps.
- f. The height of the above ground parking levels shall have sufficient clearance to be adaptable to non-parking uses. Once converted, the building shall permit a minimum floor to ceiling height of 9 feet for commercial uses and 8 feet for residential uses.
- g. The applicant shall to continue to work with staff under the authority of the Director of Planning to submit a revised Exhibit A which incorporates reconsideration of the podium parking screening along Cahuenga Boulevard.

Environmental Conditions

15. **Condition Reporting Program.** The project shall be in substantial conformance with the Condition Reporting Program measures in the attached CRP and stamped "Exhibit E" and attached to the subject case file. Pursuant to PRC Section 21155.1(b), the project is required to incorporate applicable Mitigation Measures, a detailed explanation of these Mitigation Measures and their applicability can be found in Attachment K of the exemption document. The implementing and enforcing agencies may determine substantial conformance with mitigation measures in the CRP. If substantial conformance results in effectively deleting or modifying the condition measure, the Director of Planning shall provide a written justification supported by substantial evidence as to why the condition measure, in whole or in part, is no longer needed and its effective deletion or modification will not result in a new significant impact or a more severe impact to a previously identified significant impact.

If the Project is not in substantial conformance to the adopted condition measures or CRP, a modification or deletion shall be treated as a new discretionary action under CEQA Guidelines, Section 15162(c) and will require preparation of an addendum or subsequent CEQA clearance. Under this process, the modification or deletion of a condition measure shall not require a Tract Map Modification unless the Director of Planning also finds that the change to the mitigation measures results in a substantial change to the project or the non-environmental conditions of approval.

16. **Condition Monitor (Construction).** During the construction phase and prior to the issuance of building permits, the Applicant shall retain an independent Construction Monitor (either via the City or through a third-party consultant, the election of which is in the sole discretion of the Applicant), approved by the City of Los Angeles Department of City Planning which approval shall not be reasonably withheld, who shall be responsible for monitoring implementation of project design features and condition measures during construction activities consistent with the monitoring phase and frequency set forth in this CRP.

The Construction Monitor shall also prepare documentation of the Applicant's compliance with the project design features and condition measures during construction every 90 days

in a form satisfactory to the Department of City Planning. The documentation must be signed by the Applicant and Construction Monitor and be included as part of the Applicant's Compliance Report. The Construction Monitor shall be obligated to report to the Enforcement Agency any non-compliance with condition measures and project design features within two businesses days if the Applicant does not correct the non-compliance within a reasonable time of written notification to the Applicant by the monitor or if the non-compliance is repeated. Such non-compliance shall be appropriately addressed by the Enforcement Agency.

17. Tribal Cultural Resource Inadvertent Discovery. In the event that objects or artifacts that may be tribal cultural resources are encountered during the course of any ground disturbance activities, all such activities shall temporarily cease on the project site until the potential tribal cultural resources are properly assessed and addressed pursuant to the process set forth below:

- Upon a discovery of a potential tribal cultural resource, the project Permittee shall immediately stop all ground disturbance activities and contact the following: (1) all California Native American tribes that have informed the City they are traditionally and culturally affiliated with the geographic area of the proposed project; (2) and the Department of City Planning at (213) 473-9723.
- If the City determines, pursuant to Public Resources Code Section 21074 (a)(2), that the object or artifact appears to be tribal cultural resource, the City shall provide any effected tribe a reasonable period of time, not less than 14 days, to conduct a site visit and make recommendations to the Project Permittee and the City regarding the monitoring of future ground disturbance activities, as well as the treatment and disposition of any discovered tribal cultural resources.
- The project Permittee shall implement the tribe's recommendations if a qualified archaeologist, retained by the City and paid for by the project Permittee, reasonably concludes that the tribe's recommendations are reasonable and feasible.
- The project Permittee shall submit a tribal cultural resource monitoring plan to the City that includes all recommendations from the City and any effected tribes that have been reviewed and determined by the qualified archaeologist to be reasonable and feasible. The project Permittee shall not be allowed to recommence ground disturbance activities until this plan is approved by the City.
- If the project Permittee does not accept a particular recommendation determined to be reasonable and feasible by the qualified archaeologist, the project Permittee may request mediation by a mediator agreed to by the Permittee and the City who has the requisite professional qualifications and experience to mediate such a dispute. The project Permittee shall pay any costs associated with the mediation.
- The project Permittee may recommence ground disturbance activities outside of a specified radius of the discovery site, so long as this radius has been reviewed by the qualified archaeologist and determined to be reasonable and appropriate.
- Copies of any subsequent prehistoric archaeological study, tribal cultural resources study or report, detailing the nature of any significant tribal cultural resources, remedial actions taken, and disposition of any significant tribal cultural resources shall be submitted to the South Central Coastal Information Center (SCCIC) at California State University, Fullerton.
- Notwithstanding the above, any information determined to be confidential in nature, by the City Attorney's office, shall be excluded from submission to the SCCIC or the general public under the applicable provisions of the California Public Records Act, California Public Resources Code, and shall comply with the City's AB 52 Confidentiality Protocols.

Administrative Conditions

18. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning for placement in the subject file.
19. **Code Compliance.** Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions may vary.
20. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assigns. The agreement shall be submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.
21. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public offices, legislation or their successors, designees or amendment to any legislation.
22. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
23. **Building Plans.** Page 1 of the grant and all the conditions of approval shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety.
24. **Corrective Conditions.** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director of Planning, pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if in the decision makers opinion, such actions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
25. **Indemnification and Reimbursement of Litigation Costs.**

Applicant shall do all of the following:

- (i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any

judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.

(iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).

(iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).

(v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the applicant otherwise created by this condition.

FINDINGS

1. Zone Change and Height District Change Findings

- a. **Pursuant to Section 12.32.C.7 of the Los Angeles Municipal Code, the recommended zone and height district change is deemed consistent with the General Plan and is in conformity with the public necessity, convenience, general welfare and good zoning practice**

The project is in request of a Zone and Height District Change for the entire project site from C4-2D-SN and C4-2D to (T)(Q)C4-2D-SN and (T)(Q)C4-2D. The requested Zone Change and Height District Change allow for the development of a new mixed-use project containing up to 200 residential units and up to 7,000 square feet of commercial retail and restaurant uses. The proposed uses will be located within a 26-story building comprised of up to 231,836 square feet of floor area. A total of 256 new vehicle parking spaces will be provided within two subterranean levels and four above grade levels. The project proposes to retain the existing surface parking lot consisting of 21 existing parking spaces. The project's maximum floor area ratio (FAR) will be 6:1 with a maximum height of 285 feet. In order to allow for the development of the proposed project and maximum FAR of 6:1, the Zone and Height District Change will amend the existing D Limitation, which currently limits the FAR on the project site to 3:1. The proposed mixed-use project will serve the public convenience through the provision of commercial retail and restaurant uses, and new multi-family housing units, on a site that is currently a surface parking and a two-story commercial structure. The zone and height district change are deemed consistent with the public necessity, convenience, general welfare and good zoning practice in that they will allow for the development of a mixed-use building that provides new housing and commercial opportunities on a site located near transit, employment options, and commercial amenities. The project is a Transit Priority Project, with requirements for additional energy and water conservation above code requirements, as well as locating high density uses within a half mile of transit, the project accomplishes City and regional land use goals while providing a project that is substantially more sustainable than the code requirement. Furthermore, the project is required to incorporate all mitigation measures from relevant local Environmental Impact Reports, further distinguishing the project.

Public necessity, convenience and general welfare will be better served as a result of adopting the proposed Zone and Height District Change, as they allow a commercially-zoned site along a main commercial corridor within a designated Regional Center to be redeveloped with a mixed-use project that will provide new multi-family dwelling units, with five percent (10 units) reserved for low income residents, and commercial uses. The project will provide needed housing and job opportunities within half a mile of transit. The proposed project site is in a Transit Priority Area as defined in Public Resources Code 21099. The project site is served by the Metro Hollywood and Vine Red Line subway station 0.3 mile from the project site, as well as by multiple bus lines (Metro Local Lines 2, 180/181, 210, 212, 217, 222, 302, 312, Metro Rapid Line 780, and LADOT DASH Hollywood, Hollywood/Wilshire, and Beachwood Canyon). These transit lines provide connections within Hollywood as well as to job- and entertainment-rich destinations in Downtown Los Angeles and throughout the greater Los Angeles area.

The project is further in conformity with public necessity, convenience, general welfare and good zoning practice because it includes upgraded streetscapes, sidewalk improvements, and will be built to stringent environmental requirements, reducing electricity, gas, and water consumption 25 percent more than code requirements, including stringent landscaping

efficiency requirements, and by reducing Vehicle Miles Traveled due to its transit accessible location. The proposed project will be lined by restaurant and retail space on the ground floor, and vehicular access will be along Cahuenga Boulevard and Ivar Avenue, thereby activating a site that currently contains a low density commercial use in a pedestrian arrangement. Furthermore, the project continues streetscape improvements along Cahuenga Boulevard, and pedestrian realm improvements which enhance Sunset Boulevard. The Project continues pedestrian realm improvements along Sunset Boulevard from Sunset and Vine to the project site, creating continuity necessary for a pedestrian oriented district, consistent with the intent of the framework element and good zoning practice.

The proposed uses are consistent with the surrounding area and with the General Plan. The General Plan Framework Element establishes general principles to encourage growth and increase land use intensity around transit nodes, to create a pedestrian oriented environment while promoting an enhanced urban experience, and to provide for places of employment. In this case, the proposed function of the project is to support the Framework Element's goal of encouraging development in proximity to rail and bus transportation corridors and stations, encouraging transit use, reducing vehicle dependency, and improving air quality.

The project site is designated as Regional Center Commercial in the Hollywood Community Plan. The Framework Element's Land Use Chapter identifies Regional Centers as the focal points of regional commerce, identity, and activity. Surrounding properties along Sunset Boulevard are similarly designated for Regional Center Commercial land uses. The surrounding built environment is developed and highly urbanized, and is characterized by a mix of low- to high-intensity multi-family and commercial buildings, including the historic ArcLight Cinema Dome in the ArcLight Center. Main thoroughfares such as Sunset Boulevard are generally developed with more dense residential, commercial and mixed-use development, while lower-density commercial and residential areas are located along the adjacent collector streets. The proposed project is consistent with this land use pattern, and will orient the larger scale portions of the project towards Sunset Boulevard, maintaining lower scale away from Sunset Boulevard.

The proposed (T)(Q)C4-2D-SN Zone is a corresponding zone for the Regional Center Commercial land use designation as set forth in the adopted Hollywood Community Plan.

Per LAMC Section 12.32-G,1 and 2, the current action, as recommended, has been made contingent upon compliance with new "T" and "Q" conditions of approval imposed herein for the proposed project. The "T" Conditions are necessary to ensure the identified dedications, improvements, and actions are undertaken to meet the public's needs, convenience, and general welfare served by the actions required. These actions and improvements will provide the necessary infrastructure to serve the proposed community at this site. The "Q" conditions that limits the scale and scope of future development on the site are also necessary to protect the best interests of and to assure a development more compatible with surrounding properties and the overall pattern of development in the community, to secure an appropriate development in harmony with the General Plan, and to prevent or mitigate the potential adverse environmental effects of the subject recommended action.

Therefore, based on the above, the recommended zone and height district change is deemed consistent with the General Plan and is in conformity with the public necessity, convenience, general welfare and good zoning practice.

ADDITIONAL FINDINGS FOR A "Q" QUALIFIED AND "D" LIMITED CLASSIFICATIONS:**b. The project will protect the best interests of and assure a development more compatible with the surrounding property or neighborhood**

The proposed project is reflective of the character of development pattern and land use designations in the immediate vicinity, which support the goals and policies of the General Plan Framework Element. As described in the Framework Element, the Regional Center Commercial land use designation typically provides for high-density places whose physical form is substantially differentiated from the lower-density neighborhoods of the City. Generally, regional centers will range from FAR 1.5:1 to 6:1 and are characterized by six- to twenty-story (or higher) buildings as determined in the community plan. Their densities and functions support the development of a comprehensive and inter-connected network of public transit and services. Framework Element Goal 3F envisions regional centers as mixed-use centers that provide jobs, entertainment, culture, and serve the region. The project is consistent with the Framework Element through its provision of 200 multi-family units and 7,000 square feet of ground-floor commercial uses, for a 6:1 FAR, within the vicinity of rail transit as well as several Metro Local and Rapid bus stops.

The project's ground floor commercial uses will be compatible and complementary with the commercial uses in the vicinity, including the ArcLight Complex containing various commercial uses immediately to the east across Ivar Avenue and to the east and west of the project site along Sunset Boulevard, and commercial uses to the north along Cahuenga Boulevard. Directly across Sunset Boulevard to the north at 6407 Sunset Boulevard, a 19 story hotel has been approved for the site. In addition, the project's on-site mix of residential and commercial uses will be compatible and complementary with existing and proposed mixed-use buildings along Sunset Boulevard, which are discussed further below.

The project proposes a maximum FAR of 6:1 consistent with FAR permitted in Height District two (2). The project is further restricted by the D-limitation affecting the site, (Ordinance No. 165,661), which limits the FAR for the site to 3:1, unless otherwise approved through exemptions established by the ordinance. While the project's increase in FAR is greater than the site's currently permitted 3:1 FAR, the proposed FAR and height of 26 stories is consistent with the nature of the surrounding area, specifically existing buildings to the west of the project site, such as the CNN office tower (14 stories), the ArcLight Cinema Complex which consists of the historic ArcLight Dome and commercial uses, and a recently approved 19-story hotel directly across Sunset Boulevard from the project site at 6407 Sunset Boulevard. A seven-story hotel currently under construction is located south of the project site at 1400 Cahuenga Boulevard. The project site is located to the north of a currently under construction 20-story mixed use complex at Vine Street and De Longpre Avenue, with up to 250 dwelling units, and 100 hotel rooms, a restaurant, bar, market, and office. Further south, at the intersection of Fountain Avenue and Cahuenga Boulevard, a 7-story mixed use project consisting of 369 units and commercial space is under construction. The project site is also located two blocks west of Sunset Boulevard and Vine Street, characterized by mid-rise and high-rise structures including the recently completed 23-story Hollywood Panorama Tower. The project site is surrounded by development with various heights and FAR, and the project podium is compatible with lower scale development directly abutting the southern property line, while the tower scale and height is compatible with additional mid-rise to high-rise buildings along Sunset Boulevard, as well as currently under construction development to the south with a maximum height of 20 stories. The project site is also located approximately 0.3 miles from the Hollywood/Vine Metro Red Line Station, which includes numerous mixed-use

developments ranging in FAR with 6:1 as maximum. Therefore, the project is consistent with nearby development thereby creating a consistent street wall and a prevailing sense of pedestrian-oriented scale along this stretch of Sunset Boulevard. Further, the proposed increase in FAR affords the square footage needed to provide much needed housing within a designated Regional Center in close proximity to mass transit within a regional center land use designation.

The project will focus its mass and height along the major street to the north, Sunset Boulevard, where it will be consistent with the varied heights along the Boulevard and recently approved and constructed taller developments. The project has been designed such that the major southern component of the project will be consistent with the varied heights to the south which range from one to four stories, and further with the changing heights of recently approved or under construction projects (nine to 20 stories), all of which are commercial or mixed-use in nature. Overall, the project height of twenty-six stories is consistent with the myriad heights of existing, approved, under construction, or proposed developments in the area. Lastly, the project will provide an improved and consistent streetscape along Cahuenga Boulevard, creating rhythm and responding to the CNN News Network development. The changing and more intense nature of development directly adjacent to the project is reflected in the project's overall height, while the podium reflects the existing low to mid rise structures immediately to the south, and mid-rise structures currently under construction farther south.

The project site has been conditioned so that any development on the site will be compatible with existing and future development in the area. In addition, the "Q" Conditions will ensure that the project is constructed as approved herein and subject to the Condition Reporting Program measures and identified in the Sustainable Communities Exemption (Exhibits C and D).

b. That the project will secure an appropriate development in harmony with the objectives of the General Plan.

The project's proposed multi-family residential, commercial retail and restaurant uses are consistent with the surrounding area and will secure an appropriate development in harmony with the objectives of the General Plan. The General Plan Framework Element establishes general principles to encourage growth and increase land use intensity around transit nodes. In particular, the General Plan Framework identifies Regional Centers as focal points of regional commerce, identity, and activity. The Framework Element further states that regional centers, typically, provide a significant number of jobs and many non-work destinations that generate and attract a high number of vehicular trips. The project site is designated as Regional Center Commercial in the Hollywood Community Plan. The proposed Zone and Height District Change are consistent with the principles of the General Plan, as they will allow a commercially-zoned site along a main commercial corridor within a designated Regional Center to be redeveloped with a mixed-use project that will provide new multi-family dwelling units and commercial uses. The project will provide needed housing and job opportunities in proximity to transit. The project site is approximately 0.3 mile from the Metro Red Line Hollywood and Vine Station and is served by multiple Metro Local and Rapid bus lines. The proposed (T)(Q)C4-2D-SN Zone is a corresponding zone for the Regional Center Commercial land use designation as set forth in the adopted Hollywood Community Plan.

The project is consistent with the Hollywood Community Plan's provisions to provide for needed housing while also preserving and enhancing the residential character of the Community and protecting lower density housing from the scattered intrusion of apartments. The project will provide 200 new multi-family housing units within a mixed-use project on a

site that currently does not provide any housing units. These multi-family units will include studio, one-bedroom, two-bedroom, three-bedroom, and three bedroom with den units in order to satisfy a variety of housing needs within the community, thus maximizing the opportunity for individual choice. Additionally, the project will provide five percent Very Low Income units, in further support of the Hollywood community plan objectives to provide for all economic segments of the community. The project avoids encroaching into lower-density neighborhoods to the south by providing a mixed-use project on a commercially zoned site on Sunset Boulevard.

The proposed project is a 26-story building with a maximum height of 285 feet and is consistent with the surrounding built environment, which is developed and highly urbanized, and is characterized by a mix of low- to high-intensity multi-family and commercial buildings. Main thoroughfares such as Sunset Boulevard are generally developed with more dense residential, commercial and mixed-use development, while lower-density commercial and residential areas are located along the adjacent collector streets. The proposed project is consistent with this land use pattern, and will provide a transition from the larger scale development along Sunset Boulevard to the north of the project site to the under construction mid-rise multi-family residential and mixed-use structures to the south of the project site. The project orients the height and mass of the tower towards the major street, Sunset Boulevard, while the remaining podium portion of the project responds to and reflects the increasing intensity of development of the neighborhood immediately south of Sunset Boulevard, as well as the existing lower scale multi-family development.

As such, the project will secure an appropriate development in harmony with the objectives of the General Plan.

2. Density Bonus/Affordable Housing Incentives Program Findings

Pursuant to Section 12.22-A,25(g)(2)(i)(c) of the LAMC and Government Code Section 65915(d), the City Planning Commission shall approve a density bonus of five percent (10 units) for Very Low Income Households for an increase of seven units or four percent of the base density and requested incentive(s) unless the City Planning Commission finds that:

- a. The incentives do not result in identifiable and actual cost reductions to provide for affordable housing costs as defined in California Health and Safety Code Section 50052.5 or Section 50053 for rents for the affordable units.**

The record does not contain substantial evidence that would allow the City Planning Commission to make a finding that the requested incentive is not required to provide for affordable housing costs as defined in California Health and Safety Code Section 50052.5, which defines "affordable housing cost" having the same meaning as affordable rent as defined in Section 50053. Section 50053 of the California Health and Safety Code defines affordable rent, including a reasonable utility allowance shall not exceed 30 percent times 50 percent of the area median adjusted for family size appropriate for the unit for Very Low Income Households. Affordable housing costs are a calculation of residential rent or ownership pricing to not be less than 15 percent of gross income nor exceed 25 percent gross income based on area median income thresholds. The list of on-menu incentives in 12.22-A,25 were pre-evaluated at the time the Density Bonus Ordinance was adopted to include types of relief that minimize restrictions on the size of the project. As such, the City Planning Commission will always arrive at the conclusion that the density bonus on-menu incentives are required to

provide for affordable housing costs because the incentives by their nature increase the scale of the project.

Pursuant to LAMC Section 12.22-A,25(f)(4)(i), a project qualifies for a percentage increase in the allowable floor area ratio equal to the percentage of Density Bonus for which the housing development is requesting, not to exceed 35 percent. The Project is setting aside 10 units for Very Low Income Households (five percent), and is utilizing the density bonus for seven additional units or a four percent increase in base density. In exchange, the Project is eligible for a 20 percent Density Bonus (68 additional units). Specifically, the Project Site lot area consists of 38,574 square feet, which would permit 193 units (38,574 square feet / 200 square feet, per LAMC 12.22-A,18(a)). With the additional units, the Project could provide up to 261 units (193+68). However, the Project is proposing 200 units. With the five percent set aside for Very Low Income Households, the project is eligible for one Off-Menu Incentive and one Waiver of Development Standard. In this instance, the Project is seeking approval of an Off-Menu Incentive to permit floor area averaging and residential density transfer across the Project Site, and a Waiver of Development Standard to permit 20 percent of the code required parking be satisfied with compact spaces.

Off –Menu Incentive (Floor Area Ratio)

Floor Area Ratio and Density Averaging across two non-contiguous Parcels:

Since the applicant is offering 5% (10 units) to be set aside for families earning Very Low Income, the project is entitled to one incentive. The requested Off-Menu incentive, would allow the requests averaging of Floor Area Ratio across the entire project site and density transfer across the project site. The project is seeking an Off-Menu incentive to average FAR and Density across two non-contiguous parcels, which is not otherwise permitted by the On-Menu incentives. Furthermore, the project does not provide the required affordable unit composition to be eligible for the averaging as established in 12.22-A,25(f)(8) to allow for an On-Menu incentive (at least 11 percent Very Low Income, 20 Low Income, 30 Moderate Income), therefore, the project is requesting averaging for Floor Area Ratio and Density as an Off-Menu incentive.

Height District FAR	North Lot Area	South Lot Area	Total Buildable Lot Area (sf)	Floor Area without Averaging(sf)
6:1	31,663	6,911.5	38,574	$31,663 * 6 = 189,978$

Height District FAR	Total Buildable Lot Area (sf)	Proposed FAR Without Averaging (North Lot Area)	Proposed with FAR Averaging
6:1	38,574	$231,836 / 31,663 = 7.32$	$231,836 / 38,574 = 6$

Total Buildable Lot Area (sf)	North Lot Area	South Lot Area	Zone Density*	Base Density Without Averaging	Maximum Density Bonus (20%)	Maximum Units Allowed With Density Bonus
38,574	31,663	6,911.5	1/200 sq. ft.	31,663 / 200=159	159 * .2 = 32	159 + 32 = 191 units

Total Buildable Lot Area (sf)	Zone Density	Base Density without averaging	Base Density with Averaging	Maximum Density Bonus (20%)	Maximum Units Allowed With Density Bonus	Proposed Units
38,574	1/200 sq. ft.	31,663 / 200=159	38,574 / 200 = 193	193 * 0.2 = 38	193+38 = 231	200

The averaging of Floor Area Ratio and Density averaging across the project site would include the southern lot in the calculations, allowing for an approximately 6:1 FAR across the project site, in lieu of the proposed floor area ratio without averaging, 7.32:1, which is above the 6:1 maximum FAR permitted in Height District 2. Furthermore, the project would not comply with the base density and maximum percentage density bonus allowable pursuant to LAMC 12.22-A,25(c)(1). The project proposes 5 percent of the total reserved for Very Low Income Households, which permits a 20 percent increase in density. Density is calculated using the dwelling unit per square foot of lot area as determined by the zone. The C2 Zone refers to the R4 Zone for calculation, which requires 400 square feet of lot area per dwelling unit. However, pursuant to LAMC Section 12.22-A,18(a), developments combining residential and commercial uses in a Regional Center or Regional Commercial land use are also allowed to develop any land use permitted in the R5 Zone, which allows for residential development, based on a minimum lot area of 200 square feet per dwelling unit. Therefore, the project calculates density utilizing 200 square feet of lot area per dwelling unit. The averaging of non-contiguous lots allows the project to take advantage of the additional lot area of the southern lot, thereby allowing the project to be built at the intensity and designed as proposed. With the southern lot, included the project would result in a 6:1 FAR across the project site, in contrast with a 7.32:1 FAR, which is not permitted in Height District 2. Without the southern lot included in the lot area calculations, the project would be required to reduce the proposed floor area to comply with Height District 2. The project as proposed includes mechanical, utility, parking and ingress/egress requirements which limit its ability to arrange uses on the ground floor, necessitating additional height and increasing the project's FAR. Furthermore, the project would not be able to provide the proposed housing units without the averaging of density across the project site, as the base density would be reduced when calculated without the lot area of the southern lot.

Waiver of Development Standard (Residential Compact Parking)

The project additionally seeks a waiver of development standard for the utilization of compact parking spaces to meet its residential parking requirement. The project seeks to meet 20 percent of its residential parking requirement with compact spaces. The incentive is not listed in the On-Menu list, and is required to accommodate the required parking in a narrow lot, while allowing for a project with pedestrian orientation and scale. The project as proposed includes limited curb cuts, ground floor commercial spaces, and internal circulation designed for individual mobility options, including the increased need for passenger loading. Without the reduction in parking stall sizing throughout the development the project would not be able to orient the building as proposed, requiring additional levels, curb cuts, or less pedestrian focused orientation. Furthermore, additional cost would result with the construction of additional parking and parking levels

The requested incentive is not expressed in the Menu of Incentives Per LAMC Section 12.22-A,25(f) The Off-Menu provisions in LAMC Section 12.22-A,25(g)(3) state that that the decision-maker (City Planning Commission) shall approve a Density Bonus and requested waiver or modification of any development standard(s) unless the City Planning Commission, based on substantial evidence, makes either of the two findings set forth in LAMC Section 12.22-A,25(g)(2)(i)(c).

Per LAMC 12.21 A.5(c), in each parking area or garage devoted to parking for dwelling uses all parking stalls in excess of one parking stall per dwelling unit may be designed as compact parking stalls to accommodate compact cars. The limitation to provide compact stalls after one parking space per dwelling unit has been provided would physically preclude construction of these aspects of the proposed project (Government Code 65915(e)(1)).

The above development standard would have the effect of physically precluding construction of a development providing 200 residential units, with five percent reserved for Very Low Income Households. The unit mix, arrangement, design, and lot size preclude the project from an economical arrangement of vehicle parking pursuant to code requirements.

The requested incentive would result in building design or construction efficiencies that would physically allow the construction of the project that contains the permitted densities and incentives. The Project Site contains D Limitations that restrict FAR to 3:1. The project site is a narrow lot, with less than an acre of land area total including the non-contiguous southern lot. The Floor Area Ratio and Density Averaging across the site, as well as Compact Parking utilization would be required for the economically feasible construction of the proposed affordable units. The increase in FAR would also physically enable the Project to provide the commercial/retail spaces on the ground floor, while providing a mix of residential unit types, on-site parking and common open space, resulting in total floor area of 231,836 square feet. The incentives support the applicant's decision to set aside 10 dwelling units for Very Low Income Households for 55 years.

- b. The Incentive will have a specific adverse impact upon public health and safety or the physical environment, or on any real property that is listed in the California Register of Historical Resources and for which there are no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to Very Low, Low and Moderate Income households. Inconsistency with**

the zoning ordinance or the general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety.

As required by Section 12.22-A,25(e)(2), the Project meets the eligibility criterion that is required for projects requesting on-menu incentives in that the Project: i) provides facade articulation through the use of varying materials and architectural differentiation between the ground floor and upper stories of the building; ii) provides street orientation by including glazed storefront frontages along Sunset Boulevard, Ivar Avenue, and Cahuenga Boulevard; iii) does not involve a contributing structure in a designated Historic Preservation Overlay Zone, or a structure listed on the National Register of Historic Places; and iv) is not located on a substandard street in a Hillside Area or Very High Fire Hazard Severity Zone, as recorded in the City's Zoning Information and Map Access System. There is no substantial evidence that the proposed incentive will have a specific adverse impact. A "specific adverse impact" is defined as "a significant, quantifiable, direct and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete" (LAMC Section 12.22-A,25(b)). The comments on record do not identify any written objective health or safety standards that are exceeded or violated. Nor does the record provide any evidence that significant, quantifiable, direct and unavoidable impacts will occur. Therefore, there is no substantial evidence that the incentives for the Project will have a specific adverse impact on the physical environment, or on public health and safety, or on any property listed in the California Register of Historical Resources.

3. Conditional Use Beverage Findings

- a. That the project will enhance the built environment in the surrounding neighborhood or will perform a function to provide a service that is essential or beneficial to the community, city, or region.**

The Project proposes the construction of a mixed-use development containing 200 residential units, with, and 7,000 square-feet of ground floor commercial space within a 26-story building

LAMC Section 12.24 W.1 allows a Conditional Use Permit to be granted for the sale and dispensing of alcoholic beverages. The Project requests a Master Conditional Use to permit the sale and dispensing of a full line of alcoholic beverages for on-site consumption for up to four establishments. The commercial establishments will be located at street level along existing commercial corridors along Sunset Boulevard, Cahuenga Boulevard, and Ivar Avenue.

The Hollywood Community Plan, page HO-2, states that "the focal point of the Community is the Hollywood Center, located generally on both sides of Hollywood and Sunset Boulevards between La Brea and Gower Street." The Project Site is located approximately three blocks west of Gower Street on the south side of Sunset Boulevard. Therefore, the Project Site is located within the Hollywood Center. In addition, the Hollywood Community Plan, page HO-2, states that "this center area shall function as: 1) as the commercial center for Hollywood and surrounding communities and 2) as an entertainment center for the entire region." The mixed-use Project includes commercial and residential uses, such as restaurants and bars to encourage residents, visitors, and employees to remain on-site to meet their retail and entertainment needs. In addition, the Project is located in a highly-urbanized area identified in the Hollywood Community Plan as an entertainment center for the entire region where residents, visitors, tourists and employees that are within walking distance to the Project Site from various Hollywood tourist attractions. Adjacent residential and hotel uses will also be able to take advantage of the retail and entertainment services included in the Project. Specifically,

the proposed project is located within the Regional Commercial Center in the heart of Hollywood. The project is located two blocks west of the intersection of Sunset & Vine, and less than a mile from the Hollywood and Highland Complex and other entertainment destinations, which house multiple restaurants, theaters and bars. Adjacent uses include the ArcLight Cinema Complex to the east, the CNN office tower to the west, and an approved 19-story hotel located across the street on the north side of Sunset Boulevard at 6407 Sunset Boulevard. As the entertainment center of the Hollywood Community Plan Area, the project site and surrounding area are a destination for local workers, residents, visitors, and businesses, providing a 24-hour, seven days-a-week regional center of dining, entertainment, and activity.

The availability of alcoholic beverages in commercial uses is a customary and incidental component of these uses. For example, restaurant patrons expect the ability to order alcoholic beverages in conjunction with food service. In addition, the ability to offer alcoholic beverages to patrons is essential in attracting top quality dining establishments, and bars to the project. The Project's commercial uses will serve as an attraction for visitors, tourists and neighbors in the area and will reduce the need for local residents, and nearby hotel guests to travel to other areas for dining and entertainment experiences. The proposed commercial uses will provide desired food, beverage, and entertainment options for visitors to the Hollywood Center, as identified by the Hollywood Community Plan, and will help achieve the Community Plan's land use goals for this area as a commercial and entertainment center.

The Master Conditional Use permit provides an umbrella entitlement with conditions that apply to all establishments within the Project. Specific physical and operational conditions will be included as part of the Approval of Plans determination required for each establishment pursuant to the Master Conditional Use permit provisions. Further, as conditioned, the sale of alcoholic beverages will occur within a controlled environment within the store by trained employees, subject to security measures, limited hours of operation, STAR training, inspections, and evaluations of any nuisance complaints. The proposed commercial uses, in conjunction with the imposition of operational conditions as part of the Approval of Plans, will provide a service that is essential or beneficial to the community. Therefore, the grant for alcohol sales will be desirable to the public convenience and welfare and represents good zoning practice.

Therefore, as conditioned, the service of alcoholic beverages to permit the sale and dispensing of a full line of alcoholic beverages for on-site consumption for up to four establishments will enhance the built environment in the surrounding neighborhood and provide a service that is beneficial to the community, city or region.

- b. That the project's location, size, height, operations, and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.**

The Project proposes the construction of a mixed-use development containing 200 residential units and 7,000 square-feet of ground floor commercial space within a 26-story building. The Project Site is located in the Hollywood Community Plan Area, and is designated Regional Center Commercial. The Hollywood Community Plan describes the Hollywood Center as "The focal point of the Community is the Hollywood Center, located generally on both sides of Hollywood and Sunset Boulevards between La Brea and Gower Street," located in the Hollywood Center.

The Hollywood Community Plan, page HO-2, states that "the focal point of the Community is the Hollywood Center, located generally on both sides of Hollywood and Sunset Boulevards between La Brea and Gower Street." The Project Site is located approximately three blocks west of Gower Street on the south side of Sunset Boulevard. Therefore, the Project Site is located within the Hollywood Center. In addition, the Hollywood Community Plan, page HO-2, states that "this center area shall function as: 1) as the commercial center for Hollywood and surrounding communities and 2) as an entertainment center for the entire region." The mixed-use Project includes commercial and residential uses, such as restaurants and bars to encourage residents, visitors, and employees to remain on-site to meet their retail and entertainment needs. In addition, the Project is located in a highly-urbanized area identified in the Hollywood Community Plan as an entertainment center for the entire region where residents, visitors, tourists and employees that are within walking distance to the Project Site from various Hollywood tourist attractions. Adjacent residential and hotel uses will also be able to take advantage of the retail and entertainment services included in the Project. Specifically, the proposed project is located within the Regional Commercial Center in the heart of Hollywood. The project is located two blocks immediately west of the intersection of Sunset & Vine, and less than a mile from the Hollywood and Highland Complex and other entertainment destinations, which house multiple restaurants, theaters and bars.

Directly adjacent uses include the ArcLight Cinema Complex to the east, the CNN office tower to the west, and an approved 22 story hotel located across the street on the north side of Sunset Boulevard. As the entertainment center of the Hollywood Community Plan Area, the project site and surrounding area are a destination for local workers, residents, visitors, and businesses, providing a 24-hour, seven days-a-week regional center of dining, entertainment, and activity. Specifically existing buildings to the west of the project site, such as the CNN office tower (14 stories), the ArcLight Cinema Complex which consists of the historic ArcLight Dome and commercial uses, and an approved 19-story hotel directly across Sunset Boulevard from the project site at 6407 Sunset Boulevard, for which a determination letter was issued on March 1, 2017. Additionally, a four-story hotel currently under construction is located south of the project site at 1400 Cahuenga Boulevard, with a determination letter issued July 19, 2016. Additionally, the project site is located to the north of the currently under construction 20-story mixed use complex at Vine Street and De Longpre Avenue, with up to 250 dwelling units, and 100 hotel rooms, a restaurant, bar, market, and office. Further south, at the intersection of Fountain Avenue and Cahuenga Boulevard, a 7-story mixed use project consisting of 369 units and commercial space was approved, with a determination letter issued May 23, 2017. The project site is also located two blocks west of Sunset Boulevard and Vine Street, characterized by mid-rise and high-rise structures including the recently completed 23-story Hollywood Panorama Tower. The project site is also located approximately 0.3 miles from the Hollywood/Vine Metro Red Line Station, which includes numerous mixed-use developments ranging in FAR with 6:1 as maximum. The project will be compatible with the current arrangement, uses, and urban context of Hollywood, the 26 story tower will be similar in design, with a north-south arrangement to facilitate views of the Hollywood Hills, and height with other developments in the area. Specifically new development listed above, as well as recently completed construction, as tall as 21 stories, as well as existing development buildings which have similar heights, from 8 stories to 14 stories, the project will seamlessly integrate into the existing development pattern. The surrounding area is generally zoned C4-2D, C4-2D-SN, PF-1XL, RD1.5-1XL and R4-2D, and is generally designated Regional Commercial Center land use to the north and east, and Low Medium II Residential to the west and south. Directly to the east, designated Regional Commercial Center, is the ArcLight Complex, a major entertainment destination. The nearest public school Selma Avenue elementary are located one quarter mile

away from the project site, the next closest school, Hollywood High School is located one half mile from the project site.

No evidence was presented at the Hearing Officer hearing or in writing that the sale of alcoholic beverages for on- and off-site consumption will be materially detrimental to the immediate neighborhood. The sales of alcohol will not be detrimental to nearby schools, since the establishments serving alcohol will be carefully controlled and monitored, and will be located a half mile away from the project site and buffered throughout this distance by a wide variety of existing commercial and residential uses. The project has been designed in a manner to enhance the public realm and improve the aesthetics and safety of the surrounding area. The inclusion of alcohol uses will allow for added vibrancy within the project, which is appropriate for a mixed-use transit priority project in the Hollywood Center, a Regional Commercial Center. Furthermore, the project site is located in the Hollywood Center, a focal point of the community plan area as an entertainment center for the entire region. The area is characterized by commercial uses, residential uses, institutional uses, entertainment uses, restaurant uses, movie theaters, and movie studios; the Hollywood Center contains a unique mixture of uses including movie production and screening. The project's operation and uses will be compatible with existing uses and development patterns. The project site is zoned C4-2D, designated Regional Center Commercial, and is in within the Hollywood Supplemental Sign District. The zone and land use designation permits the project as proposed, and the Supplemental Use District allows for signage incidental to commercial developments, therefore, the operations will be compatible with surroundings, also with the same land use designation and zoning, and will not have an adverse effect. Currently, Selma Elementary School is located 0.25 miles from the project site, and Hollywood High School 0.56 miles from the project site. Additional schools are unlikely to be located immediately adjacent to the Project Site, as limited available land exists. Any establishments serving alcohol will be carefully controlled and monitored, while being compatible with immediately surrounding commercial uses consisting of the various commercial, entertainment, and restaurant uses in the Hollywood Center, hotels, retail shops, and multi-family residential. The Proposed Project will provide a place for residents, workers and visitors to eat, drink, and socialize; as such, the sale of alcoholic beverages is a normal part of restaurant operation and an expected amenity.

Additionally, the conditions recommended herein will ensure that the establishment will not adversely affect or further degrade the surrounding neighborhood, or the public health, welfare, and safety. Approval of the conditional use will contribute to the success and vitality of the commercial development and help to reinvigorate the site and vicinity. Since the alcohol sales will be in conjunction with food service, and hotel uses, therefore, permitting alcohol sales on the site will not be detrimental to the development of the community.

Thus, as conditioned, the Project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety. Furthermore, this grant also includes conditions of approval intended to address alcohol-related issues to safeguard public welfare and enhance public convenience, such as proper employee training. In addition, as each operator comes in, they will be required to file a plan approval to allow for the Zoning Administrator to review the floor plan, and impose any other conditions as deemed appropriate.

The location of the project's alcohol-sale will continue to add to the diversification of commercial activities being conducted in the area and will not adversely affect the surrounding neighborhood. As mentioned, the alcohol-sales will be compatible and complement the

Hollywood Center, further contributing to the vitality and attractiveness of the regionally significant area. The proposed hours of operation are reasonable and the sale of alcohol is in conjunction with commercial uses. Therefore, as conditioned, it is anticipated that the project features and uses will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or public health, welfare, and safety.

c. That the project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable specific plan.

The elements of the General Plan establish policies that provide for the regulatory environment in managing the City and for addressing concerns and issues. The majority of the policies derived from these Elements are in the form of Code Requirements of the Los Angeles Municipal Code (LAMC). The Land Use Element of the City's General Plan divides the city into 35 Community Plans. The Hollywood Plan Community Plan Map designates the property for Regional Center Commercial land use with the corresponding zones of C2, C4, P, PB, RAS3, and RAS4. The project is consistent with the underlying C4-2D-SN and C4-2D Zones, which are intended to provide for commercial uses, including residential uses. The Hollywood Community Plan text is silent with regards to alcohol sales. In such cases, the decision-maker must interpret the intent of the plan.

The proposed project will provide 7,000 square feet of commercial retail and restaurant uses along with required parking facilities. The sale of a full line of alcoholic beverages are consistent with the following objectives of the Community Plan:

Objective No. 1: To further the development of Hollywood as a major center of population, employment, retail service and entertainment.

Objective No. 4: To promote economic well-being and public convenience through allocating and distributing commercial lands for retail service and office facilities in quantities and patterns based on accepted planning principles and standards.

The Community Plan encourages new uses which strengthen the economic well-being and promote development of Hollywood as a major center of population, employment, retail service and entertainment. The project is located within the Hollywood Center, as identified by the Hollywood Community Plan, which includes Hollywood attractions such as the Hollywood & Highland complex, the Hollywood Walk of Fame, TCL Chinese Theatre, Dolby Theatre, etc., promoting visitors to Hollywood for business, entertainment events such as the Academy Awards, and tourism. Objective No. 4 also encourages the promotion of retail service, and the Project will provide commercial uses and restaurants with alcohol to further the existing activity within the heart of Hollywood. The request achieves the objectives of the Hollywood Community Plan, which seeks to promote the development of Hollywood as a major center of population, employment, retail service and entertainment, and that promotes the economic well-being and public convenience through allocating and distributing commercial lands for retail service.

d. The proposed use will not adversely affect the welfare of the pertinent community.

The subject property is located directly within the Hollywood Center, as well as adjacent to various hotel, tourist attractions and entertainment uses. Multi-family residential is also located in the vicinity of the Project Site in structures ranging from single story to high-rise towers. A variety of commercial uses are an intrinsic part of the service amenities necessary for the conservation, development, and success of a vibrant neighborhood, especially entertainment

districts, such as the Hollywood Center, as identified by the Community Plan. As the Hollywood Center is one of the premiere entertainment destinations in the region, alcohol services are common in the vicinity, and even necessary for the entertainment uses in the area. The surrounding area is characterized by various alcohol related uses; the introduction of another such establishment would not create an adverse or unique condition. As conditioned, the sale of a full line of alcoholic beverages for on-site and off-site consumption in conjunction with the operation of new commercial establishments located on the Project Site will not adversely affect the welfare of the pertinent community. Negative impacts commonly associated with the sale of alcoholic beverages, such as criminal activity, public drunkenness, escort services, and loitering are mitigated by the imposition of conditions requiring deterrents against loitering and responsible management.

As part of the Approval of Plans process, each individual venue will have additional conditions imposed and tailored towards the specific use. Such impositions of conditions will make the use a more compatible and accountable neighbor to the surrounding uses. Conditions are intended to integrate the use into the community as well as protect community members from potential adverse impacts associated with alcohol sales. Furthermore, employees are required to undergo training on the sale of beer and wine including training provided by the Los Angeles Police Department Standardized Training for Alcohol Retailers (STAR) Program. Other conditions related to excessive noise, litter and noise prevention will safeguard the residential community. Therefore, with the imposition of such conditions the sale of a full line of alcoholic beverages for on-site consumption at this location will further support and augment the Hollywood Center, and not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.

- e. **The granting of the application will not result in an undue concentration of premises for the sale or dispensing for consideration of alcoholic beverages, including beer and wine, in the area of the City involved, giving consideration to applicable State laws and to the California Department of Alcoholic Beverage Control's guidelines for undue concentration; and also giving consideration to the number and proximity of these establishments within a one thousand foot radius of the site, the crime rate in the area (especially those crimes involving public drunkenness, the illegal sale or use of narcotics, drugs or alcohol, disturbing the peace and disorderly conduct), and whether revocation or nuisance proceedings have been initiated for any use in the area.**

According to the State of California Department of Alcoholic Beverage Control (ABC) licensing criteria in 2017, two (2) on-sale and three (3) off-sale licenses are allocated to Census Tract No. 2077.10. There are currently a total of 112 licenses (98 on-site and 14 off-site) in this Census Tract.

Within the census tract of the subject property, the following types of alcoholic beverage licenses are active or pending:

- (0) Type 20 Off Sale Beer and Wine
- (3) Type 21 Off Sale General
- (0) Type 40 On Sale Beer
- (10) Type 41 On Sale Beer and Wine - Eating Place
- (0) Type 42 On Sale Beer and Wine - Public Premises
- (33) Type 47 On Sale General - Eating Place
- (10) Type 48 On Sale General - Public Premises

According to statistics provided by the Los Angeles Police Department's Central Division, within Crime Reporting District No. 666, which has jurisdiction over the subject property, a total of 1,403 crimes were reported in 2018 (422 Part I and 981 Part II crimes), compared to the total citywide average of 185 crimes for the same reporting period.

Part I Crimes reported by LAPD include, Homicide (0), Manslaughter (0), Rape (15), Robbery (47), Aggravated Assault (49), Burglary (25), Auto Theft (32), Larceny (254). Part II Crimes reported include, Other Assault (46), Forgery/Counterfeit (3), Embezzlement/Fraud (13), Stolen Property (5), Weapons Violation (18), Prostitution Related (19), Sex Offenses (9), Offenses Against Family (2), Narcotics (203), Liquor Laws (17), Public Drunkenness (14), Disturbing the Peace (2), Disorderly Conduct (66), Gambling (0), DUI related (27), Moving Traffic Violations (18), and other offenses (284). Of the 1,403 total crimes reported for the census tract, 27 arrests were made for driving under the influence and 14 for public drunkenness.

Concentration can be undue when the addition of a license will negatively impact a neighborhood. Concentration is not undue when the approval of a license does not negatively impact an area, but rather such a license benefits the public welfare and convenience. No information was provided by LAPD showing that the approval of the Master Conditional Use Permit would negatively impact the neighborhood. Of the 1,403 arrests in the crime district, only 2 percent (41) of the total (1,403) were for alcohol-related offenses, and 27 were for driving under the influence (DUI). The above figures indicate that the mixed-use development is located in a high crime reporting district. Due to high crime statistics, conditions typically recommended by the Los Angeles Police Department, such as those related to the STAR Program and age verification, have been imposed in conjunction with this Master Conditional Use Permit approval. Each establishment is part of a larger development will benefit from oversight of the building complex as a whole. Any concerns associated with any individual venue can be addressed in more detail through the Approval of Plans determination which is an opportunity to consider more specific operational characteristics as a tenant is identified and the details of each venue are identified. Security plans, floor plans, seating limitations and other recommended conditions, as well as the mode and character of the operation, will be addressed and assured through site specific conditions. DUI offenses cannot be blamed in this case as the crime district includes Sunset Boulevard and Vine Street, which are major traffic access routes through Hollywood to adjacent residential areas with freeway access to other major entertainment areas such as the Central City, Koreatown, Silver Lake and Echo Park.

- f. **The proposed use will not detrimentally affect nearby residentially zoned communities in the area of the City involved, after giving consideration to the distance of the proposed use from residential buildings, churches, schools, hospitals, public playgrounds and other similar uses, and other establishments dispensing, for sale or other consideration, alcoholic beverages, including beer and wine.**

The Project Site is zoned for commercial uses and will continue to be utilized as such with the development of new restaurant uses on the project site. With regard to surrounding sensitive uses, there are the following within a 1,000-foot radius of the site:

- Frances Howard Goldwyn – Hollywood Regional Branch Library
- Single Family and Multi-family residential uses

Consideration has been given to the distance of the subject establishment from the above-referenced sensitive uses. Residential uses are separated by two blocks of structures, as well as additional uses, creating a buffer between the project site and sensitive uses. Further, the Frances Howard Goldwyn – Hollywood Regional Branch Library is located one and a half blocks to the north, separated by multiple uses. As conditioned, the Project would protect the health, safety and welfare of the surrounding neighbors. The potential effects of excessive noise or disruptive behavior have been considered and addressed by imposing conditions related to noise and loitering. The Project is consistent with the zoning and in keeping with the existing uses adjacent to the development and will contribute to a neighborhood and will serve the neighboring residents and the local employees as well as visitors. Therefore, as conditioned, the Project will not detrimentally affect residentially zoned properties or any other sensitive uses in the area.

4. Project Permit Compliance Review Findings:

- a. That the project substantially complies with the applicable regulations, findings, standards and provisions of the Hollywood Signage Supplemental Use District

- i) 6.G.1. For Signage proposed on Historic-Cultural Monuments, Historic Buildings, or historic buildings identified in a historic survey established by the Director or CRA, the Cultural heritage Commission has found the project to be in conformance with Article 22.171 of the City of Los Angeles Administrative Code (LAAC).

The project does not contain any historic structures, no structures associated with the site are listed in Historic Places LA, Survey LA, or the CRA Hollywood Survey (2010), or identified Historic Cultural Monuments. Therefore no signage is proposed on historic structures.

6400 Sunset Proposed Signage Information				
Type of Sign	Location	Dimensions	Sign Elevations (upper/lower)	Area (sf)
Wall	Cahuenga Blvd.	6.3 ft. x 13.3 ft.	29.6 ft./21.5 ft.	84
Wall	Cahuenga Blvd.	6.3 ft. x 13.3 ft.	29.6 ft./21.5 ft.	84
Wall	Cahuenga Blvd.	6.3 ft. x 13.3 ft.	29.6 ft./21.5 ft.	84
Wall	Cahuenga Blvd.	6.3 ft. x 13.3 ft.	29.6 ft./21.5 ft.	84
Digital Display (Wall Sign)	Sunset Blvd.	14.2 ft. x 19.3 ft.	57.4 ft./38.2 ft.	275
Wall	Ivar Ave.	6.3 ft. x 13.3 ft.	29.6 ft./21.5 ft.	84

Wall	Ivar Ave.	6.3 ft. x 13.3 ft.	29.6 ft./21.5 ft.	84
Wall	Ivar Ave.	6.3 ft. x 13.3 ft.	29.6 ft./21.5 ft.	84
Wall	Cahuenga Blvd.	6.3 ft. x 13.3 ft.	29.6 ft./21.5 ft.	84
Total				947

ii) **6.G.2. All existing and proposed signs do not obscure street views of Character Defining Features of Historic Buildings, Historic Signage, the Hollywood Hills or the Hollywood Sign.**

All proposed signage is not located on a historic structure, and therefore, would not obstruct any character defining features of a historic building or Historic Cultural Monument. The proposed signage is flush with the building surface, and will not project or obscure any historic structures or views from any street.

iii) **6.G.3. All proposed signage complies with the applicable regulations found in Sections 5 and 7 of the Hollywood Signage Supplemental Use District.**

(1) Section 5 General Requirements:

- (a) **5.E** Maximum Permitted Combined Sign Area – maximum permitted combined sign area is two square feet of signage for each foot of linear street frontage, and does not include projecting signs.

As shown in the table below and pages 15 and 16 of Exhibit A, the Project's proposed signage would meet the maximum combined sign area of 948.44 permitted along the Sunset Boulevard, Cahuenga Boulevard, and Ivar Avenue frontages. As seen in the table below, the maximum combined sign area for the project site would total 948.44 square feet of sign area, double the combined street frontage of 474.22.

The street frontage along Sunset Boulevard is 137.6 feet with a maximum permitted combined sign area of 275.2 square feet. The Digital Display on Sunset Boulevard would meet this square footage with a combined sign area of 275 square feet. The street frontage along Cahuenga Boulevard is 168.31 feet with a maximum permitted combined sign area of 336.62 square feet. The Wall Signs on Cahuenga Boulevard would meet this square footage with a combined sign area of 336.62 square feet. The street frontage along Ivar Avenue is 168.31 feet with a maximum permitted combined sign area of 336.62 square feet. The Wall Signs along Ivar Avenue would meet this square footage with a combined sign area of 336.62 square feet. Therefore, the proposed signage would be in compliance with the combined maximum sign area along the Sunset Boulevard, Cahuenga Boulevard and Ivar Avenue frontages.

Location	Street Frontage within SUD boundary (ft)	Max Combined Sign Area Permitted (sf)	Sign Area Proposed (sf)	Difference
Sunset Blvd.	137.6	275.2	275	- 0.2

Cahuenga Blvd.	168.31	336.62	336.62	0
Ivar Ave.	168.31	336.62	336.62	0
Total	474.22	948.44	948.24	-0.2

(b) **5.G Fire Safety** – news signs shall be constructed of noncombustible materials.

The proposed signage would be constructed to the standards of the Los Angeles Fire Department and the Department of Building and Safety.

(c) **5.H: Illumination** – illuminated signs shall be designed, located or screened so as to minimize direct light sources onto walls of residential units and into windows of commercial buildings.

Additionally, the proposed signage would not direct light sources onto any exterior walls of residential units or into the window of any commercial buildings, in compliance with Section 5.H.

iv) Section 7.C Standards for Digital display Signs:

(1) Location.

(a) **C.1.a.(1). Location.** The bottom of a sign consisting of a Digital Display as measured vertically shall be Located between 35 and 75 feet above grade, as measured.

The bottom of the Digital Display along Sunset Boulevard, as measured vertically, would be 38.2 feet from the finished grade of the sidewalk, as illustrated on pages 15 of Exhibit A. As such, the Sunset Boulevard Digital Display would comply with Subsection C.1.a.(1).

(b) **C.1.b. Location.** The top of a sign consisting of a Digital Display, as measured vertically, shall not be greater than 75 feet above grade.

The top of the Sunset Boulevard Digital Display, as measured vertically, would be 57.4 feet from the finished grade of the sidewalk, as illustrated in (still awaiting final plan submittal for this page) Exhibit A. As such the proposed Sunset Boulevard Digital Display would comply with Subsection C.1.b.

(c) **C.1.c.(2). Location.** A Wall Sign consisting of a Digital Display shall be limited to a maximum of one Digital Display for each side of the block.

The Project Site entails the entire Sunset Boulevard frontage between Cahuenga Boulevard and Ivar Street. The Project would install only one digital display along Sunset Boulevard between Cahuenga Boulevard and Ivar Avenue. There would be no other digital display signs installed along the Sunset Boulevard frontage of the Project. As such, the Project would comply with Subsection C.1.c.(2).

(d) **C.2. Area.** A Digital Display that is installed as a Wall Sign shall not exceed 300 square feet in area.

The Sunset Boulevard Digital Display installed as a wall sign would be 275 square feet in area, as illustrated on page 15 of **(still awaiting final plan submittal for this page)** Exhibit A. As such, the Sunset Boulevard Digital Display would not exceed 300 square feet in area.

- (e) C.3. Illumination.** Digital Displays shall have both a daytime and night time illumination, and the night time illumination shall not be as bright as the daytime illumination.

The Sunset Boulevard Digital Display would have less illumination during the night time than daytime, and would be designed in accordance with the applicable sign regulations. As such, the Sunset Boulevard Digital Display would comply with Subsection C.3.

v) **Section 7.L Standards for Wall Signs, regulating:**

L.1.a. Location. Notwithstanding the provisions of Section 14.4.10 of the Code to the contrary, no portion of any Wall Sign shall be located above the second story of the building on which it is placed or higher than 35 feet above grade as measured vertically, whichever is lower.

The proposed wall signs along Ivar Avenue and Cahuenga Boulevard would be located on the second story of the building and no higher than 29.6 feet above the finished grade of the sidewalk, as illustrated in Exhibit A. As such, no portion of any wall signs would be located above the second story or would be placed higher than 35 feet above grade. Therefore, the project will comply with Subsection L.1.a.

L.1.b. Location. A Wall Sign shall not cover the exterior of windows, doors, vents, or other openings that serve occupants of buildings.

The proposed wall signs would not cover the exterior of windows, doors, vents, or other openings that serve occupants of buildings, as shown on pages 15 and 16 of Exhibit A. The three (3) Ivar Wall Signs and three (3) Cahuenga Wall Signs would be integrated into the Project's parking structure and seamlessly blend with the Project's architectural design elements. The Project's parking structure would still be able to meet City's requirements for natural ventilation. As such, the wall signs would comply with Subsection L.1.b.

L.2. Area. A single Wall Sign shall not exceed 300 square feet in area.

The three proposed wall signs along Ivar Avenue and three proposed wall signs along Cahuenga Boulevard would each be 84 square feet in area, as listed in the above table and illustrated on page 15 and 16 of Exhibit A. As such, a single wall sign would not exceed 300 square feet in area.

5. Site Plan Review Findings

In order for the Site Plan Review to be granted, all three of the legally mandated findings delineated in LAMC Section 16.05 F must be made in the affirmative.

a. The project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and any applicable specific plan.

The Project Site is located within the Hollywood Community Plan Area, which was adopted by the City Council on August 2, 2014 (pursuant to Council File 12-0303 S4). The Plan Map designates the subject property for Regional Center Commercial land use with corresponding zones of C2, C4, P, PB, RAS3, and RAS4. The Project Site is zoned C4-2D-SN and C4-2D. The zone permits uses consistent with commercial and multi-family residential uses. The Project is consistent with the land use and zoning and in substantial conformance with the intent and provisions of the General Plan as reflected in the adopted Community Plan.

General Plan Text. The Hollywood Community Plan, a part of the Land Use Element of the City's General Plan, states the following objectives that are relevant to the Project:

Hollywood Community Plan

- Objective No. 1:** To further the development of Hollywood as a major center of population, employment, retail service and entertainment.
- Objective No. 3:** To make provision for the housing required to satisfy the varying needs and desires of all economic segments of the community, maximizing the opportunity for individual choice.
- Objective No. 4:** To promote economic well-being and public convenience through allocating and distributing commercial lands for retail service and office facilities in quantities and patterns based on accepted planning principles and standards.

The project supports Objective No. 1 by developing a new mixed-use building providing 200 new residential units, as well as 7,000 square feet of commercial space to support and compliment the surrounding uses such as the ArcLight Plaza, and the Hollywood/Vine Metro Station area. The project supports additional residents, employment opportunities, retail and restaurant space, as well as supporting entertainment destinations with additional residents. The project helps achieve Objective No. 3 by providing both a mix of unit configurations, including studio, one-bedroom, two-bedroom, and 3-bedroom, as well as reserving 5 percent of units for Very Low-Income Households. The project is also consistent with Objective No. 4 above because of its mixed-use nature which will promote economic well-being by providing commercial uses in a transit rich, commercially zoned property. In addition, the project's uses are consistent with the adjacent properties which are primarily within the C4 Zone and are generally developed with commercial, institutional and office uses. The project further supports this goal by adding to the concentration of pedestrian friendly, transit accessible commercial and mixed use buildings along Sunset Boulevard. Finally, the project also promotes public convenience as it is located along a major transit corridor, Sunset Boulevard, and within walking distance (less than half a mile) of high-capacity transit, including the Metro Red Line located at the intersection of Hollywood Boulevard and Vine Street.

The project site is located within an area of Hollywood that is seeing many new developments, including mixed-use projects that are either built (such as the Columbia Square Project and the Eastown Apartments), under construction (such as the South Block Development and 6250 Sunset Project, Academy Square, and Dream Hotel), approved (Crossroads Hollywood, a hotel project located at 6407 Sunset Boulevard) or proposed. This project will help achieve

Objective No. 1 above to revitalize the Hollywood Center by creating a lively, pedestrian-oriented area, continuing right of way improvements, and pedestrian oriented development spanning from Sunset and Vine to the project site at Sunset and Cahuenga Boulevard. Specifically, the project includes a 26-story structure with 200 residential units, including five percent set aside for Very Low Income Households.

The Project will also help achieve Objective No. 3 above by resulting in the construction of 200 residential units, including five percent, or 10 units, for Very Low Income Households. According to the City's Housing Element 2013-2021, "[i]t is the overall housing vision of the City of Los Angeles to create for all residents a city of livable and sustainable neighborhoods with a range of housing types, sizes and costs in proximity to jobs, amenities and services." The project achieves this vision by providing needed housing, including affordable housing, along a major transit corridor, Sunset Boulevard, and within a quarter mile radius of several high-capacity transit lines including the Metro Rapid Bus and Metro Red Line. Specifically, the project is located 0.3 miles west of the Hollywood and Vine Metro Subway Station, where the Red Line connect Hollywood to Union Station and North Hollywood. This type of development is also consistent with the City's Framework Element which states that anticipated growth should be directed toward high-density, mixed-use centers and to the neighborhoods around its 80 rail stations.

The Project is also consistent with Objective No. 4 above because of its mixed-use nature which will promote economic well-being by providing commercial uses in a commercially zoned property. In addition, the project's uses are consistent with the adjacent properties which are primarily within the C4 Zone and are generally developed with commercial, institutional (i.e., churches and schools) and office uses. Finally, the project also promotes public convenience as it is located along a major transit corridor, Sunset Boulevard, and within walking distance (less than half a mile) of high-capacity transit, including the Metro Red Line located at the intersection of Hollywood Boulevard and Vine Street.

In addition to achieving the objectives of the Hollywood the Community Plan, the Project would also support and be consistent with the following objectives identified in subsection 506.2.3: Regional Center Commercial Density of the Hollywood Redevelopment Plan:

- Objective a:** To concentrate high intensity and/or density development in areas with reasonable proximity or direct access to high capacity transportation facilities or which effectively utilize transportation demand management programs.
- Objective b:** To provide for new development which complements the existing buildings in areas having architecturally and/or historically significant structures.
- Objective d:** To encourage the development of appropriately designed housing to provide a balance in the community.

The project supports Objective "a" above by locating high-density commercial and residential uses near high capacity transportation facilities like the Metro Red Line Hollywood/Vine Station. The project accomplishes Objective "b" above by incorporating architecture features that complement the surrounding unique structures such as the CNN building and the historic ArcLight complex. The CNN building has implemented streetscape treatments that the project

will implement to create a unified streetscape along Cahuenga Boulevard, further the project will provide two palm trees along Sunset Boulevard, consistent with the current treatment along Sunset Boulevard. The proposed new buildings would have varying materials, colors and facade plane variations to complement the eclectic architectural styles of the surrounding area. Furthermore, the height of the tower is compatible with the surrounding area and adjacent CNN building, and follows the same North-South orientation pattern of towers in the Hollywood Plan Area.

As previously stated, the project will also help achieve Objective "d" above by developing 200 residential units with 5 percent, or 10 units, for Very Low Income Households. The residential portion of the project is appropriately designed to accommodate tenants who wish to live near public transit, near employment centers in Hollywood, and near commercial establishments that would be created by the project. In addition, the unit mix of the project includes studios, one bedrooms and two bedrooms to create a housing balance to serve several segments of the population.

Framework Element. The Framework Element for the General Plan (Framework Element) was adopted by the City of Los Angeles in December 1996 and re-adopted in August 2001. The Framework Element provides guidance regarding policy issues for the entire City of Los Angeles, including the Project Site. The Framework Element also sets forth a Citywide comprehensive long-range growth strategy and defines Citywide policies regarding such issues as land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services. Specifically, the proposed development would be consistent with the following objectives and policies of the Framework Element:

Objective 3.1: Accommodate a diversity of uses that support the needs of the City's existing and future residents, businesses, and visitors.

Policy 3.1.4: Accommodate new development in accordance with land use and density provisions of the General Plan Framework Long-Range Land Use Diagram (Figures 3-1 to 3-4) and Table 3-1.

Objective 3.2: Provide for the spatial distribution of development that promotes an improved quality of life by facilitating a reduction of vehicle trips, vehicle miles traveled, and air pollution.

Policy 3.2.3: Provide for the development of land use patterns that emphasize pedestrian/bicycle access and use in appropriate locations.

Objective 3.4: Encourage new multi-family residential, retail commercial, and office development in the City's neighborhood districts, community, regional, and downtown centers, as well as along primary transit corridors/boulevards, while at the same time conserving existing neighborhoods and related districts.

Policy 3.7.1: Accommodate the development of multi-family residential units in areas designated in the community plans in accordance with Table 3-1 and Zoning Ordinance densities indicated in Table 3-3, with the density permitted for each parcel to be identified in the community plans.

Objective 3.10: Reinforce existing and encourage the development of new regional centers that accommodate a broad range of uses that serve, provide job opportunities,

and are accessible to the region, are compatible with adjacent land uses, and are developed to enhance urban lifestyles.

Policy 3.10.1: Accommodate land uses that serve a regional market in areas designated as "Regional Center" in accordance with Tables 3-1 and 3-6. Retail uses and services that support and are integrated with the primary uses shall be permitted. The range and densities/intensities of uses permitted in any area shall be identified in the community plans.

Policy 3.10.4: Provide for the development of public streetscape improvements, where appropriate.

Objective 4.2: Encourage the location of new multi-family housing development to occur in proximity to transit stations, along some transit corridors, and within some high activity areas with adequate transitions and buffers between higher-density developments and surrounding lower-density residential neighborhoods.

Objective 5.8: Reinforce or encourage the establishment of a strong pedestrian orientation in designated neighborhood districts, community centers, and pedestrian-oriented subareas within regional centers, so that these districts and centers can serve as a focus of activity for the surrounding community and a focus for investment in the community.

Policy 7.2.3: Encourage new commercial development in proximity to rail and bus transit corridors and stations.

Policy 3.13: Enhance pedestrian circulation in neighborhood districts, community centers, and appropriate locations in regional centers and along mixed-use boulevards; promote direct pedestrian linkages between transit portals/platforms and adjacent commercial development through facilities orientation and design.

In addition, the proposed project would be consistent with the General Plan Framework's land use objectives and policies for the Regional Center Commercial designation.

- | | |
|------------------------|--|
| <i>Goal 3F:</i> | <i>Mixed-use centers that provide jobs, entertainment, culture, and serve the region.</i> |
| <i>Objective 3.10:</i> | <i>Reinforce existing and encourage the development of new regional centers that accommodate a broad range of uses that serve, provide job opportunities, and are accessible to the region, are compatible with adjacent land uses, and are developed to enhance urban lifestyles.</i> |
| <i>Policy 3.10.2:</i> | <i>Accommodate and encourage the development of multi-family transportation centers, where appropriate.</i> |
| <i>Policy 3.10.3:</i> | <i>Promote the development of high-activity areas in appropriate locations that are designed to induce pedestrian activity, in accordance with Pedestrian-Oriented District Policies 3.16.1 through 3.16.3, and to provide adequate</i> |

transitions with adjacent residential uses at the edges of the centers.

The project would integrate housing with commercial uses and amenities in a new development in proximity to local and regional public transit, including less than .5 miles from the Metro Red Line Hollywood/Vine Station, in addition to local, limited, and rapid Bus line routes.

The project would include complementary and supportive uses within the regional center designation. Generally, Regional Centers are characterized by 6- to 20-story (or higher) mid- and high-rise buildings with a floor-to-area ratio of 1.5:1 to 6:1 as determined in the community plan. The project proposes a 26-story mixed-use building with a height of 285 feet, as well as two subterranean levels, with a floor-to-area ratio of 6:1. In total, the Project will include approximately 231,836 square feet of developed floor area corresponding with a total FAR of 6:1 averaged across the Project Site. Therefore, the Project is within the FAR acceptable in a Regional Center. Furthermore, the Metro Red Line Hollywood/Vine Station is located approximately 0.3 miles east of the Project Site. The Project is also located in an area well-served by public transit provided by Metro and LADOT, including bus stops along Sunset Boulevard, Vine Street, and Hollywood Boulevard. As such, the Project, which will create additional housing to meet a growing demand in the Hollywood community and short- and long-term employment opportunities, will be consistent with the type of development that is envisioned for the Regional Center in the General Plan Framework.

The proposed project will provide 200 residential units and 7,000 square feet of commercial space that is directly accessible from the ground level of Sunset Boulevard. The proposed commercial uses would provide easier access to amenities for residents of Hollywood. The project would be located in the Hollywood Center, and is designated Regional Center Commercial, in accordance with General Plan Diagrams and Designations, concentrating housing and commercial uses in an existing center. Locating mixed-use development close to transit and incorporating commercial areas, with streetscape improvements, and architectural elements, encourages pedestrian activity and provides an incentive for residents not to use their cars for commuting errands, dining, entertainment and employment, thereby reducing vehicle trips. Furthermore, locating the new uses in an existing regional center that is well served by transit will reinforce the Hollywood Center, reduce Vehicle Miles Traveled, conserve surrounding neighborhoods, and develop a context sensitive building that is compatible with higher density uses in the regional center.

The project would be pedestrian-oriented with residential access on each frontage, commercial uses along the Sunset Boulevard frontage, as well as elements, such as shade trees, outdoor seating, canopies, lighting, pedestrian scaling of the ground floor, and ground floor commercial spaces along each elevation, that activate the pedestrian realm. The location of vehicle access along Ivar Avenue and Cahuenga Boulevard would not inhibit pedestrian flows into the area, and would allow for connections to and from the greater Hollywood area. In addition, the Project will provide a total of 180 spaces (172 long-term and 21 short-term) for bicycle parking. As such, the Project will provide opportunities for the use of alternative modes of transportation, thereby promoting an improved quality of life and facilitating a reduction in vehicle trips, vehicle miles traveled, and air pollution. As mentioned above, the Project will include streetscape improvements along Cahuenga Boulevard and Ivar Avenue, with ground level commercial space along Sunset Boulevard, encouraging and promoting walkability in a high-activity area in the Project vicinity. Furthermore, the Project will result in an improved and aesthetically appealing streetscape that would promote pedestrian activity and enhance the urban lifestyle and livability of the surrounding neighborhood. The continuation of ground floor commercial

space and streetscape improvements will create a continuous pedestrian friendly environment from Sunset Boulevard and Vine Street west to Sunset Boulevard and Cahuenga Boulevard. The Project will provide street trees in accordance with Urban Forestry Division requirements. The Project will be located along Sunset Boulevard, which is characterized as a high pedestrian area and also within proximity to the Hollywood Entertainment District to the north. Thus, the Project will encourage and promote walkability in the high-activity Project Site vicinity, particularly between the Metro Red Line Hollywood/Vine Station, Hollywood & Highland Center, tourist attractions, and other entertainment-related uses along Sunset Boulevard and Hollywood Boulevard. In addition, the Project will promote pedestrian activity by providing ground floor retail that will feature extensive glazing to encourage pedestrian activities and create a human-scaled frontage.

The Project will include development of 200 multi-family residential units in accordance with Table 3-1 and Table 3-3 of the General Plan Framework. The Project, which results in a density of approximately 119 units per acre, falls under the High Density designation identified in Table 3-1. This density is also consistent with the corresponding R5 Zone, as identified in Table 3-3. Although the Project Site is currently zoned C4-2D (Commercial, Height District 2 with Development Limitation) and C4-2D-SN (Commercial, Height District 2 with Development Limitation, Signage Supplemental Use District) by the LAMC, the C4 Zone allows for residential development at the density permitted in the R5 Zone when a mix of commercial and residential uses is developed, pursuant to LAMC section 12.22-A,18(a). Height District 2 within the C4 Zone does not impose a height limitation and has a maximum FAR of 6:1. The Development "D" Limitation (Ordinance No. 165,661) in the zoning prefix indicates that development shall not exceed a FAR of 3:1. However, the applicant may utilize the State Density Bonus Law to request increased FAR and averaging of floor area across the site. In addition, the applicant may request a waiver of development standard to allow for increased FAR. Thus, the Project will be developed within the allowable density and, with approval of the requested On-Menu and Off-Menu Incentives pursuant to 12.22-A,25(G), will comply with the Framework Element Long-Range Land Use Diagram.

Housing Element. The 2013-2021 Housing Element, the Housing Element of the General Plan, is the City's blueprint for meeting housing and growth challenges. The Housing Element identifies the City's housing conditions and needs, identifies goals, objectives, and policies that are the foundation of the City's housing and growth strategy, and provides an array of programs the City has committed to in order to implement and create sustainable, mixed-income neighborhoods across Los Angeles. The Project is consistent with the following objectives and policies of the Housing Element:

The 2013-2021 Housing Element of the General Plan is the City's blueprint for meeting housing and growth challenges. The Housing Element identifies a need for more housing while Chapter 6 of the Housing Element lists the goals, objectives, policies and programs that "embody the City's commitment to meeting housing needs." The applicable housing goals, objectives and policies are as follows:

Goal 1:

A City where housing production and preservation result in an adequate supply of ownership and rental housing that is safe, healthy and affordable to people of all income levels, races, ages, and suitable for their various needs.

- Objective 1.1: Produce an adequate supply of rental and ownership housing in order to meet current and projected needs.*
- Policy 1.1.2: Expand affordable rental housing for all income groups that need assistance.*
- Policy 1.1.3: Facilitate new construction and preservation of a range of different housing types that address the particular needs of the city's households.*
- Policy 1.1.4: Expand opportunities for residential development, particularly in designated Centers, Transit Oriented Districts and along Mixed-Use Boulevards.*
- Goal 2: A City in which housing helps to create safe, livable and sustainable neighborhoods.*
- Objective 2.2: Promote sustainable neighborhoods that have mixed-income housing, jobs, amenities, services and transit.*
- Objective 2.3: Promote sustainable buildings, which minimize adverse effects on the environment and minimize the use of non-renewable resources.*
- Policy 2.2.5: Provide sufficient services and amenities to support the planned population while preserving the neighborhood for those currently there.*
- Objective 2.4: Promote livable neighborhoods with a mix of housing types, quality design and a scale and character that respects unique residential neighborhoods in the City.*
- Policy 2.4.1: Promote preservation of neighborhood character in balance with facilitating new development.*

The project is consistent with the above goals, objectives and policies because the project will provide 200 new residential units, adding to the citywide housing supply for current and future residents of the Hollywood Community Plan area. Additionally, the project will set aside 10 (5 percent) Very Low Income units for affordable housing, in addition to providing varied floor plans from studio (39), one-bedroom (72), two-bedroom (76), three-bedroom (11), and Three-bedroom with den (2) configurations, providing for more housing opportunities and choices for the community. Along with housing, the project includes commercial uses, which will serve the residents living at and around the project area. The project will also expand commercial opportunities, with ground-floor, commercial uses along Sunset Boulevard, activating the pedestrian life along the streets. The project's close proximity (less than .5 miles) to the Metro Red Line Hollywood/Vine station and rapid/local bus lines will give residents the ability to take transit or walk to access amenities, employment, or recreation.

The project proposes to reserve five percent (10 units) of the total units for Very Low Income Households. . The income restriction as well as additional market rate units, in various configurations, meet Goal 1, Objective 1.1, and Policies 1.1.2. and 1.1.3. The project further

supports Objective 2.3 through the requirements the project has met to be determined to be a Sustainable Community Project, which requires the project be 15 percent more energy efficient than Chapter 6 of Title 24 of the California code of Regulations, and both the building and landscaping water usage be reduced 25 percent below average household usage. The project also supports Objective 2.3 by virtue of requirements of the Sustainable Communities Project, which precludes projects from attaining such designation if they would be built on open space, prime habitat for endangered species, wetlands, be located on site identified by the Toxic Substances pursuant to Section 65962.5 of the Government Code, and that the project site is adequately served by utilities or the developer has committed to paying impact fees associated with upgrades. The stringent standards in the Sustainable Communities Project which the project meets would comply with the Objective, minimizing environmental impacts.

The project further supports Goal 2, Objectives 1.1.4, 2.2, 2.2.5, 2.4, and Policy 2.4.1 by locating a new development in the Hollywood Center, a regional center well served by transit, employment opportunities, and services, as well as providing new residential units, employment opportunities, and services. The new uses would be provided in a new mixed-use 26-story tower development which activates the pedestrian realm, responds to and respects surrounding development, is consistent with size, orientation, and character of surrounding development, while developing a project with the intensity the project site has been planned for with a Regional Center Commercial Land Use Designation. The project would provide new housing units on a site which is currently a commercial structure, while still providing commercial amenities; preserving the existing neighborhood, while improving the public right of way, adding additional commercial uses, and developing the site with the designated and planned density.

Therefore, the Project is consistent with the General Plan, the Hollywood Community Plan, the Housing Element of the General Plan, and the Hollywood Redevelopment Plan.

- b. The project consists of an arrangement of buildings and structures (including height, bulk and setbacks), off-street parking facilities, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements that is or will be compatible with existing and future development on neighboring properties.**

The surrounding area is highly urbanized and land uses within the general vicinity of the Project Site are characterized by a mix of low- to high-intensity mixed-use, commercial, institutional and residential uses. Specific uses around the Project Site consist of the following:

North: A one story commercial building is located to the north of the project site on the north side of Sunset Boulevard, in the (T)(Q)C4-2D-SN and, C4-2D-SN zones. A new 19-story hotel was approved on March 1, 2017 at this location.

South: A One-story commercial development is located south of the northern lot in the C4-2D Zone, while an alley bounds the project site to the south, adjacent to the southern lot.

East: The One- to four-story ArcLight Cinema complex, including the historic ArcLight Dome, in the C4-2D-SN Zone is located to the east of the project site.

West: A 14-story office building currently, associated with the CNN News Network, across Cahuenga Boulevard in the C4-2D-SN Zone, is located to the west of the project site

The following elements are incorporated into the Project design in a manner that is compatible with both existing and future development in the surrounding area:

Building Design. The Project is designed in a contemporary architectural style. The upper stories are differentiated from the ground floor to create horizontal articulation and reduce the perceived bulk of the building. To create a pedestrian oriented area, the Project will locate retail uses on the ground floor, as well as two pedestrian entries for residents on Cahuenga Boulevard and Ivar Avenue, with direct entries with glazing from Sunset Boulevard, Cahuenga Boulevard, and Ivar Avenue. The project additionally includes streetscape improvements along Cahuenga Boulevard and Sunset Boulevard, creating a more inviting pedestrian environment, further augmented by the ground floor commercial along each street frontage. Finally, the architectural design uses a material palette (i.e., vision glass, tinted glass, blackened steel frame, prefinished aluminum, perforated metal, and architectural concrete) that reflects a modern, unified identity. Additionally, the project focuses the tower towards Sunset Boulevard, concentrating height and mass along the major boulevard.

Building Orientation/Frontage. The primary frontage of the Project is oriented toward the major street, Sunset Boulevard, with frontages along Ivar Avenue and Cahuenga Boulevard responding to their respective character. Specifically, the entrances to the retail are located along each street frontage, with entrances to all commercial spaces along Sunset Boulevard. Access along Ivar Avenue and Cahuenga Boulevard are located to the north of the site, closest to Sunset Boulevard. The project residential access is located primarily at Cahuenga Boulevard midblock, with a residential lobby, mail room, and elevators. Ivar Avenue also facilitates circulation and residential access with midblock access. Finally, as mentioned before, the project has oriented its tower with a north-south direction to maintain view corridors of the Hollywood Hills, maintaining the unique pedestrian experience in Hollywood.

Height/Bulk. The mixed-use building would reach a maximum of 26 stories, or 285 feet with mechanical equipment, with a six level podium. While there is no height limit for the Project Site, the structure is oriented towards Sunset Boulevard, locating the tower footprint at the north end of the lot. The parking podium height would transition to the lower height commercial buildings directly to the south. As discussed, the project site is surrounded by buildings of varying height, with taller buildings located on Sunset Boulevard, and lower scale development to the south. The project focuses height and bulk along Sunset Boulevard, continuing the existing pattern of higher density development along the Boulevard. The podium height is limited to six stories, which is compatible with existing lower scale development, as well as currently under construction ranging from seven stories to twenty stories within two blocks of the project site. The facades of all the buildings are articulated through changes in material, and breaks in the planes of the facade to reduce the perceived bulk of the buildings. Window patterns, changes in material, and fenestration create visual interest and prevent a monolithic character. The towers are articulated with both opaque and clear glass. Thus giving the buildings a sense of lightness, rhythm, and visual interest. Through architectural design and site planning, the Project's perceived height and bulk are reduced. Finally, the changes in materials and planes on the facade create visual interest.

Setbacks. The Project will provide the required setbacks per the LAMC. The project is not required to provide setbacks for the ground floor commercial element of the project pursuant to the C4 Zone. Pursuant to the C4 Zone, the project is required to provide setbacks pursuant to the R4 Zone for the project's residential uses, which begin at the top of the parking podium. The project provides a five foot front yard setback, 5 foot side yard setback, and 15 foot rear yard setback at the podium level, setting back the lowest residential story of the residential

tower from the property lines. The setbacks will contribute toward activating the pedestrian realm by providing space for pedestrian circulation and landscaping. Therefore, the Project will enhance the streetscape around the Project Site.

Off-Street Parking and Driveways. Parking for commercial and residential uses will be provided in two subterranean levels and five podium levels. The project proposes nominal ground floor parking, and is providing a circulation program which encourages passenger loading and drop-off within the podium. The ground floor includes a loading area interior to the building with three loading zones curbs, as well as a through driveway with access to both Cahuenga Boulevard and Ivar Avenue, and up and down ramps to access additional parking. The proposed project includes 256 new parking spaces, meeting its code requirement. The Southern Lot of the project site is currently a surface parking lot with 21 spaces on the southern lot, and the Project does not propose alterations to this lot. The project proposes to utilize Parking Option 1 pursuant to LAMC Section 12.22-A,25 as part of the Density Bonus application. With additional reductions due to bicycle parking incentives, a total of 256 parking spaces are required for the project, and 256 new spaces are proposed, with 21 existing spaces retained, for a total of 277 spaces across the entire project site. Vehicular access will be through two midblock driveways; one along Ivar Avenue and the second along Cahuenga Boulevard. The project is proposing to restrict left turns out of the project site on to Cahuenga Boulevard, while allowing all turning movements at the driveway on Ivar Avenue. Commercial loading will be located in the same area as passenger loading, within the interior ground floor parking area. The vehicular driveways are the minimum width required to be as efficient as possible and all driveways will be at a sufficient distance from adjacent intersections to not interfere with driver and pedestrian visibility and safety in accordance with LADOT standards and approvals.

Building Signage and Lighting. Project lighting will include lighting from within the interior, as well as lighting at the building exterior elevations, exterior courtyards, and roof decks. Exterior lighting will include light at each building entrance and exit, light for the canopies and shade structures adjacent to the building façade, and light for the courtyards and deck spaces at various levels on the building. Site lighting will also include light for circulation and safety, as well as accent light onto trees and other landscape elements. All on-site lighting will comply with regulatory requirements, including the requirements that are set forth by CalGreen and Title 24 that stipulate the use of high performance lights with color and glare control. In addition, design elements will be incorporated to limit the direct view of the light source surface for all exterior light fixtures and to ensure that the light source cannot be seen from adjacent residential properties or the public right-of-way. All on-site exterior lighting will be automatically controlled to illuminate only when necessary. Project signage will be compatible with the commercial and entertainment-oriented uses of the Project Site and the Project vicinity. Proposed signage will be consistent with existing development regulated by the Hollywood Signage Supplemental Use District, and would include monument or mounted project identity signage, building and commercial tenant signage, and general ground-level and wayfinding pedestrian signage, as permitted by the HSSUD. Additionally, the project proposes wall signs along each frontage, with a digital display sign on Sunset Boulevard, as permitted by the HSSUD. Sizes would comply with the HSSUD, total 84 square feet, with 8.2 feet by 10.2 feet dimensions. Wall signs would be located at 21 to 29 feet above grade on the podium level. The digital display sign located at 38 feet above grade along Sunset Boulevard would be 14 feet by 19 feet for a total of 275 square feet. Wayfinding signs will be located at various locations pursuant to HSSUD requirements and to best aid pedestrians. Illuminated signage will include identification signs, digital message boards, and tenant retail signs. Finally, all new street and pedestrian lighting within the public right-of-way will comply with applicable City regulations and would be approved by the Bureau of Street Lighting in order to maintain appropriate and

safe lighting levels on both sidewalks and roadways while minimizing light and glare on adjacent properties.

Open Space and On-Site Landscaping. In total, approximately 23,963 square feet of open space, consisting of approximately 4,099 square feet of interior amenity space, 23,763 square feet of common open space, and approximately 200 square feet of private open space (i.e., balconies) will be provided in accordance with the open space provisions set forth in LAMC Section 12.21-G. The project will also provide 5,470 square feet of planted common area, as required by code. The project will provide an amenity level at level six of the podium, which includes private patios, a dog run, cooking facilities, a pool and spa, changing areas, a fire pit, seating, indoor and outdoor fitness area, and a resident lounge. An additional amenity level is located at level 25 and consists of two private roof decks and a common roof deck. The Project will also provide 52 new trees, including roof deck trees, and street trees along Cahuenga Boulevard, Ivar Avenue, and two new Palm Trees on Sunset Boulevard.

Trash Collection. The residential trash areas are located within enclosed trash rooms within the Project building, and are not visible to the public. Trash rooms are located on each residential floor, the podium amenity level, and the ground floor. Similarly, commercial trash room is fully enclosed and not visible to the public, located on the ground floor.

Loading Areas. The project's loading areas will be located interior to the project site, within the ground floor parking area. Loading would share the same space as ground floor parking and passenger loading. The project's 7,000 square feet of commercial space would not be likely to receive large scale deliveries such as those associated with a grocery store or other large commercial use.

In conclusion, the Project consists of a mixed-use building with off-street parking facilities, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements, that are compatible with existing and future planned development on adjacent and neighboring properties.

c. That any residential project provides recreational and service amenities in order to improve habitability for the residents and minimize impacts on neighboring properties.

The project will provide approximately 23,963 square feet of open space, consisting of approximately 23,763 square feet of common open space, approximately 4,099 square feet of interior amenity space, and approximately 200 square feet of private open space (i.e., balconies) will be provided in accordance with the open space provisions set forth in LAMC Section 12.21-G. The project will provide an amenity level at level six of the podium, which includes private patios, a dog run, cooking facilities, a pool and spa, changing areas, a fire pit, seating, indoor and outdoor fitness area, and a resident lounge. An additional amenity level is located at level 25 and consists of two private roof decks and a common roof deck. Landscaped planters and hardscape features will be distributed throughout the podium and rooftop levels, and perimeter landscaping will be installed at the ground level. Due to the amount, variety, and availability of the Project's proposed open space and recreational amenities, it is anticipated that Project residents and employees will generally utilize on-site open space to meet their recreational needs and reduce the Project's demand on public parks and recreational facilities. Therefore, it is determined that the Project provides sufficient recreational and service amenities to serve residents without creating negative impacts on neighboring properties.

Environmental Findings

Pursuant to Senate Bill (SB) 375 and Public Resources Code (PRC) Section 21155, a project that qualifies as a Transit Priority Project and is declared by a legislative body to be a Sustainable Communities project is statutorily exempt from the California Environmental Quality Act (CEQA). These SB 375 clearances are intended to meet the goals of the Sustainable Communities Strategy to encourage higher density, infill development located near transit.

In order to qualify as a Transit Priority Project, the project must be consistent with general land use policies of an adopted Sustainable Communities Strategy per PRC Section 21155(a) and meet the criteria in PRC Section 21155(b) related to minimum density, residential uses, and distance from a major transit stop or high-quality transit corridor. In order to qualify as a Sustainable Communities Project, the project must meet all environmental criteria in PRC Section 21155.1(a), all land use criteria in PRC Section 21155.1(b), and one public benefit criteria in PRC Section 21155.1(c). A public hearing must be held by City Council prior to declaring a project to be a Sustainable Communities Project and the City Council is required to find the necessary criteria are met in Subsections (b) and (c) of PRC Section 21155.1. Unlike other CEQA clearances, the SCP Exemption must be approved by the City Council, even if the initial decision-maker or appellate body is a lower decision-making body or officer.

The Department of City Planning has reviewed the Sustainable Communities Project Exemption (SCPE) that was prepared for the proposed project and recommended that the City Council consider and determine that the project is exempt from CEQA pursuant to PRC 21155.1 as a Transit Priority Project and Sustainable Communities Project.

At a Meeting of the Planning and Land Use Management Committee (PLUM), on November 6, 2018 the Committee found the project exempt from CEQA pursuant to PRC Section 21155.1, based on the whole of the administrative record.

At the November 21, 2018 City Council meeting, the project was determined exempt from CEQA pursuant to PRC Section 21155.1, based on the whole of the administrative record.



LOS ANGELES CITY PLANNING COMMISSION

200 North Spring Street, Room 272, Los Angeles, California, 90012, (213) 978-1300
planning.lacity.org

LETTER OF DETERMINATION

MAILING DATE: APR 08 2019

Case No. VTT-74496-CN-1A

Council District: 13 – O'Farrell

CEQA: ENV-2016-3631-SCPE

Plan Area: Hollywood

Related Case: CPC-2016-3630-ZC-HD-DB-MCUP-SPP-SPR-WDI

Project Site: 6400 Sunset Boulevard; 1440-1460 North Cahuenga Boulevard;
6400-6416 West Sunset Boulevard; 1419 North Ivar Avenue;
1441-1453 North Ivar Avenue; 1418 North Cahuenga Boulevard

Applicant: 6400 Sunset, LLC
Representative: Edgar Khalatian, Mayer Brown, LLP

Appellant: Coalition to Preserve LA
Representative: Doug Carstens, Catten-Brown & Carstens

At its meeting of **March 14, 2019**, the Los Angeles City Planning Commission took the actions below in conjunction with the approval of the following project:

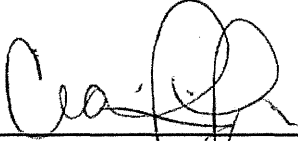
The merger of a 0.73 acre site into one lot for condominium uses.

1. **Found** that on November 21, 2018, the City Council determined in their independent judgment that the project is exempt from CEQA pursuant to PRC Section 21155.1 as a Sustainable Communities Project, based on the entirety of the administrative record;
2. **Denied** the appeal and **sustained** the January 16, 2019, Deputy Advisory Agency's determination to approve, pursuant to Los Angeles Municipal Code Section 17.15, a Vesting Tentative Tract for the project; and
3. **Adopted** the attached Conditions of Approval and findings by the Deputy Advisory Agency.

The vote proceeded as follows:

Moved: Millman
Second: Choe
Ayes: Khorsand, Mack, Padilla Campos, Perlman
Absent: Ambroz, Mitchell

Vote: 6 – 0



Cecilia Lamas, Commission Executive Assistant
Los Angeles City Planning Commission

Fiscal Impact Statement: There is no General Fund impact as administrative costs are recovered through fees.

Effective Date/Appeals: The decision of the Los Angeles City Planning Commission is further appealable to the Los Angeles City Council within 10 days after the mailing date of this determination letter. Any appeal not filed within the 10-day period shall not be considered by the Council and the decision of the City Planning Commission will become final and effective upon the close of the 10-day appeal period. All appeals shall be filed on forms provided at the Planning Department's Development Service Centers located at: 201 North Figueroa Street, Fourth Floor, Los Angeles; 6262 Van Nuys Boulevard, Suite 251, Van Nuys; or 1828 Sawtelle Boulevard, West Los Angeles.

FINAL APPEAL DATE: APR 18 2019

Notice: An appeal of the CEQA clearance for the Project pursuant to Public Resources Code Section 21151(c) is only available if the Determination of the non-elected decision-making body (e.g., ZA, AA, APC, CPC) **is not further appealable** and the decision is final.

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Attachments: Deputy Advisory Agency Determination Letter dated January 16, 2019

c: Heather Bleemers, Senior City Planner
Sergio Ibarra, City Planner
Jason McCrea, Planning Assistant

DEPARTMENT OF
CITY PLANNING

CITY PLANNING COMMISSION

SAMANTHA MILLMAN
PRESIDENT

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Mailing Date: January 16, 2019

Appeal Period Ends: January 29, 2019

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RE: Vesting Tentative Tract Map No.: 74496-CN
Address: 1440-1460 N Cahuenga
Boulevard, 6400-6416 W Sunset Boulevard,
1441-1453 N Ivar Ave (APN:5546-014-058)

Community Plan: Hollywood
Plan Overlay: Hollywood Sign District
Zone: C2-4D-SN, C2-4D
Proposed Zone: C2-4D
Council District: 13 – O'Farrell
CEQA No.: ENV-2016-3630-SCPE

The Department of City Planning has determined that the project is exempt from CEQA as a Sustainable Communities Project ("SCP") pursuant to PRC 21155.1. A subsequent public hearing was held by the Planning and Land Use Management Committee (PLUM) of the City Council on this SCP exemption determination on November 6, 2018, no appeal was filed. After conducting a public hearing, the City Council approved the SCP Exemption on November 21, 2018.

Therefore, this Determination is final and effective on January 29, 2019.

Pursuant to Section 17.15 of the Los Angeles Municipal Code (LAMC), the Advisory Agency **APPROVED:**

Vesting Tentative Tract Map No. 74496-CN, located at 1440-1460 N Cahuenga
Boulevard, 6400-6416 W Sunset Boulevard, 1441-1453 N Ivar Ave (APN:5546-

014-058), for the merger of three lots on a 0.73 net acre site into one ground lot, for a project to include 200 residential apartments, and 7,000 square feet of commercial use, as shown on map stamp-dated September 22, 2016 (Exhibit A).

The subdivider is hereby advised that the LAMC may not permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety, which will legally interpret the Zoning code as it applies to this particular property.) For an appointment with the Development Services Center call (213) 482-7077 or (818) 374-5050 or (310) 231-2901.

The Advisory Agency's consideration is subject to the following conditions:

The final map must record within 36 months of this approval, unless a time extension is granted before the end of such period.

The tract shall be permitted to record with final map units in a number and sequence satisfactory to the Advisory Agency.

NOTE on clearing conditions: When two or more agencies must clear a condition, subdivider should follow the sequence indicated in the condition. For the benefit of the applicant, subdivider shall maintain record of all conditions cleared, including all material supporting clearances and be prepared to present copies of the clearances to each reviewing agency as may be required by its staff at the time of its review.

BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

(Additional BOE Improvement Conditions are listed in "Standard Condition" section on page 24)

1. That a 20-foot radius property line returns or 15-foot by 15-foot cut corner be a limited dedication adjoining the subdivision at Sunset Boulevard intersection with Cahuenga Boulevard. Above dedication shall be limited to 15-foot above finished sidewalk grade and 10-foot below sidewalk grade.
2. That the subdivider make a request to the Central District Office of the Bureau of Engineering to determine the capacity of existing sewers in this area.

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

3. Prior to issuance of a grading or building permit, or prior to recordation of the final map, the subdivider shall make suitable arrangements to assure compliance, satisfactory to the Department of Building and Safety, Grading Division, with all the requirements and conditions contained in the email dated February 27, 2017 attached to the case file for Tract No. VTT-74496-CN.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

4. Prior to recordation of the final map, the Department of Building and Safety, Zoning Division shall certify that no Building or Zoning Code violations exist on the subject site. In addition, the following items shall be satisfied:
- a. Provide copy of building records, plot plan, and certificate of occupancy of all existing structures to remain to verify the last legal use and the number of parking spaces required and provided on each site.
 - b. Provide a copy of the Zone Change ordinance to remove the D condition prior to obtaining Zoning clearance.
 - c. Provide a copy of affidavit AF-90-1900549-MB AND AFF-93-65429-LT. Show compliance with all the conditions/requirements of the above affidavit(s) as applicable. Termination of above affidavit(s) may be required after the Map has been recorded. Obtain approval from the Department, on the termination form, prior to recording.
 - d. Provide a copy of CPC cases CPC cases CPC-2016-3630-ZC-HD-MCUP-SPR, and CPC-2016-1450-CPU. Show compliance with all the conditions/requirements of the CPC cases as applicable.
 - e. Show all street dedication as required by Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be re-checked as per net lot area after street dedication.
 - f. The submitted Map does not comply with the maximum density (200 s.f. of lot area/dwelling unit) requirement of the R5 Zone as allowed for the C Zone within the Regional Center Commercial Area. Revise the Map to show compliance with the above requirement for each Ground Lot or obtain approval from the Department of City Planning.

Notes: The submitted Map may not comply with the number of parking spaces required by Section 12.21 A 4 (a) based on number of habitable rooms in each unit. If there are insufficient numbers of parking spaces, obtain approval from the Department of City Planning.

The submitted Map may not comply with the number of guest parking spaces required by the Advisory Agency.

The proposed building plans have not been checked for and shall comply with Building and Zoning Code requirements. With the exception of revised health or safety standards, the subdivider shall have a vested right to proceed with the proposed development in substantial compliance with the ordinances, policies, and standards in effect at the time the subdivision

application was deemed complete. Plan check will be required before any construction, occupancy or change of use.

If the proposed development does not comply with the current Zoning Code, all zoning violations shall be indicated on the Map.

An appointment is required for the issuance of a clearance letter from the Department of Building and Safety. The applicant is asked to contact Laura Duong at (213) 482-0434 to schedule an appointment.

DEPARTMENT OF TRANSPORTATION

5. Prior to recordation of the final map, satisfactory arrangements shall be made with the Department of Transportation to assure:
 - a. A minimum of 20-foot reservoir space be provided between any security gate(s) and the property line when driveway is serving less than 100 parking spaces. Reservoir space will increase to 40-feet and 60-feet when driveway is serving more than 100 and 300 parking spaces respectively, or to the satisfaction of the Department of Transportation.
 - b. Parking stalls shall be designed so that a vehicle is not required to back into or out of any public street or sidewalk.
 - c. Vehicular access to residential component of project(s) be limited to Ivar Avenue, Cahuenga Boulevard, and or the alley to the satisfaction of the Department of Transportation.
 - d. A parking area and driveway plan be submitted to the Citywide Planning Coordination Section of the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 201 N. Figueroa Street Room 550. For an appointment, call (213) 482-7024.
 - e. That a fee in amount of \$205 be paid for the Department of Transportation as required per Ordinance No. 180,542 and LAMC Section 19.15 prior to recordation of the final map. Note: the applicant may be required to comply with any other applicable fees per this new ordinance.

FIRE DEPARTMENT

6. Prior to the recordation of the final map, a suitable arrangement shall be made satisfactory to the Fire Department, binding the subdivider and all successors to the following:
 - a. Access for Fire Department apparatus and personnel to and into all structures shall be required.

- b. The entrance to a Residence lobby must be within 50 feet of the desired street address curb face.
- c. Entrance to the main lobby shall be located off the address side of the building.
- d. Where above ground floors are used for residential purposes, the access requirement shall be interpreted as being the horizontal travel distance from the street, driveway, alley, or designated fire lane to the main entrance of individual units.
- e. The entrance or exit of all ground dwelling units shall not be more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
- f. No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
- g. The Fire Department may require additional vehicular access where buildings exceed 28 feet in height.

Policy Exception:

L.A.M.C. 57.09.03.B Exception:

When this exception is applied to a fully fire sprinklered residential building equipped with a wet standpipe outlet inside an exit stairway with at least a 2 hour rating the distance from the wet standpipe outlet in the stairway to the entry door of any dwelling unit or guest room shall not exceed 150 feet of horizontal travel AND the distance from the edge of the roadway of an improved street or approved fire lane to the door into the same exit stairway directly from outside the building shall not exceed 150 feet of horizontal travel.

It is the intent of this policy that in no case will the maximum travel distance exceed 150 feet inside the structure and 150 feet outside the structure. The term "horizontal travel" refers to the actual path of travel to be taken by a person responding to an emergency in the building.

This policy does not apply to single-family dwellings or to non-residential buildings.

- h. Building designs for multi-storied residential buildings shall incorporate at least one access stairwell off the main lobby of the building; But, in no case greater than 150 feet horizontal travel distance from the edge of the public

street, private street or Fire Lane. This stairwell shall extend unto the roof.

- i. Entrance to the main lobby shall be located off the address side of the building.
- j. Any required Fire Annunciator panel or Fire Control Room shall be located within 50 feet visual line of site of the main entrance stairwell or to the satisfaction of the Fire Department.
- k. Fire lane width shall not be less than 20 feet. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width.
- l. The width of private roadways for general access use and fire lanes shall not be less than 20 feet, and the fire lane must be clear to the sky.
- m. Fire lanes, where required and dead ending streets shall terminate in a cul-de-sac or other approved turning area. No dead ending street or fire lane shall be greater than 700 feet in length or secondary access shall be required.
- n. Submit plot plans indicating access road and turning area for Fire Department approval.
- o. Adequate public and private fire hydrants shall be required.
- p. Standard cut-corners will be used on all turns.
- q. The Fire Department may require additional roof access via parapet access roof ladders where buildings exceed 28 feet in height, and when overhead wires or other obstructions block aerial ladder access.
- r. Any roof elevation changes in excess of three feet may require the installation of ships ladders.

Note: The applicant is further advised that all subsequent contact regarding these conditions must be with the Hydrant and Access Unit. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished BY APPOINTMENT ONLY, in order to assure that you receive service with a minimum amount of waiting please call (213) 482-6509. You should advise any consultant representing you of this requirement as well.

BUREAU OF STREET LIGHTING

- 7. If new street lights are required, prior to the recordation of the final map or issuance of the Certificate of Occupancy (C of O), street lighting improvement plans shall be

submitted for review and the owner shall provide a good faith effort via a ballot process for the formation or annexation of the property within the boundary of the development into a Street Lighting Maintenance Assessment District.

Note: See also Condition S-3(d) for Street Lighting Improvement conditions.

BUREAU OF SANITATION

8. Satisfactory arrangements shall be made with the Bureau of Sanitation, Wastewater Collection Systems Division for compliance with its sewer system review and requirements. Upon compliance with its conditions and requirements, the Bureau of Sanitation, Wastewater Collection Systems Division will forward the necessary clearances to the Bureau of Engineering. (This condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1. (d).)

INFORMATION TECHNOLOGY AGENCY

9. To assure that cable television facilities will be installed in the same manner as other required improvements, please email cabletv.ita@lacity.org that provides an automated response with the instructions on how to obtain the Cable TV clearance. The automated response also provides the email address of three people in case the applicant/owner has any additional questions.

DEPARTMENT OF RECREATION AND PARKS

10. That the Quimby fee be based on the C4 Zone. Note: since this tract case is vested, the project is not subject to the update in RAP fees per Ordinance No. 184,505.

URBAN FORESTRY DIVISION AND THE DEPARTMENT OF CITY PLANNING

11. Prior to the issuance of a grading permit, a plot plan prepared by a reputable tree expert, indicating the location, size, type, and condition of all existing trees on the site shall be submitted for approval by the Department of City Planning. All trees in the public right-of-way shall be provided per the current Urban Forestry Division standards.

Note: Removal of all trees in the public right-of-way shall require approval of the Board of Public Works. Contact: Urban Forestry Division at: (213) 485-5675. Failure to comply with this condition as written shall require the filing of a modification to this tract map in order to clear the condition.

DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONS

12. Prior to the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a

manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:

- a. Limit the map to the merger and resubdivision of the site for condominium purposes.
- b. Off-street parking for residential and commercial uses shall comply with the requirements of Case No. CPC-2016-3630-ZC-HD-DB-MCUP-SPP-SPR-WDI. In the event that Case No. CPC-2016-3630-ZC-HD-DB-MCUP-SPP-SPR-WDI is not approved, the project shall comply with LAMC Section 12.21-A, 4.

Directions to guest parking spaces shall be clearly posted. Tandem parking spaces shall not be used for guest parking.

In addition, prior to issuance of a building permit, a parking plan showing off-street parking spaces, as required by the Advisory Agency, be submitted for review and approval by the Department of City Planning (221 North Figueroa Street, Suite 1350).

- c. The applicant shall install an air filters capable of achieving a Minimum Efficiency Rating Value (MERV) of at least 11 or better in order to reduce the effects of diminished air quality on the occupants of the project.
 - d. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
 - e. That the subdivider considers the use of natural gas and/or solar energy and consults with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.
 - f. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.
 - g. The applicant shall install shielded lighting to reduce any potential illumination affecting adjacent properties.
13. Prior to the issuance of the building permit or the recordation of the final map, a copy of CPC-2016-3630-ZC-HD-DB-MCUP-SPP-SPR-WDI shall be submitted to the satisfaction of the Advisory Agency. In the event that CPC-2016-3630-ZC-HD-DB-MCUP-SPP-SPR-WDI is not approved, the subdivider shall submit a tract modification.
 14. Prior to issuance of building permits, the applicant shall submit the Council Action and updated Letter of Determination confirming that the SCP Exemption has been adopted by City Council as required per PRC 21155.1.

15. Tribal Cultural Resource Inadvertent Discovery. In the event that objects or artifacts that may be tribal cultural resources are encountered during the course of any ground disturbance activities¹, all such activities shall temporarily cease on the project site until the potential tribal cultural resources are properly assessed and addressed pursuant to the process set forth below:
- Upon a discovery of a potential tribal cultural resource, the project Permittee shall immediately stop all ground disturbance activities and contact the following: (1) all California Native American tribes that have informed the City they are traditionally and culturally affiliated with the geographic area of the proposed project; (2) and the Department of City Planning.
 - If the City determines, pursuant to Public Resources Code Section 21074 (a)(2), that the object or artifact appears to be tribal cultural resource, the City shall provide any effected tribe a reasonable period of time, not less than 14 days, to conduct a site visit and make recommendations to the Project Permittee and the City regarding the monitoring of future ground disturbance activities, as well as the treatment and disposition of any discovered tribal cultural resources.
 - The project Permittee shall implement the tribe's recommendations if a qualified archaeologist, retained by the City and paid for by the project Permittee, reasonably concludes that the tribe's recommendations are reasonable and feasible.
 - The project Permittee shall submit a tribal cultural resource monitoring plan to the City that includes all recommendations from the City and any effected tribes that have been reviewed and determined by the qualified archaeologist to be reasonable and feasible. The project Permittee shall not be allowed to recommence ground disturbance activities until this plan is approved by the City.
 - If the project Permittee does not accept a particular recommendation determined to be reasonable and feasible by the qualified archaeologist, the project Permittee may request mediation by a mediator agreed to by the Permittee and the City who has the requisite professional qualifications and experience to mediate such a dispute. The project Permittee shall pay any costs associated with the mediation.
 - The project Permittee may recommence ground disturbance activities outside of a specified radius of the discovery site, so long as this radius has been reviewed by the qualified archaeologist and determined to be reasonable and appropriate.
 - Copies of any subsequent prehistoric archaeological study, tribal cultural resources study or report, detailing the nature of any significant tribal cultural

¹ Ground disturbance activities shall include the following: excavating, digging, trenching, plowing, drilling, tunneling, quarrying, grading, leveling, removing peat, clearing, pounding posts, augering, backfilling, blasting, stripping topsoil or a similar activity

resources, remedial actions taken, and disposition of any significant tribal cultural resources shall be submitted to the South Central Coastal Information Center (SCCIC) at California State University, Fullerton.

- Notwithstanding the above, any information determined to be confidential in nature, by the City Attorney's office, shall be excluded from submission to the SCCIC or the general public under the applicable provisions of the California Public Records Act, California Public Resources Code, and shall comply with the City's AB 52 Confidentiality Protocols.

16. Indemnification and Reimbursement of Litigation Costs.

Applicant shall do all of the following:

(i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.

(ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.

(iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).

(iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).

(v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the applicant otherwise created by this condition.

DEPARTMENT OF CITY PLANNING-STANDARD CONDOMINIUM CONDITIONS

C-1. That approval of this tract constitutes approval of model home uses, including a sales office and off-street parking. Where the existing zoning is (T) or (Q) for multiple residential use, no construction or use shall be permitted until the final map has recorded or the proper zone has been effectuated. If models are constructed under this tract approval, the following conditions shall apply:

1. Prior to recordation of the final map, the subdivider shall submit a plot plan for approval by the Division of Land Section of the Department of City Planning showing the location of the model dwellings, sales office and off-street parking. The sales office must be within one of the model buildings.
2. All other conditions applying to Model Dwellings under Section 12.22-A, 10 and 11 and Section 17.05-O of the LAMC shall be fully complied with satisfactory to the Department of Building and Safety.

- C-2. Prior to the recordation of the final map, the subdivider shall pay or guarantee the payment of a park and recreation fee based on the latest fee rate schedule applicable. The amount of said fee to be established by the Advisory Agency in accordance with LAMC Section 17.12 and is to be paid and deposited in the trust accounts of the Park and Recreation Fund.
- C-3. Prior to obtaining any grading or building permits before the recordation of the final map, a landscape plan, prepared by a licensed landscape architect, shall be submitted to and approved by the Advisory Agency in accordance with CP-6730.

In the event the subdivider decides not to request a permit before the recordation of the final map, a covenant and agreement satisfactory to the Advisory Agency guaranteeing the submission of such plan before obtaining any permit shall be recorded.

- C-4. In order to expedite the development, the applicant may apply for a building permit for an apartment building. However, prior to issuance of a building permit for apartments, the registered civil engineer, architect or licensed land surveyor shall certify in a letter to the Advisory Agency that all applicable tract conditions affecting the physical design of the building and/or site, have been included into the building plans. Such letter is sufficient to clear this condition. In addition, all of the applicable tract conditions shall be stated in full on the building plans and a copy of the plans shall be reviewed and approved by the Advisory Agency prior to submittal to the Department of Building and Safety for a building permit.

OR

If a building permit for apartments will not be requested, the project civil engineer, architect or licensed land surveyor must certify in a letter to the Advisory Agency that the applicant will not request a permit for apartments and intends to acquire a building permit for a condominium building(s). Such letter is sufficient to clear this condition.

BUREAU OF ENGINEERING - STANDARD CONDITIONS

- S-1. (a) That the sewerage facilities charge be deposited prior to recordation of the final map over all of the tract in conformance with Section 64.11.2 of the LAMC.
- (b) That survey boundary monuments be established in the field in a manner satisfactory to the City Engineer and located within the California Coordinate System prior to recordation of the final map. Any alternative measure approved by the City Engineer would require prior submission of complete field notes in support of the boundary survey.
- (c) That satisfactory arrangements be made with both the Water System and

the Power System of the Department of Water and Power with respect to water mains, fire hydrants, service connections and public utility easements.

- (d) That any necessary sewer, street, drainage and street lighting easements be dedicated. In the event it is necessary to obtain off-site easements by separate instruments, records of the Bureau of Right-of-Way and Land shall verify that such easements have been obtained. The above requirements do not apply to easements of off-site sewers to be provided by the City.
 - (e) That drainage matters be taken care of satisfactory to the City Engineer.
 - (f) That satisfactory street, sewer and drainage plans and profiles as required, together with a lot grading plan of the tract and any necessary topography of adjoining areas be submitted to the City Engineer.
 - (g) That any required slope easements be dedicated by the final map.
 - (h) That each lot in the tract complies with the width and area requirements of the Zoning Ordinance.
 - (i) That 1-foot future streets and/or alleys be shown along the outside of incomplete public dedications and across the termini of all dedications abutting unsubdivided property. The 1-foot dedications on the map shall include a restriction against their use of access purposes until such time as they are accepted for public use.
 - (j) That any one-foot future street and/or alley adjoining the tract be dedicated for public use by the tract, or that a suitable resolution of acceptance be transmitted to the City Council with the final map.
 - (k) That no public street grade exceeds 15%.
 - (l) That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 1990.
- S-2. That the following provisions be accomplished in conformity with the improvements constructed herein:
- (a) Survey monuments shall be placed and permanently referenced to the satisfaction of the City Engineer. A set of approved field notes shall be furnished, or such work shall be suitably guaranteed, except where the setting of boundary monuments requires that other procedures be followed.

- (b) Make satisfactory arrangements with the Department of Transportation with respect to street name, warning, regulatory and guide signs.
- (c) All grading done on private property outside the tract boundaries in connection with public improvements shall be performed within dedicated slope easements or by grants of satisfactory rights of entry by the affected property owners.
- (d) All improvements within public streets, private street, alleys and easements shall be constructed under permit in conformity with plans and specifications approved by the Bureau of Engineering.
- (e) Any required bonded sewer fees shall be paid prior to recordation of the final map.

S-3. That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:

- (a) Construct on-site sewers to serve the tract as determined by the City Engineer.
- (b) Construct any necessary drainage facilities.
- (c) Install street lighting facilities to serve the tract as required by the Bureau of Street Lighting as required below:

Install street lighting facilities to serve the tract as required by the Bureau of Street Lighting.

No street lighting improvements if no street widening per BOE improvement conditions. Otherwise relocate and upgrade street lights; two (2) on Cahuenga Boulevard, two (2) on Sunset Boulevard, and two (2) on Ivar Avenue.

Notes: The quantity of street lights identified may be modified slightly during the plan check process based on illumination calculations and equipment selection.

Conditions set: 1) in compliance with a Specific Plan, 2) by LADOT, or 3) by other legal instrument excluding the Bureau of Engineering conditions, requiring an improvement that will change the geometrics of the public roadway or driveway apron may require additional or the reconstruction of street lighting improvements as part of that condition.

- (d) Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Street Tree Division of the Bureau of Street Maintenance. All street tree plantings shall be

brought up to current standards. When the City has previously been paid for tree planting, the subdivider or contractor shall notify the Street Tree Division (213-485-5675) upon completion of construction to expedite tree planting.

- (e) Repair or replace any off-grade or broken curb, gutter and sidewalk satisfactory to the City Engineer.
- (f) Construct access ramps for the handicapped as required by the City Engineer.
- (g) Close any unused driveways satisfactory to the City Engineer.
- (h) Construct any necessary additional street improvements to comply with the Americans with Disabilities Act (ADA) of 1990.
- (i) That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
 - a. Improve Ivar Avenue and Sunset Boulevard adjoining the subdivision, by the removal and reconstruction of the existing sidewalk to provide a new full-width concrete sidewalk with tree wells including any necessary transitions to join the existing improvements.
 - b. Improve all newly dedicated corner cuts with concrete sidewalks.

NOTES:

The Advisory Agency approval is the maximum number of units permitted under the tract action. However the existing or proposed zoning may not permit this number of units.

Approval from Board of Public Works may be necessary before removal of any street trees in conjunction with the improvements in this tract map through Bureau of Street Services Urban Forestry Division.

Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power, Power System, to pay for removal, relocation, replacement or adjustment of power facilities due to this development. The subdivider must make arrangements for the underground installation of all new utility lines in conformance with LAMC Section 17.05N.

The final map must record within 36 months of this approval, unless a time extension is granted before the end of such period.

The Advisory Agency hereby finds that this tract conforms to the California Water Code, as required by the Subdivision Map Act.

The subdivider should consult the Department of Water and Power to obtain energy saving design features which can be incorporated into the final building plans for the subject development. As part of the Total Energy Management Program of the Department of Water and Power, this no-cost consultation service will be provided to the subdivider upon his request.

FINDINGS OF FACT (CEQA)

Pursuant to Senate Bill (SB) 375 and Public Resources Code (PRC) Section 21155, a project that qualifies as a Transit Priority Project and is declared by a legislative body to be a Sustainable Communities project is statutorily exempt from the California Environmental Quality Act (CEQA). These SB 375 clearances are intended to meet the goals of the Sustainable Communities Strategy to encourage higher density, infill development located near transit.

In order to qualify as a Transit Priority Project, the project must be consistent with general land use policies of an adopted Sustainable Communities Strategy per PRC Section 21155(a) and meet the criteria in PRC Section 21155(b) related to minimum density, residential uses, and distance from a major transit stop or high-quality transit corridor. In order to qualify as a Sustainable Communities Project, the project must meet all environmental criteria in PRC Section 21155.1(a), all land use criteria in PRC Section 21155.1(b), and one public benefit criteria in PRC Section 21155.1(c). A public hearing must be held by City Council prior to declaring a project to be a Sustainable Communities Project and the City Council is required to find the necessary criteria are met in Subsections (b) and (c) of PRC Section 21155.1. Unlike other CEQA clearances, the SCP Exemption must be approved by the City Council, even if the initial decision-maker or appellate body is a lower decision-making body or officer.

The Department of City Planning has reviewed the Sustainable Communities Project Exemption (SCPE) that was prepared for the proposed project and recommended that the City Council consider and determine that the project is exempt from CEQA pursuant to PRC 21155.1 as a Transit Priority Project and Sustainable Communities Project.

At a Meeting of the Planning and Land Use Management Committee (PLUM), on November 6, 2018 the Committee found the project exempt from CEQA pursuant to PRC Section 21155.1, based on the whole of the administrative record.

At the November 21, 2018 City Council meeting, the project was determined exempt from CEQA pursuant to PRC Section 21155.1, based on the whole of the administrative record.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Vesting Tentative Tract Map No. 74496-CN, the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

- (a) THE PROPOSED MAP IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.

Section 66411 of the Subdivision Map Act (Map Act) establishes that local agencies regulate and control the design of subdivisions. Chapter 2, Article I, of the Map Act establishes the general provisions for tentative, final, and parcel maps. The subdivision, and merger, of land is regulated pursuant to Article 7 of the Los Angeles Municipal Code (LAMC). The LAMC implements the goals, objectives, and policies of the General Plan, through zoning regulations, including Specific Plans.

Specifically, Los Angeles Municipal Code (LAMC) Section 17.06-B requires that the tract map be prepared by or under the direction of a licensed surveyor or registered civil engineer. The Vesting Tentative Tract Map was prepared by a Registered Professional Engineer and contains the required components, dimensions, areas, notes, legal description, ownership, applicant, and site address information as required by the Los Angeles Municipal Code ("LAMC").

The Project Site is located within the adopted Hollywood Community Plan area and is classified with the Regional Commercial Center land use designation with the corresponding zones of C2, C4, P, PB, RAS3, RAS4. The project site is zoned C4-2D-SN, and C4-2D. The project site is not located in a Specific Plan Area, but is located in the Hollywood Supplemental Use Sign District. The project site contains 0.83 acres across four non-contiguous parcels, with the northern lot fronting Sunset Boulevard and bounded to the south by adjacent development, and the southern lot bounded to the south by an unnamed alley and the same adjacent development to the north. The C4-2D Zone corresponds to Height District 2. Pursuant to LAMC Section 12.21.1(A)(2), Height District 2 allows a maximum floor area ratio (FAR) of 6:1 and does not limit the height of structures in C designated zones. The parcel is subject to footnote 9 of the Hollywood Community Plan, which limits the FAR to 4.5:1, with up to 6:1 for properties seeking a Transfer of Development Rights or City Planning Commission approval. The parcel is also further restricted subject to Ordinance No. 165,661, which limits the FAR for the site to 3:1. The project is seeking a Zone and Height District Change to change the FAR limit for the site to 6:1. The SN suffix corresponds to Ordinance No. 181,340: the Hollywood Supplemental Use Sign District, the Sign District was established to promote orderly development of signage in the Hollywood Community Plan Area.

In conjunction with the Vesting Tentative Tract Map, the applicant is requesting 1) Pursuant to Los Angeles Municipal Code ("LAMC") Section 12.32 F and 12.32 Q, a Zone Change and Height District Change to remove the "D" limitation on the site; The project will provide 200 dwelling units, including 10 units (five percent) for Very Low Income Households, have an FAR of 6:1, and will be 26-stories tall with a maximum height of 284 feet, consistent with the C4 Zone. The proposed development is contingent upon the approval of Case No. CPC-2016-3630-ZC-HD-DB-MCUP-SPP-SPR-WDI.

The merger of a 0.83 acre site into one ground lot for condominium uses, in conjunction with the construction of a proposed mixed-use development is consistent with the General Plan, General Plan Land Use Designation, and demonstrates compliance with Sections 17.06 and 17.15 of the Los Angeles Municipal Code as well as with the intent and purpose of the General Plan, with regard to density and use. The project site is not governed by a specific plan.

Therefore, as conditioned, the proposed Vesting Tract Map is consistent with the intent and purpose of the General Plan and Specific Plan.

(b) THE DESIGN AND IMPROVEMENT OF THE PROPOSED SUBDIVISION ARE CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.

For purposes of a subdivision, design and improvement is defined by Section 66418 of the Subdivision Map Act and LAMC Section 17.02. Section 66418 of the Subdivision Map Act defines the term "design" as follows: "Design" means: (1) street alignments, grades and widths; (2) drainage and sanitary facilities and utilities, including alignments and grades thereof; (3) location and size of all required easements and rights-of-way; (4) fire roads and firebreaks; (5) lot size and configuration; (6) traffic access; (7) grading; (8) land to be dedicated for park or recreational purposes; and (9) such other specific physical requirements in the plan and configuration of the entire subdivision as may be necessary to ensure consistency with, or implementation of, the general plan or any applicable specific plan. Further, Section 66427 of the Subdivision Map Act expressly states that the "Design and location of buildings are not part of the map review process for condominium, community apartment or stock cooperative projects."

Section 17.05-C of the Los Angeles Municipal Code enumerates design standards for Subdivisions and requires that each Tentative Map be designed in conformance with the Street Design Standards and in conformance to the General Plan. Section 17.05-C, third paragraph, further establishes that density calculations include the areas for residential use and areas designated for public uses, except for land set aside for street purposes ("net area"). LAMC Section 17.06-B and 17.15 lists the map requirements for a tentative tract map and vesting tentative tract map. The map provides the required components of a tentative tract map.

The Tract Map subdivision design includes the merger of a 0.83 acre site into one ground lot for condominium uses, in conjunction with the construction of a proposed mixed-use development.

The design and layout of the map are consistent with the design standards established by the Subdivision Map Act and Division of Land Regulations of the Los Angeles Municipal Code. Several public agencies (including the Bureau of Engineering, Bureau of Sanitation, Bureau of Street Lighting, Fire Department, Department of Building and Safety, Department of Transportation, and Department of Recreation and Parks) have reviewed the map and found the subdivision design satisfactory, and have imposed improvement requirements and/or conditions of approval. Bureau of Engineering requires dedication and improvements on Ivar Avenue in accordance with the City's Street Standards, as well as 20-foot radius property line returns or 15-foot by 15-foot cut corners be dedicated at the intersection of Sunset Boulevard and Cahuenga Boulevard. Sewers are available and have been inspected and deemed adequate in accommodating the proposed project's sewerage needs. Fire and traffic access, as well as site grading, have been reviewed and deemed appropriate. Additional traffic improvement or control measures for adjacent roadways and nearby intersections have been included for traffic and pedestrian safety.

The subdivision will be required to comply with all regulations pertaining to grading, building permits, and street improvement permit requirements. Conditions of Approval for the design and improvement of the subdivision are required to be performed prior to the recordation of the tentative map, building permit, grading permit, or certificate of occupancy.

Further, the Framework Element designates the property and surrounding area as a Downtown Center, and the site is further refined by the Community Plan as designated for Regional Center Commercial land uses, as well as described as the focal point of the community, and subject to the provisions of The parcel is subject to footnote 9 of the Hollywood Community Plan, which limits the FAR to 4.5:1, with up to 6:1 for properties seeking a Transfer of Development Rights or City Planning Commission approval. The parcel is also further restricted subject to Ordinance No. 165,661, which limits the FAR for the site to 3:1. The project is seeking a Zone and Height District Change to change the FAR limit for the site to 6:1. Upon approval of the entitlement requests by the City Planning Commission, the design and improvement of the proposed subdivision would be consistent with the intent and purpose of the Community Plan.

(c) THE SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED TYPE OF DEVELOPMENT.

The project site is currently improved with a three-story, 47-feet tall commercial structure with 43,077 square feet of floor area, and a single-level subterranean parking garage, and surface parking lot. The project site is physically suitable for

the proposed type of development. The project site is relatively flat and located within an urbanized area and is not located in a slope stability study area or a fault/rupture study zone. The project is not located in a liquefaction seismic hazard zone. The project site is not located within a Methane Zone. According to a memo from the Department of Building and Safety, Grading Division, dated January 29, 2018, the project site is outside of a City of Los Angeles Hillside Area; is exempt or located outside of a State of California liquefaction, earthquake induced landslide, or fault-rupture hazard zone; and does not require any grading or construction of an engineered retaining structure to remove potential geologic hazards.

The tract has been approved contingent upon the satisfaction of the Department of Building and Safety, Grading Division prior to the recordation of the map and issuance of any permits. Therefore, the site will be physically suitable for the proposed type of development.

(d) THE SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED DENSITY OF DEVELOPMENT.

The General Plan identifies, through its Community and Specific Plans, geographic locations where planned and anticipated densities are permitted. Zoning standards for density are applied to sites throughout the city and are allocated based on the type of land use, physical suitability, and future population growth expected to occur. The adopted Hollywood Community Plan designates the subject site a Regional Center Commercial land uses, which allows for hotel, residential and commercial uses. The parcel is subject to footnote 9 of the Hollywood Community Plan, which limits the FAR to 4.5:1, with up to 6:1 for properties seeking a Transfer of Development Rights or City Planning Commission approval. The parcel is also further restricted subject to Ordinance No. 165,661, which limits the FAR for the site to 3:1. The project is seeking a Zone and Height District Change to change the FAR limit for the site to 6:1. As part of the associated Case No. CPC-2016-3630-ZC-HD-DB-MCUP-SPP-SPR-WDI, a request includes a Density Bonus compliance review, zone change, and height district.

Therefore, zoning for the subject site permits a maximum floor area ratio of 6:1 with City Planning Commission Approval, and based on the site's lot area prior to dedication, does not limit the allowable number of residential dwellings. The site contains 38,722 square feet of land prior to dedication, and contingent upon the approval of a Zone Change, Height District Change, and Density Bonus Case No. CPC-2016-3630-ZC-HD-DB-MCUP-SPP-SPR-WDI, would be allowed a maximum floor area of 232,332 square feet. Therefore, the project's proposed density of up including 200 residential apartments, including five percent units reserved for Very Low Income Households, and 7,000 square feet of commercial space on a 31,615 square-foot lot (after dedications and vacations), is consistent with the general provisions and area requirements of the Planning and Zoning Code.

Surrounding uses are within the C4-2D-SN, C4-2D, C2-XL, C1-1VL, RD1.5-1XL, R4-2D, and PF-1XL zones and are generally developed with commercial, multi-family residential, institutional, event venue, public facilities, educational, and surface parking lots. The subject site is a relatively flat, in-fill lot, in a substantially developed urban area with adequate infrastructure. The area is easily accessible via improved streets, highways, and transit systems. The environmental review conducted by the Department of City Planning (Case No. ENV-2016-3631-SCPE, established that the project meets the minimum density and development requirements of the exemption, and additionally the physical characteristics of the site and the proposed density of development are generally consistent with existing development and urban character of the surrounding community. Therefore, the project site is physically suitable for the proposed density of development.

- (e) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SUBSTANTIAL ENVIRONMENTAL DAMAGE OR SUBSTANTIALLY AND AVOIDABLY INJURE FISH OR WILDLIFE OR THEIR HABITAT.

The Initial Study prepared for the project identified no potential adverse impacts on fish or wildlife resources, furthermore, the project was deemed exempt from CEQA pursuant to PRC Section 21155.1 which includes provisions that preclude the project from impacting fish or wildlife. The project site, is currently improved with a three-story, 47 feet tall commercial structure with 43,077 square feet of floor area, and a single-level subterranean parking garage, and surface parking lot, the surrounding area includes similar commercial, residential, and parking facilities, and do not provide a natural habitat for either fish or wildlife. The site, as required by the Sustainable Communities Exemption that was approved for the project, does not contain any natural open spaces, act as a wildlife corridor, contain riparian habitat, wetland habitat, migratory corridors, conflict with a Habitat Conservation Plan, nor possess any areas of significant biological resource value. With regard to protected trees, a Protected Tree Report was prepared for the project site as part of the Initial Study. The Protected Tree Report concludes that no trees are eligible to be protected on site, and no significant trees were identified on site. All trees will be removed for the project, and will be replaced in compliance with applicable requirements of the City's Protected Tree Ordinance. The project proposes additional street trees and streetscape for the project site.

Therefore, the design of the subdivision would not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

- (f) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SERIOUS PUBLIC HEALTH PROBLEMS.

The proposed subdivision and subsequent improvements are subject to the provisions of the Los Angeles Municipal Code (e.g., the Fire Code, Planning and Zoning Code, Health and Safety Code) and the Building Code. Other health and

safety related requirements as mandated by law would apply where applicable to ensure the public health and welfare (e.g., asbestos abatement, seismic safety, flood hazard management).

The project is not located over a hazardous materials site, flood hazard area and is not located on unsuitable soil conditions. The project would not place any occupants or residents near a hazardous materials site or involve the use or transport of hazardous materials or substances.

The Bureau of Sanitation, Wastewater Collection System Division issued a letter dated February 24, 2017, stating that they reviewed the existing sewer and storm drain lines serving the tract, and determined that there will be no potential problems to these City structures or potential maintenance problems. The project was deemed exempt from CEQA pursuant to PRC Section 21155.1 which requires the project have no significant impact on the existing public utility and sewer systems, facilities and services and the project, consistent with the exemption provisions, includes substantial reductions in energy and water usage. The development is required to be connected to the City's sanitary sewer system, where the sewage will be directed to the Hyperion Treatment Plant, which has been upgraded to meet Statewide ocean discharge standards. The Bureau of Engineering has reported that the proposed subdivision does not violate the existing California Water Code because the subdivision will be connected to the public sewer system and will have only a minor incremental impact on the quality of the effluent from the Hyperion Treatment Plant. No adverse impacts to the public health or safety would occur as a result of the design and improvement of the site. Therefore, the design of the subdivision and the proposed improvements are not likely to cause serious public health problems.

- (g) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS WILL NOT CONFLICT WITH EASEMENTS ACQUIRED BY THE PUBLIC AT LARGE FOR ACCESS THROUGH OR USE OF PROPERTY WITHIN THE PROPOSED SUBDIVISION.

There are no recorded instruments identifying easements encumbering the project site for the purpose of providing public access. The site is surrounded by private properties that adjoin improved public streets and sidewalks designed and improved for the specific purpose of providing public access throughout the area. In addition, the Bureau of Engineering indicated in their report dated March 17, 2017 that the proposed improvements will not conflict with easements. The project site does not adjoin or provide access to a public resource, natural habitat, Public Park, or any officially recognized public recreation area. Needed public access for roads and utilities will be acquired by the City prior to recordation of the proposed tract. Therefore, the design of the subdivision and the proposed improvements would not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

- (h) THE DESIGN OF THE PROPOSED SUBDIVISION WILL PROVIDE, TO THE EXTENT FEASIBLE, FOR FUTURE PASSIVE OR NATURAL HEATING OR COOLING OPPORTUNITIES IN THE SUBDIVISION. (REF. SECTION 66473.1)

In assessing the feasibility of passive or natural heating or cooling opportunities in the proposed subdivision design, the applicant has prepared and submitted materials which consider the local climate, contours, configuration of the parcel(s) to be subdivided and other design and improvement requirements.

Providing for passive or natural heating or cooling opportunities will not result in reducing allowable densities or the percentage of a lot which may be occupied by a building or structure under applicable planning and zoning in effect at the time the tentative map was filed.

The topography of the site has been considered in the maximization of passive or natural heating and cooling opportunities.

In addition, prior to obtaining a building permit, the subdivider shall consider building construction techniques, such as overhanging eaves, location of windows, insulation, exhaust fans; planting of trees for shade purposes and the height of the buildings on the site in relation to adjacent development.

These findings shall apply to both the tentative and final maps for Vesting Tentative Tract Map No. 74496-CN.

Vincent P. Bertoni, AICP
Advisory Agency



HEATHER BLEEMERS
Senior Planner
Deputy Advisory Agency
HB:SI

Note: If you wish to file an appeal, it must be filed within 10 calendar days from the decision date as noted in this letter. For an appeal to be valid to the Central Area Planning Commission, it must be accepted as complete by the City Planning Department and appeal fees paid, prior to expiration of the above 10-day time limit.

Such appeal must be submitted on Master Appeal Form No. CP-7769 at the Department's Public Offices, located at:

Figueroa Plaza
201 North Figueroa
Street, 4th Floor
Los Angeles,
CA 90012
(213) 482-7077

Marvin Braude
San Fernando Valley
Constituent Service
Center
6262 Van Nuys
Boulevard, Room 251
Van Nuys, CA 91401
(818) 374-5050

West Los Angeles
Development Services
Center
1828 Sawtelle Boulevard,
2nd Floor
Los Angeles, CA 90025
(310) 231-2598

Forms are also available on-line at <http://planning.lacity.org/>.

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

If you have any questions, please call Development Services Center staff at (213) 482-7077, (818) 374-5050, or (310) 231-2598.