

# PLANNING DEPARTMENT TRANSMITTAL TO THE CITY CLERK'S OFFICE

<b>CITY PLANNING CASE:</b>	<b>ENVIRONMENTAL DOCUMENT:</b>	<b>COUNCIL DISTRICT:</b>
CPC-2015-3596-ZC-CU-SPR-ZV	ENV-2015-3597-MND	4 – RYU
<b>PROJECT ADDRESS:</b>		
12828 W. RIVERSIDE DRIVE		
<b>APPLICANT/REPRESENTATIVE:</b>		<b>CONTACT INFORMATION :</b>
APP: MARK HAZAN, RAMCAL MANAGEMENT INC.		
REP.: BRAD ROSENHEIM, ROSENHEIM & ASSOCIATES		brad@raa-inc.com
<b>APPELLANT/REPRESENTATIVE:</b>	<b>TELEPHONE NUMBER:</b>	<b>EMAIL ADDRESS:</b>
N/A	N/A	N/A
<b>PLANNER CONTACT INFORMATION:</b>	<b>TELEPHONE NUMBER:</b>	<b>EMAIL ADDRESS:</b>
COURTNEY SHUM	818-374-5058	courtney.shum@lacity.org
<b>APPROVED PROJECT DESCRIPTION:</b>		
<p>Demolition of an existing surface parking lot and the subsequent construction, use, and maintenance of a new four (4)-story, 49-foot, 10-inch in height hotel with 94 guest rooms, with approximately 46,860 square feet of floor area, on a 20,131 square-foot site (gross lot area). The proposed building will provide a total of 61 automobile parking spaces and 10 bicycle parking spaces. The project will involve the grading and export of approximately 15,194 cubic yards of dirt to accommodate two (2) subterranean levels of parking.</p>		

**COMMISSION ACTION(S) / ZONING ADMINISTRATOR ACTION(S): (CEA's PLEASE CONFIRM)**

1. Recommended that the City Council Adopt the Mitigated Negative Declaration (ENV-2015-3597-MND) and the Mitigation Monitoring Program (MMP) as adequate environmental clearance;
2. Disapproved the Zone Change request as filed;
3. Approved and Recommended that the City Council adopt a Zone Change from R3-1VL to (T)(Q)RAS4-1VL-RIO, subject to the attached (T) and (Q) Conditions of Approval, as modified by the City Planning Commission;
4. Approved a Conditional Use to allow a hotel use within the RAS4 Zone with additional Conditions of Approval, as recommended by the City Planning Commission;
5. Approved a Site Plan Review for a development which will result in an increase of 50 or more guest rooms;
6. Approved a Zone Variance from Section 12.21 C.6 to allow the loading space required for the proposed hotel building to be provided on a lot adjoining the project site instead of on the same lot as the project site;
7. Adopted the attached Findings, as modified by the City Planning Commission; and
8. Advised the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.

**ENTITLEMENTS FOR CITY COUNCIL CONSIDERATION:**

ZC, CU, SPR, ZV

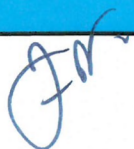
**FINAL ENTITLEMENTS NOT ADVANCING:**

N/A

**ITEMS APPEALED:**

N/A



ATTACHMENTS:	REVISED:	ENVIRONMENTAL CLEARANCE:	REVISED:
<input checked="" type="checkbox"/> Letter of Determination	<input type="checkbox"/>	<input type="checkbox"/> Categorical Exemption	<input type="checkbox"/>
<input checked="" type="checkbox"/> Findings of Fact	<input type="checkbox"/>	<input type="checkbox"/> Negative Declaration	<input type="checkbox"/>
<input checked="" type="checkbox"/> Staff Recommendation Report	<input type="checkbox"/>	<input checked="" type="checkbox"/> Mitigated Negative Declaration	<input type="checkbox"/>
<input checked="" type="checkbox"/> Conditions of Approval	<input type="checkbox"/>	<input type="checkbox"/> Environmental Impact Report	<input type="checkbox"/>
<input checked="" type="checkbox"/> Ordinance	<input type="checkbox"/>	<input type="checkbox"/> Mitigation Monitoring Program	<input type="checkbox"/>
<input checked="" type="checkbox"/> Zone Change Map	<input type="checkbox"/>	<input type="checkbox"/> Other	<input type="checkbox"/>
<input type="checkbox"/> GPA Resolution	<input type="checkbox"/>		
<input type="checkbox"/> Land Use Map	<input type="checkbox"/>		
<input type="checkbox"/> Exhibit A - Site Plan	<input type="checkbox"/>		
<input checked="" type="checkbox"/> Mailing List	<input type="checkbox"/>		
<input type="checkbox"/> Land Use	<input type="checkbox"/>		
<input type="checkbox"/> Other	<input type="checkbox"/>		
<b>NOTES / INSTRUCTION(S):</b>			
<b>FISCAL IMPACT STATEMENT:</b>			
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <p style="text-align: right;">*If determination states administrative costs are recovered through fees, indicate "Yes".</p>			
<b>PLANNING COMMISSION:</b>			
<div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <input checked="" type="checkbox"/> City Planning Commission (CPC)  <input type="checkbox"/> Cultural Heritage Commission (CHC)  <input type="checkbox"/> Central Area Planning Commission  <input type="checkbox"/> East LA Area Planning Commission  <input type="checkbox"/> Harbor Area Planning Commission </div> <div style="width: 48%;"> <input type="checkbox"/> North Valley Area Planning Commission  <input type="checkbox"/> South LA Area Planning Commission  <input type="checkbox"/> South Valley Area Planning Commission  <input type="checkbox"/> West LA Area Planning Commission </div> </div>			
<b>PLANNING COMMISSION HEARING DATE:</b>		<b>COMMISSION VOTE:</b>	
February 25, 2016		8 - 0	
<b>LAST DAY TO APPEAL:</b>		<b>APPEALED:</b>	
April 18, 2016		No	
<b>TRANSMITTED BY:</b>		<b>TRANSMITTAL DATE:</b>	
James K. Williams 		APR 19 2016	



# LOS ANGELES CITY PLANNING COMMISSION

200 N. Spring Street, Room 532, Los Angeles, California, 90012-4801  
(213) 978-1300; [www.planning.lacity.org](http://www.planning.lacity.org)

## LETTER OF DETERMINATION

Mailing Date: **MAR 29 2016**

**CASE NO.:** CPC-2015-3596-ZC-CU-SPR-ZV  
**CEQA:** ENV-2015-3597-MND

**Location:** 12828 W. Riverside Drive  
**Council District:** 4 - Ryu  
**Plan Area:** Van Nuys-N. Sherman Oaks  
**Requests:** Zone Change, Conditional Use,  
Site Plan Review, Zone Variance

**Applicant:** Mark Hazan, Ramcal Mgt., Inc.

**Representative:** Brad Rosenheim, Rosenheim & Associates

**At its meeting of February 25, 2016, the Los Angeles City Planning Commission took the following action:**

1. **Disapproved** the Zone Change request as filed.
2. **Approved** a **Zone Change** from R3-1VL to **(T)(Q)RAS4-1VL-RIO**.
3. **Approved** a **Conditional Use** to allow a hotel use within the RAS4 Zone.
4. **Approved** a **Site Plan Review** for a development which will result in an increase of 50 or more guest rooms.
5. **Approved** a **Zone Variance** from Section 12.21 C.6 to allow the loading space required for the proposed hotel building to be provided on a lot adjoining the project site instead of on the same lot as the project site.
6. **Adopted** the attached modified **Conditions of Approval**.
7. **Adopted** the attached amended **Findings**.
8. **Adopted** Mitigated Negative Declaration No. **ENV-2015-3597-MND** and the Mitigation Monitoring Program (MMP) as adequate environmental clearance.
9. **Advised** the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.

### Recommendations to City Council:

1. **Recommended** that the City Council adopt a **Zone Change** from R3-1VL to **(T)(Q)RAS4-1VL-RIO**.
2. **Recommended** that the City Council **adopt** Mitigated Negative Declaration No. **ENV-2015-3597-MND** and the Mitigation Monitoring Program (MMP).

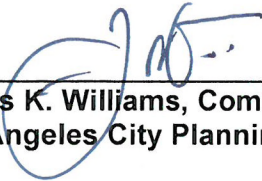
Fiscal Impact Statement: There is no General Fund impact as administrative costs are recovered through fees.

### This action was taken by the following vote:

**Moved:** Dake-Wilson  
**Seconded:** Ahn  
**Ayes:** Ambroz, Katz, Mack, Millman, Perlman  
**Absent:** Choe

**Vote:** 8 - 0





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**James K. Williams, Commission Executive Assistant II**  
**Los Angeles City Planning Commission**

**Effective Date/Appeals:** The City Planning Commission's determination is appealable. Any aggrieved party may file an appeal within 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 City Council. All appeals shall be filed on forms provided at the Planning Department's Public Counters at 201 N. Figueroa Street, Fourth Floor, Los Angeles, or at 6262 Van Nuys Boulevard, Suite 251, Van Nuys.

**FINAL APPEAL DATE:** APR 18 2016

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.

Attachment: Modified Conditions of Approval, Map, Ordinance, amended Findings  
City Planning Assistant: Courtney Shum

## **CONDITIONS FOR EFFECTUATING (T) TENTATIVE CLASSIFICATION REMOVAL**

Pursuant to Los Angeles Municipal Code Section 12.32 G, the (T) Tentative Classification shall be removed by the recordation of a final 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 approvals or guarantees provided to the Planning Department for attachment to the subject City Planning case file.

1. Dedication Required:

**Riverside Drive** (Avenue I) – None.

2. Improvements Required:

**Riverside Drive** – Remove and replace existing sidewalk to provide a 5-foot concrete sidewalk adjacent to the property in a 10-foot border. Repair all broken, off-grade or bad order concrete curb and gutters. Upgrade all driveways to standards to comply with ADA requirements. Close all unused driveways with full height curb, 2-foot gutter, and sidewalk. Repair or replace other existing public improvements that may get damaged during construction of the proposed project. These improvements should suitably transition to join the existing improvements.

Install tree wells with root barriers, plant street trees, and trim existing tree roots satisfactory to the City Engineer and the Urban Forestry Division of the Bureau of Street Services. The applicant should contact the Urban Forestry Division for further information (213) 847-3088.

Notes: Street lighting may be required satisfactory to the Bureau of Street Lighting (213) 847-1551.

Department of Transportation may have additional requirements offsite for dedication and improvements.

3. Roof drainage and surface run-off from the project shall be collected and treated at the site and directed to the streets via drain systems constructed under the sidewalk and through the curb drains or connections to the catch basins.
4. Sewers exist in Riverside Drive. All Sewerage Facilities Charges and Bonded Sewer Fees are to be paid prior to obtaining a building permit.
5. An investigation by the Bureau of Engineering Valley District Office Sewer Counter may be necessary to determine the capacity of the existing public sewers to accommodate the proposed development. Submit a request to the Valley District Office of the Bureau of Engineering (818) 374-5088.
6. Submit shoring and lateral support plans to the Bureau of Engineering Valley District Office Excavation Counter for review and approval prior to excavating adjacent to the right-of-way (818) 374-5090.
7. Submit a parking area and driveway plan to the Valley District Office of the Bureau of Engineering and the Department of Transportation for review and approval.



8. **Department of Transportation.** The Department of Transportation (DOT) recommends the following conditions for the project:
- a. For all two-way driveways, a width of  $W=30'$ , exclusive of side slope shall be provided.
  - b. For all one-way driveways, a width of  $W=16'$ , exclusive of side slope shall be provided.
  - c. A minimum required reservoir space between the new property line and the first parking stall or gate shall be provided for all driveways.
  - d. Parking stall shall be designed so that a vehicle is not required to back up into or out of any public street or sidewalk.
  - e. Final DOT approval shall be obtained prior to issuance of any building permits. This should be accomplished by submitting detailed site and driveway plans, with a minimum scale of  $1"=40'$ , to DOT's Valley Development Review Section at 6262 Van Nuys Boulevard, Suite 320, Van Nuys, CA 91401.

Notice: Certificates of Occupancies for the subject property will not be issued by the City until the construction of all the public improvements (streets, sewers, storm drains, etc.), as required herein, are completed to the satisfaction of the City Engineer.

## (Q) QUALIFIED CONDITIONS OF APPROVAL

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.

### A. Entitlement Conditions

1. **Site Plan.** The use and development of the property shall be in substantial conformance with the plans submitted with the application and marked **Exhibit A**, dated **September 16, 2015** and **February 8, 2016**, and attached to the administrative file. Prior to the issuance of building permits, detailed development plans that show compliance with all conditions of approval, including complete landscape and irrigation plans, shall be submitted to the Department of City Planning Department for review. 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.
2. **Use.** The property shall comply with the use, restrictions/limitations, and area provisions of the RAS4 Zone, pursuant to LAMC Section 12.11.5, unless modified by herein conditions or subsequent action.
3. **Height.** The building shall be limited to a height of 49 feet, 10 inches. Any structures on the roof, such as air conditioning units and other equipment, shall be fully screened from view of any abutting properties.
4. **Floor Area Ratio (FAR).** FAR shall not exceed 2.71:1.
5. **Residential Density.** No more than 94 guest rooms shall be constructed on the property.
6. **Driveway.** The site design shall be limited to one ingress and egress driveway along Riverside Drive, via the existing driveway located on the property immediately west of the project site at 12840 W. Riverside Drive, which is under common ownership with the subject property. A Community Driveway affidavit shall be recorded in a manner satisfactory to the Department of Building and Safety prior to issuance of building permits.
7. **Parking.** Vehicle parking shall be provided consistent with LAMC Section 12.21 A.4. Up to ten percent of the required automobile parking may be replaced with bicycle parking. Pursuant to LAMC Section 12.21 A.4 and the ten percent replacement of automobile parking with bicycle parking, the project need not provide more than 54 parking spaces. Twenty percent (20%) of the total number of parking spaces provided shall be wired for compatibility with an Electric Vehicle (EV) Charging System which is listed by a nationally recognized testing laboratory (NRTL).
8. **Bicycle Parking.** Bicycle parking shall be provided pursuant to LAMC Sections 12.21.A.4 and 12.21.A.16. A minimum of 10 bicycle parking spaces shall be provided on site including short-term and long-term spaces for the hotel use.
9. **Landscape Plan.** 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 Department of City Planning Department. The landscape plan shall be in compliance with the landscape provisions of the RIO District, Section 13.17 of the LAMC. No trash or recycling areas shall be located within a required landscaped setback.



10. **Lighting.** Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent properties, the public right-of-way, nor from above.
11. **Building Materials.** A note shall be added to the Project Elevations to indicate that the any building materials consisting of metal shall be of a non-reflective material.
12. **Building Color Scheme.** The project color scheme shall be in substantial conformance with the rendering marked Exhibit B, dated February 8, 2016, and attached to the administrative file. The color scheme shall be carried across all sides of the building.
13. **Wall.** The concrete masonry unit (CMU) wall facing the office use located directly east of the project site shall be covered with clinging vines or screened by vegetation capable of spreading over the entire wall.

**B. Environmental Conditions (ENV-2015-3597-MND)**

14. **Aesthetics (Landscape Plan).** All landscaped areas shall be maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect in accordance with LAMC Sections 12.40 and 12.41. The final landscape plan shall be reviewed and approved by the City of Los Angeles Department of City Planning during the building permit process.
15. **Air Filtration.** An air filtration system shall be installed and maintained with filters meeting or exceeding the ASHRAE Standard 52.2 Minimum Efficiency Reporting Value (MERV) of 12, to the satisfaction of the Department of Building and Safety.
16. **Habitat Modification (Nesting Native Birds, Non-Hillside or Urban Areas).**
  - a. Proposed project activities (including disturbances to native and non-native vegetation, structures and substrates) should take place outside of the breeding bird season which generally runs from March 1- August 31 (as early as February 1 for raptors) to avoid take (including disturbances which would cause abandonment of active nests containing eggs and/or young). Take means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill (Fish and Game Code Section 86).
  - b. If project activities cannot feasibly avoid the breeding bird season, beginning thirty days prior to the disturbance of suitable nesting habitat, the applicant shall:
    - i. Arrange for weekly bird surveys to detect any protected native birds in the habitat to be removed and any other such habitat within properties adjacent to the project site, as access to adjacent areas allows. The surveys shall be conducted by a qualified biologist with experience in conducting breeding bird surveys. The surveys shall continue on a weekly basis with the last survey being conducted no more than 3 days prior to the initiation of clearance/construction work.
    - ii. If a protected native bird is found, the applicant shall delay all clearance/construction disturbance activities within 300 feet of suitable nesting habitat for the observed protected bird species until August 31.
    - iii. Alternatively, the Qualified Biologist could continue the surveys in order to locate any nests. If an active nest is located, clearing and construction within 300 feet of the nest or as determined by a qualified biological monitor, shall be postponed until the nest is vacated and juveniles have fledged and when there is no evidence of a second attempt at nesting. The buffer zone from the nest

shall be established in the field with flagging and stakes. Construction personnel shall be instructed on the sensitivity of the area.

- iv. The applicant shall record the results of the recommended protective measures described above to document compliance with applicable State and Federal laws pertaining to the protection of native birds. Such record shall be submitted and received into the case file for the associated discretionary action permitting the project.

**17. Tree Removal (Non-Protected Trees).**

- a. Prior to the issuance of any permit, a plot plan shall be prepared indicating the location, size, type, and general condition of all existing trees on the site and within the adjacent public right(s)-of-way.
- b. All significant (8-inch or greater trunk diameter, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) non-protected trees on the site proposed for removal shall be replaced at a 1:1 ratio with a minimum 24-inch box tree. Net, new trees, located within the parkway of the adjacent public right(s)-of-way, may be counted toward replacement tree requirements.
- c. Removal or planting of any tree in the public right-of-way requires approval of the Board of Public Works. Contact Urban Forestry Division at: 213-847-3077. All trees in the public right-of-way shall be provided per the current standards of the Urban Forestry Division, Bureau of Street Services, Department of Public Works.

**18. Geotechnical Report.**

- a. Prior to issuance of grading or building permits, the applicant shall submit a geotechnical report, prepared by a registered civil engineer or certified engineering geologist, to the Department of Building and Safety, for review and approval. The geotechnical report shall assess potential consequences of any soil strength loss, estimate of settlement, lateral movement or reduction in foundation soil-bearing capacity, and discuss mitigation measures that may include building design consideration. Building design considerations shall include, but are not limited to: ground stabilization, selection of appropriate foundation type and depths, selection of appropriate structural systems to accommodate anticipated displacements or any combination of these measures.
- b. The project shall comply with the conditions contained within the Department of Building and Safety's Geology and Soils Report Approval Letter for the proposed project, and as it may be subsequently amended or modified.

**19. Increased Noise Levels (Demolition, Grading, and Construction Activities).**

- a. Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.
- b. Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- c. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.

**20. Severe Noise Levels (Residential Fronting on Major or Secondary Highway, or adjacent to a Freeway).**

- a. All exterior windows having a line of sight of a Major or Secondary Highway shall be constructed with double-pane glass. All non-window portions of walls having a line of sight of a Major or Secondary Highway shall use exterior wall construction which provides a Sound Transmission Class (STC) value of 50, as determined in accordance with ASTM E90 and ASTM E413, or any amendment thereto.
- b. The applicant, as an alternative, may retain an acoustical engineer to submit evidence, along with the application for a building permit, any alternative means of sound



insulation sufficient to mitigate interior noise levels below a CNEL of 45 dBA in any habitable room.

21. **Public Services (Fire).** The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.
22. **Public Services (Police – Demolition/Construction Sites).** Temporary construction fencing shall be placed along the periphery of the active construction areas to screen as much of the construction activity from view at the local street level and to keep unpermitted persons from entering the construction area.
23. **Public Services (Police).** The plans shall incorporate the design guidelines relative to security, semi-public and private spaces, which may include but not be limited to access control to building, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provision of security guard patrol throughout the project site if needed. Please refer to "Design Out Crime Guidelines: Crime Prevention Through Environmental Design", published by the Los Angeles Police Department. Contact the Community Relations Division, located at 100 W. 1st Street, #250, Los Angeles, CA 90012; (213) 486-6000. These measures shall be approved by the Police Department prior to the issuance of building permits.
24. **Public Services (Construction Activity Near Schools).**
  - a. The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.
  - b. The developer and contractors shall maintain ongoing contact with the administrator of Riverside Drive Elementary School. The administrative offices shall be contacted when demolition, grading and construction activity begins on the project site so that students and their parents will know when such activities are to occur. The developer shall obtain school walk and bus routes to the schools from either the administrators or from the LAUSD's Transportation Branch (323)342-1400 and guarantee that safe and convenient pedestrian and bus routes to the school be maintained.

#### **C. Administrative Conditions**

24. **Final Plans.** Prior to the issuance of any building permits for the Project by the Department of Building and Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building and Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building and Safety shall be stamped by Department of City Planning staff "Final Plans". A copy of the Final Plans, supplied by the applicant, shall be retained in the subject case file.
25. **Notations on Plans.** Plans submitted to the Department of Building and Safety, for the purpose of processing a building permit application shall include all of the Conditions of

Approval herein attached as a cover sheet, and shall include any modifications or notations required herein.

26. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.
27. **Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.
28. **Department of Building and Safety.** The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building and Safety Plan Check Engineer that affect any part of the exterior design or appearance of the Project as approved by the Director, and which are deemed necessary by the Department of Building and Safety for Building Code compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
29. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public officials, legislation or their successors, designees or amendment to any legislation.
30. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
31. **Expiration.** In the event that this grant is not utilized within six years of its effective date (the day following the last day that an appeal may be filed), the grant shall be considered null and void. Issuance of a building permit, and the initiation of, and diligent continuation of, construction activity shall constitute utilization for the purposes of this grant.
32. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all of the information contained in these conditions shall be recorded by the property owner in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent owners, heir, or assigns. Further, the agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a Certified Copy bearing the Recorder's number and date must be given to the City Planning Department for attachment to the subject file.
33. **Mitigation Monitoring.** Pursuant to California State Public Resources Code Section 21081.6 and the California Environmental Quality Act, the applicant and any future owners, successors, heirs or assigns shall provide the Planning Department with status reports for assessing and ensuring the efficacy of the mitigation measures (environmental conditions) required herein.
  - a. Within 30 days of the effective date of this land use entitlement and prior to any Planning Department clearance of the conditions of approval contained herein, the applicant shall file a Mitigation Monitoring and Reporting Program (MMRP) in a manner satisfactory to the Planning Department which defines specific reporting and/or monitoring requirements to be enforced during Project implementation. Each environmental condition shall be identified as to the responsible mitigation monitor(s),

the applicable enforcement agency, the applicable monitoring agency and applicable phase of Project implementation as follows:

- i. Pre-construction (prior to issuance of a building permit);
- ii. Construction (prior to certificate of occupancy); and
- iii. Post-construction / maintenance (post-issuance of certificate of occupancy).

In some cases, a specific mitigation measure may require compliance monitoring during more than one phase of Project implementation. Such measures shall be noted within the discussion of the specific mitigation measure in the MMRP.

- b. The applicant shall demonstrate compliance with each mitigation measure in a written report submitted to the Planning Department and the applicable enforcement agency prior to issuance of a building permit or certificate of occupancy, and, as applicable, provide periodic status reports to the Planning Department regarding compliance with post-construction / maintenance conditions.
- c. If the environmental conditions include post-construction / maintenance mitigation measures, the applicant and all future owners, successors, heirs or assigns shall be obligated to disclose these ongoing mitigation monitoring requirements to future buyers of the subject property.
- d. The applicant and any future owners, successors, heirs or assigns shall reimburse the Planning Department for its actual costs, reasonably and necessarily incurred, necessary to accomplish the required review of periodic status reports.

#### **34. Indemnification and Reimbursement of Litigation Costs.**

Applicant shall do all of the following:

- a. 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.
- b. 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.
- c. 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 \$25,000. 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 (a).



- d. 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).
- e. 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 include 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.

**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 \_\_\_\_\_. Section 12.04 of the Los Angeles municipal Code is hereby amended by changing the zone classifications of property shown upon a portion of the Zoning Map incorporated therein and made a part of Article 2, Chapter 1 of the LAMC, so that such portion of the Zoning Map shall conform to the zoning on the map attached hereto and incorporated herein by this reference.

AVE

75

RIVERSIDE DR

21.22

133

25

140

165

65

117.13

**(T)(Q)RAS4-  
1VL-RIO**

N'LY LINE OF STATE PROPERTY.

COLDWATER CANYON 85

VENTURA

RTE 101

FWY



50 25 0 50 Feet

C.M. 168 B 161

CPC 2015-3596 ZC CU SPR ZV

LH/cf

030416

City of Los Angeles



VAN NUYS

## **CONDITIONAL USE CONDITIONS OF APPROVAL**

1. During construction of the hotel development and for a period of one year after the issuance of the final Certificate of Occupancy, a valet parking attendant shall be provided in and for the adjacent medical office building during its normal business hours of operation.
2. One year after the issuance of any Certificate of Occupancy, the Applicant/Property Owner and/or their representatives shall meet with the Council Office and, upon notification by the Council Office, any other interested parties, to discuss the hotel's access and parking plan. No later than 18 months after the issuance of the final Certificate of Occupancy, the Applicant shall prepare and file an application for a Plan Approval to the Director, pursuant to LAMC Section 12.24.M, for the purpose of reviewing site ingress/egress and parking patterns. The application shall include a parking utilization analysis and an evaluation of ingress/egress operations, as prepared by a traffic engineer, to determine the need for mitigations, such as the installation of a pork chop (or right turn island) restricting egress onto Riverside Drive to right-turn only and/or other measures, if necessary. Based on input received by the Council Office and other interested parties, and if no further mitigation is necessary, the Director may, at his discretion, waive the public hearing.



## FINDINGS

### A. General Plan Findings

The City of Los Angeles' General Plan consists of the Framework Element, seven required Elements that are mandated by State law including Land Use, Mobility, Housing, Conservation, Noise, Safety, and Open Space, and optional Elements including Air Quality, Service Systems, and Plan for a Healthy Los Angeles. Thirty-five individual community plans comprise the Land Use Element for the City of Los Angeles. This section provides relevant goals, objectives, policies, and programs that are established in the General Plan that form the basis for staff's recommended actions for the proposed project.

#### 1. General Plan Land Use Designation

The subject property is within the Van Nuys – North Sherman Oaks Community Plan, which was last updated and adopted by the City Council on September 9, 1998. The Plan Map designates the subject property for General Commercial land uses with the corresponding zones of C1.5, C2, C4, RAS3, and RAS4. The proposed zone change to RAS4-1VL-RIO is consistent with the land use designation on the plan map and thus is in substantial conformance with the purposes, intent, and provisions of the General Plan as reflected in the adopted Community Plan.

#### 2. General Plan Text

##### Land Use Element – Van Nuys – North Sherman Oaks Community Plan

The Van Nuys – North Sherman Oaks Community Plan sets forth planning goals, objectives, policies, and programs that pertain to the Van Nuys – North Sherman Oaks Community. The Community Plan is intended to promote an arrangement of land uses, streets and services which will encourage and contribute to the economic, social and physical health, safety, welfare and convenience of the people who live and work in the community. The proposed project would be in conformance with the following goal, objectives, and policies of the Van Nuys – North Sherman Oaks Community Plan:

**GOAL 2. A STRONG AND COMPETITIVE COMMERCIAL SECTOR WHICH BEST SERVES THE NEEDS OF THE COMMUNITY THROUGH MAXIMUM EFFICIENCY AND ACCESSIBILITY WHILE RESERVING THE HISTORIC COMMERCIAL AND CULTURAL CHARACTER OF THE COMMUNITY.**

**Objective 2-1.** *To conserve and strengthen viable commercial development.*

**Policy 2-1.1:** *New commercial uses shall be located in existing established commercial areas or existing shopping centers.*

**Policy 2-1.3.** *Require that projects be designed and developed to achieve a high level of quality, distinctive character, and compatibility with existing uses and development.*

**Objective 2-2:** *To enhance the identity of distinctive commercial districts.*

**Policy 2-2.1:** *New development needs to add to and enhance the existing pedestrian street activity.*

***Policy 2-2.2:*** *Ensure that commercial in-fill projects achieve harmony in design with the best of existing development.*

The proposed RAS4 Zone is identified as a corresponding zone of the existing land use designation. The proposed project will meet the above objectives and policies by providing new hotel guest rooms at an appropriate density and location to meet the plan area's needs, and by implementing the assigned community plan land use designation. The site is located within an area already established with commercial and multi-family developments. The proposed RAS4 zone and new 94-guest room hotel would be compatible with the existing neighborhood land use and character.

The project has also been conditioned to improve the surrounding public right-of-way, which will serve to enhance the roadway, sidewalk, street trees and street lighting along the site, and provide for better connectivity within the neighborhood. Significant traffic impacts are not expected from the project. Therefore, the project is not expected to cause any adverse impacts on livability, services and public facilities, or traffic levels.

### **Framework Element**

The Framework Element of the General Plan 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. It 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.

The subject site is located in a General Commercial Area, as defined by the General Plan Framework Element. General Commercial Areas apply to a diversity of retail sales and services, office, and auto-oriented uses comparable to those currently allowed in the C2 zone, including residential. They are located outside of districts, centers, and mixed-use boulevards and occur at the intersections of major and secondary streets, or as low rise, low-density linear "strip" development along major and secondary streets. The Framework Element includes the following provisions, objectives and policies relevant to the current request:

***GOAL 3H.*** *Lower-intensity highway-oriented and local commercial nodes that accommodate commercial needs outside centers and districts.*

***Objective 3.12.*** *Generally, maintain the uses, density, and character of existing low-intensity commercial districts whose functions serve surrounding neighborhoods and/or are precluded from intensification due to their physical characteristics.*

***Policy 3.9.1.*** *Accommodate the development of uses in areas designated as "General Commercial" in the community plans in accordance with Tables 3-1 and 3-7. The range and densities/intensities of uses permitted in any area shall be identified in the community plans. (P1, P19)*

The above goals, objectives and policies seek to concentrate lower-intensity, highway-oriented, and local commercial nodes that accommodate commercial needs outside centers and districts. As conditioned, the Project will be designed in harmony with the existing neighborhood and minimize impacts on neighboring properties. The applicant proposes a hotel, and as such, the project promotes uses for both daytime and nighttime activities. Furthermore, the proposed four (4)-story building with an FAR of 2.71:1 and 94 guest rooms is consistent with the density and intensity permitted in a General Commercial Area, while maintaining compatibility with existing office and multi-family residential buildings in the area.

The construction of a new 94-guest room hotel can help sustain economic growth and maintain a viable retail base in the city. The hotel is consistent with ongoing redevelopment efforts in the community, and is located in an area well suited to visitor-serving uses. The Project will also contribute to the Van Nuys-North Sherman Oaks, Encino, and Universal City neighborhoods by providing a use that specifically caters to the business communities in those areas. The project supports revitalization by developing a use that will provide an economic and social benefit to the residential, commercial, and other types of businesses located in the area. The proposed project will generate an additional influx of guests to the area who will likely patronize the various retail and restaurant businesses in the surrounding neighborhood.

### **Mobility Element**

The Mobility Element of the General Plan guides development of a citywide transportation system with emphasis on a multi-modal transportation infrastructure through advanced technology, reduction of vehicle trips, and focused growth in proximity to public transit. In response to the State's Complete Street mandate, the City's Mobility Plan 2035 established new street designations, re-classified each of the City's arterial streets and laid out a "complete street" policy framework. Whereas previous street designations and their corresponding dimensions, approved as part of the City's 1999 Transportation Element, reflected a focus on moving automobiles, the new expanded list of classifications now acknowledges the multi-modal role and objectives of complete streets. The new street standards are intended to reflect the variety of street dimensions that exist in today's actual physical street cross-sections. Revised standards are intended to lead to an overall preservation of existing roadway widths and widening of sidewalk widths.

The Mobility Plan 2035 includes goals that define the City's high-level mobility priorities. Each of the goals contains objectives and policies that guide the City's transportation goals. The proposed project would be in conformance with the following policies:

- 1.2 Complete Streets - Implement a balanced transportation system on all streets, tunnels, and bridges using complete streets principles to ensure the safety and mobility of all users.*
- 2.1 Adaptive Reuse of Streets - Design, plan, and operate streets to serve multiple purposes and provide flexibility in design to adapt to future demands.*
- 2.3 Pedestrian Infrastructure - Recognize walking as a component of every trip, and ensure high quality pedestrian access in all site planning and public right-of-way modifications to provide a safe and comfortable walking environment.*
- 3.1 Access for All - Recognize all modes of travel, including pedestrian, bicycle, transit, and vehicular modes - including goods movement - as integral components of the City's transportation system.*

The Project advances these policies because it will be located nearby existing Metro local bus line stops at Coldwater Canyon Avenue and Riverside Drive and Magnolia Boulevard and Coldwater Canyon Avenue that provide public transit opportunities and facilities. The development of the hotel would promote ground floor pedestrian activity and circulation and would create direct pedestrian connections between the new Project and the street, in express conformity with the Mobility Element's policies and objectives. The proposed development contributes to the General Plan's goal to increase development within commercial districts while enhancing the accessibility of such uses to public transit.

**B. Entitlement Findings**

1. **Zone Change Findings.** Pursuant to Section 12.32 C.7. of the Municipal Code, and based on these findings, the recommended action is deemed consistent with public necessity, convenience, general welfare and good zoning practice.

The proposed project involves the demolition of an existing surface parking lot and the subsequent construction, use, and maintenance of a 94-guest room hotel, comprised of four (4) stories over two (2) levels of subterranean parking, with a maximum height of 49 feet, 10 inches, located on two (2) lots totaling approximately 20,131 gross square feet in area. The proposed building will provide a total of 61 automobile parking spaces and 10 bicycle parking spaces. Vehicular access to the site will be via the existing driveway located on the property immediately west of the project site at 12840 W. Riverside Drive, which is under common ownership with the subject property.

The subject property is comprised of two lots, both zoned R3-1VL-RIO. The Van Nuys – North Sherman Oaks Community Plan General Plan Land Use Map designates the site for General Commercial land uses with corresponding zones of C1.5, C2, C4, RAS3, and RAS4. In order to construct the project, the applicant is requesting a zone change from R3-1VL-RIO to RAS4-1VL-RIO in conformance with the General Commercial land use designation of the Van Nuys – North Sherman Oaks Community Plan.

**Public Necessity**

The subject property's immediate neighborhood is well-served by multi-family residential projects and commercial/medical offices along Riverside Drive, with single-family neighborhoods situated on the local streets to the north and south of Riverside Drive and the 101 Freeway. However, this area is underserved by guest lodging, with only the Mikado Hotel (58 guest rooms) located in the vicinity of the project site.

In addition to the need for guest rooms to serve those visiting family and friends who live in the local area, the entire City of Los Angeles is experiencing a general shortage of hotel rooms. According to the 2012 Los Angeles City Council Motion adopted under Council File No. 12-0493, "By national standards, a city with an economy the size of Los Angeles's should have 50,000 more hotel rooms."

The project site is centrally located with easy access to many attractions, including Universal Studios, the Getty Center, the Rose Bowl, the beaches of Santa Monica and Malibu, and Six Flags Magic Mountain. The project site is also within easy reach of Bob Hope Airport (Burbank) as well as the business centers of Sherman Oaks, Encino, and Universal City. The proposed project is beneficial in terms of public necessity in that there is a compelling need Citywide for more hotel rooms, and specifically, a great demand for reasonably priced lodging, with suitable amenities, as an alternative to the existing, high-end, larger-scale hotels located to the southeast of the project site, in Universal City.

**Convenience**

The proposed project is beneficial in terms of convenience, in that the proposed hotel is strategically located to help fulfill the lodging needs of the local community, including business travelers, family travelers, and leisure travelers.

The project site's immediate neighborhood contains many existing multi-family residential dwellings, with numerous single-family dwellings situated on the surrounding local streets. The project site is located nearby to the Coldwater Canyon Avenue exit and entrance ramps of the 101 Freeway, and within easy reach of Bob Hope Airport (Burbank), as well as the business centers of Sherman Oaks, Encino, and Universal City.



In terms of public transit, the project site is located approximately 400 feet from the Metro Local Bus Line 1554, which connects to the Metro Rapid Bus Line 750, which in turn connects with the Metro Rail Red Line station at Universal City. The project site is also located approximately 500 feet from the Metro Local Bus Line 1675, which connects to Chatsworth Station, which in turn connects to the Ventura County Metro Line and Amtrak.

**General Welfare**

The proposed project will promote general welfare of the community by the following:

- Increase employment opportunities in the area by creating approximately 20 jobs;
- Enhance the area's sense of presence by providing overnight accommodations near substantial public transit opportunities and access to and from other destinations within the City; and
- Revitalize an underutilized site by developing a new hotel.

**Good Zoning Practice**

The proposed project is beneficial in terms of good zoning practice in that the project is consistent with the Purpose Statement of the RAS4 Zone as contained in LAMC Section 12.11.5:

"The purpose of this zone is to provide a mechanism to increase housing opportunities, enhance neighborhoods, and revitalize older commercial corridors. The RAS4 Zone is intended to provide a tool to accommodate projected population growth in mixed use and residential projects that is compatible with existing residential neighborhoods."

The requested RAS4 Zone corresponds to the project site's land use designation of General Commercial, and is therefore consistent with the land use pattern envisioned by the City as expressed in the adopted Van Nuys-North Sherman Oaks Community Plan. It should be noted that hotel use is permitted within the RAS4 Zone subject to Conditional Use approval. The Conditional Use process ensures that the proposed project will adhere to good zoning practice, including, "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." (See Conditional Use Findings)

Hotel use is a unique commercial use in that it has elements of multi-family residential use, i.e., a building containing a number of guest units, each providing sleeping quarters. The proposed use is therefore compatible with multi-family residential uses existing across from the subject property on the northerly side of Riverside Drive. Additionally, as medical and general office uses are generally occupied only during daytime hours, and hotel use is generally most fully occupied during evening hours, the proposed use will generally not impinge upon the office uses adjoining the subject property to the east and west.

The project site is well-situated in terms of good zoning practice in that it abuts the Public Facilities Zone to its south, which is occupied by the 101 Freeway. This location affords the project site close, easy access to and from the 101 Freeway's entrance and exit ramps located at Coldwater Canyon Avenue, and this location is visible from the freeway, making the proposed hotel easier to locate for those travelers unfamiliar with the area. The majority of the proposed hotel's guest rooms are oriented away from the freeway, as are the outdoor pool and patio area.

For the reasons stated above, the zone change request is beneficial in terms of the public necessity, convenience, general welfare and good zoning practice.

Pursuant to LAMC Sections 12.32 G.1 and G.2(a), the current action, as recommended, has been made contingent upon compliance with new "T" and "Q" Conditions, and project specific conditions of approval imposed herein. Such limitations are necessary to protect the best interests of and to assure a development more compatible with surrounding properties, 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.

2. **Conditional Use Findings – Hotel Use.** Pursuant to L.A.M.C. Section 12.24 W.24(c), a **Conditional Use** to permit a hotel use in the RAS4 Zone when located within 500 feet of an R zone.

The applicant is requesting a Conditional Use to permit hotel use in the RAS4 zone. The RAS4 zone permits any use permitted in the R4 Zone, and hotels are permitted in the R4 zone by right if they are expressly permitted under any of the following conditions set forth in Section 12.11.A.4 of the LAMC: (1) when expressly provided for in an adopted specific plan; (2) when located on a lot fronting on a major or secondary highway, provided such lot does not abut a single-family residential zone, provided, further that 25 percent or more of the area of such lot is also classified in a commercial zone; or (3) the project consists of not more than one addition to an existing hotel, motel or apartment hotel on a single site, the total of which shall not exceed one-third of the existing number of guest rooms or suites of rooms. Otherwise, a Conditional Use permit is required. The project does not meet any of these conditions, and therefore, a Conditional Use permit is required.

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

The subject property's immediate neighborhood is well-served by multi-family residential projects and commercial/medical offices along Riverside Drive, with single-family neighborhoods situated on the local streets to the north and south of Riverside Drive and the 101 Freeway; however, this area is under served by guest lodging, with only the Mikado Hotel (58 guest rooms) located in the vicinity of the project site.

In addition to the need for guest rooms to serve those visiting family and friends who live in the local area, the entire City of Los Angeles is experiencing a general shortage of hotel rooms. According to the 2012 Los Angeles City Council Motion adopted under Council File No. 12-0493, "By national standards, a city with an economy the size of Los Angeles's should have 50,000 more hotel rooms."

The project site is centrally located with easy access to many attractions, including Universal Studios, the Getty Center, the Rose Bowl, the beaches of Santa Monica and Malibu, and Six Flags Magic Mountain. The project site is also within easy reach of Bob Hope Airport (Burbank) as well as the business centers of Sherman Oaks, Encino, and Universal City. The proposed hotel provides a service that is essential to the City, and beneficial to the community, in that there is a compelling need Citywide for more hotel rooms, and specifically, a great demand for reasonably priced lodging, with suitable amenities, as an alternative to the existing, high-end, larger-scale hotels located to the southeast of the project site in Universal City.

With respect to enhancing the built environment, the proposed project replaces a surface parking lot with a 94-room, four-story hotel, having a maximum height of 49 feet, 10 inches. The proposed height, consistent with the RAS4-1VL Zone, forms a natural transition between the 5-story office building to the west of the project site, and the two- and three-story buildings located to the east of the project site.

- b. *The project's location, size, height, operation, 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 location of the project is compatible with adjacent properties and the surrounding neighborhood because the project is in a center of various interrelated commercial, office and cultural activities. The proposed project is in proper relation to the office uses and freeway right-of-way that adjoin the project site, as well as the multi-family residential uses on the northerly side of Riverside Drive. The proposed project is strategically located to help fulfill the lodging needs of the local community, including business travelers, family travelers, and leisure travelers. The project site is located proximate to the Coldwater Canyon exist of the 101 Freeway, and is within close reach of Bob Hope Airport (Burbank), as well as the business centers of Sherman Oaks, Encino, and Universal City. The project will not be detrimental to the public health, welfare and safety because the location of the project is appropriate for 24-hour operations, and will help enhance security in an area undergoing revitalization. The project is compatible with development in the surrounding neighborhood and will promote continued revitalization of the area.

- c. *The project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable Community Plan, and any applicable Specific Plan.*

The subject site is located in a General Commercial Area, as defined by the General Plan Framework Element. General Commercial Areas apply to a diversity of retail sales and services, office, and auto-oriented uses comparable to those currently allowed in the C2 zone, including residential. They are located outside of districts, centers, and mixed-use boulevards and occur at the intersections of major and secondary streets, or as low rise, low-density linear "strip" development along major and secondary streets. The site fronts Riverside Drive, a designated Avenue I, and is located approximately 300 feet east of Coldwater Canyon Avenue, a designated Avenue II.

The proposed hotel is located within the General Commercial land use designation, and the building height and arrangement is consistent with the surrounding development as defined for General Commercial Areas in the General Plan Framework Element. The proposed use is in accordance with the Van Nuys – North Sherman Oaks Community Plan goal to establish a strong and competitive commercial sector which best serves the needs of the community through maximum efficiency and accessibility while reserving the historic commercial and cultural character of the community. The proposed hotel use will provide a service that is beneficial to the tourist industry and businesses in the community. Furthermore, the project site is located near a 101 Freeway on-ramp and several Metro local bus stops, facilitating convenient access to and from other destinations of the City. Given the nature of the surrounding development, which includes primarily multi-story office and multi-family residential uses, the project site and proposed use are consistent with the General Plan Framework Element, Mobility Element, and Van Nuys – North Sherman Oaks Community Plan.



3. **Zone Variance Findings.** Pursuant to Section 12.27 of the Municipal Code, the applicant is requesting a Zone Variance from Section 12.21 C.6 to allow the loading space required for the proposed hotel building to be provided on a lot adjoining the project site instead of on the same lot as the project site.

- a. *That the strict application of the zone code would result in practical difficulties or unnecessary hardships inconsistent with the general purposes and intent of the zoning regulations.*

The subject property is improved and utilized as a surface, public parking lot. Vehicular access to the subject property from Riverside Drive is via an access driveway located on the property that adjoins the westerly side of the project site, located at 12840 W. Riverside Drive. This access drive currently serves, and has served for some years, both the subject property and the neighboring property, which is improved with a medical office building, and is under common ownership with the subject property. A safe and efficient traffic pattern of vehicular ingress and egress for both the medical office building and the subject property, utilizing one curb cut, has been well established.

The proposed hotel has been designed such that the well-established and successful pattern of vehicular ingress and egress be maintained, creating a landscaped motor court that defines the space between the proposed hotel and the existing medical office building, serving both sites, and creating a visual synergy between the two sites. This arrangement also aids in minimizing the number of curb cuts located on Riverside Drive, aiding the flow of traffic, maintaining on-street parking spaces, and enhancing the pedestrian environment.

The entrance and lobby area of the proposed hotel have been situated to serve both pedestrians accessing the site from the Riverside Drive sidewalk, and also to be close to the site's motor court. Having the loading space located in the motor court, which happens to extend beyond the hotel site's property line but where there is already efficient vehicular access to and from the project site, and which is in close proximity to the hotel's lobby/registration area, is efficient in form and function.

Locating the loading space on-site would require it to be situated in a spot removed from the already established main vehicular circulation area, requiring a design that would require more paving than already exists. Accommodating the loading space on the same lot as the hotel would needlessly diminish the number of proposed guest rooms at a time when the City is in need of such.

The primary purpose and intent of zoning regulations in the instant case is to ensure that the proposed hotel has an effective loading space. As described above, the strict requirement of providing the loading space on the same lot as the proposed hotel building would result in practical difficulties and unnecessary hardships, while locating the loading space in the already established shared vehicular access area under common ownership with and immediately adjoining the project site would allow a better design that is consistent with the general purpose and intent of the zoning regulations.

- b. *There are special circumstances applicable to the subject property such as size, shape, topography, location or surroundings that do not apply generally to other property in the same zone and vicinity.*

The subject property is improved and utilized as a surface, public parking lot. Vehicular access to the subject property from Riverside Drive is via an access driveway located

on the property that adjoins the westerly side of the project site, located at 12840 W. Riverside Drive. This access drive currently serves both the subject property and the neighboring property, which is improved with a medical office building, and is under common ownership with the subject property. A safe and efficient traffic pattern of vehicular ingress and egress for both the medical office building and the subject property, utilizing one curb cut, has been well established.

The location of the subject property adjacent to a developed parcel under common ownership with the subject property, with a well-established pattern of shared vehicular access to and from the public right of way via a driveway on the adjoining parcel is a special circumstance that does not apply generally to other property in the same zone and vicinity.

- c. *The variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of such special circumstances and practical difficulties or unnecessary hardships is denied to the property in question.*

The request variance involves a special circumstance, in that the subject property is under common ownership with the developed parcel to the west, on which the requested new hotel development is proposing to locate its loading space. Within the vicinity of the project site, there is a well-established pattern of shared vehicular driveway access between adjoining parcels.

A similar situation occurs with an existing hotel use occupying the property located at 12933 W. Ventura Boulevard. The hotel comprises two separate buildings, and the buildings are located on separate lots, the easterly building on Lots 5-8 (inclusive) of Tract 6376, and the westerly building on Lots 9 and 10 of Tract 6376 (within the C1.5-1VL-RIO Zone). The loading area appears to be located adjoining the central access drive on the parcel that includes Lots 5-8; the building on Lots 9 and 10 appears not to have its own loading area, and is apparently served by the loading area located on Lots 5-8. The loading area appears to be centrally located and able to serve both buildings; however, it is not located on the same lot as one of the buildings that it serves.

A similar situation also occurs with an existing hotel use occupying the property located at 12963 W. Ventura Boulevard. The hotel comprises two separate buildings, and the buildings are located on separate lots, the easterly building on Lot 12 (Arb 1) of Tract 6376, and the westerly building on Lot 13 of Tract 6376 (within the C2-1VL-RIO Zone). The loading area appears to be located adjoining the central access drive on Lot 13; the building on Lot 12 (Arb 1) appears not to have its own loading area, and is apparently served by the loading area located on Lot 13. The loading area appears to be centrally located and able to serve both buildings; however, it is not located on the same lot as one of the buildings that it serves.

A similar situation also occurs with an existing hotel use occupying the property located at 19454 W. Ventura Boulevard. This hotel is located on a lot legally described as a portion of Lot 31 (Arb 2) of Tract 2605 (within the C2-1VLD Zone). There is limited vehicular parking on-site, with no loading space. This lot adjoins a separate lot, legally described as Parcel A of Parcel Map 3261 (within the RA-1 Zone), which is improved with a surface parking lot, with vehicular and pedestrian access from the hotel lot. The two lots are under common ownership. As there is no loading space on the lot improved with the hotel building, but there is ample space for loading on the parcel improved with the surface parking lot, and there is vehicular and pedestrian access

from the hotel lot to the parcel with parking, it may be inferred that any loading required for the hotel use is accomplished on the surface parking area which adjoins the lot improved with the hotel.

In addition to the specific examples described above, there are likely numerous situations in the City where an actual or de facto loading space is used by a neighboring property that is located on a separate lot. For example, the properties located in the 17001 block of W. Ventura Boulevard are commercially zoned and adjoin a public alley. This configuration requires a loading space to be located on the same lot as the building that it serves, per LAMC Section 12.21 C.6.(a). Notwithstanding, a number of properties located in this block are improved with buildings that do allow ample room on their lots for loading spaces adjacent to the adjoining public alleyway; however, there is ample room for loading spaces on separate lots that adjoin the northerly side of the adjoining public alleyway.

It should be noted that in the examples listed above, each loading space appears functional and able to serve the building for which it is intended; however, as in this project application, the loading space is not located on the same lot as the building that it serves, which is technically not permissible. As such, the variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of such special circumstances and practical difficulties or unnecessary hardships is denied to the property in question.

- d. *The granting of the variance would not be materially detrimental to the public welfare, or injurious to the property or improvements in the same zone or vicinity in which the property is located.*

The proposed hotel has been designed such that the well-established and successful pattern of vehicular ingress and egress be maintained, creating a landscaped motor court that defines the space between the proposed hotel and the existing medical office building, serving both sites, and creating a visual synergy between the two sites. This arrangement also aids in minimizing the number of curb cuts located on Riverside Drive, both aiding the flow of traffic and maintaining on-street parking spaces.

The entrance and lobby area of the proposed hotel have been situated to serve both pedestrians accessing the site from the Riverside Drive sidewalk, and also to be close to the site's motor court. Having the loading space located in the motor court, where there is already efficient vehicular access to and from the project site, and in close proximity to the hotel's lobby/registration area, is ideal in form and function.

As the proposed plan provides a functional and effective loading space, and maintains and enhances the well-established and successful pattern of vehicular ingress and egress, the granting of the variance would not be materially detrimental to the public welfare, or injurious to the property or improvements in the same zone or vicinity in which the property is located.

- e. *The granting of the variance would not adversely affect any element of the General Plan.*

The various elements of the General Plan seek to ensure public safety and well-being, and strive to promote compatibility of use and design throughout the City of Los Angeles. The City's Community Plans are intended to address all the Elements of the



General Plan and are internally consistent with the Citywide Elements of the General Plan.

The subject property is located within the adopted Van Nuys-North Sherman Oaks Community Plan (the "Community Plan") area, and is designated for General Commercial land uses corresponding to the C1.5, C2, C4, RAS3, and RAS4 Zones. The granting of the requested variance to allow the required hotel loading space to be located on the lot adjoining the subject property would allow the development of the proposed 94-guest room hotel as designed, thereby furthering several of the following relevant Purposes, Goals, Objectives, and Policies of the Community Plan.

Goal 2 of the Community Plan's Land Use Policies and Programs for commercial development is, "A strong and competitive commercial sector which best serves the needs of the community through maximum efficiency and accessibility while reserving the historic Commercial and cultural character of the community."

Consistent with Goal 2, the proposed project promotes a "strong and competitive commercial sector which best serves the needs of the community through maximum efficiency and accessibility" by helping address the compelling need Citywide for more hotel rooms, and specifically, a great demand for reasonably-priced lodging, with suitable amenities, as an alternative to the existing, high-end, larger-scale hotels located to the southeast of the project site, in Universal City.

In support of Goal 2 is Objective 2-1, which is, "To conserve and strengthen viable commercial development." This Objective in turn is supported by Policy 2-1.1, which states, "New commercial uses shall be located in existing established commercial areas or existing shopping centers."

Consistent with Objective 2-1, the portion of Riverside Drive on which the subject – property is located is designated predominantly for General Commercial land uses corresponding to the C1.5, C2, C4, RAS3, and RAS4 Zones. Additionally, the proximity of the project site to the Ventura Freeway, and specifically to the freeway's Coldwater Canyon Avenue on and off ramps, is both typical and desirable for a hotel in terms of public convenience.

Policy 2-1.2 requires that, "...projects be designed and developed to achieve a high level of quality, distinctive character, and compatibility with existing uses and development." Consistent with Policy 2-1.2, the proposed design is a thoughtful treatment that reaches back to California's iconic motor hotels of the 1950's and 60's for inspiration, but looks forward with an efficient layout that creates a stylish ambience for hotel guests, and provides an attractive design with visual interest to the neighborhood on a pedestrian scale, as well as to those driving by.

Also consistent with Policy 2-1.2, the proposed project upgrades the parking access drive located on the property immediately west of the project site. This access drive currently serves both the subject property and the neighboring medical office building (located at 12840 W. Riverside Drive), which is under common ownership with the subject property. The proposed plans create a landscaped motor court that defines the space between the proposed hotel and the existing medical office building, serving both sites, and creating a visual synergy between the two sites. This arrangement maintains the existing vehicular access pattern whereby a shared driveway serves both the project site and the neighboring medical office building.

The proposed loading space, and the driveway/motor court of which it is an integral part, is consistent with the Community Plan's Commercial Site Planning Policy No. 2, which calls for, "Minimizing the number of driveways providing access from major or secondary highways."

Similarly, the proposed loading space and the driveway/motor court are consistent with Policy 14-2.2, from the Community Plan's "Freeways, Highways and Streets" section, which states, "Driveway access points onto major and secondary highways should be restricted or limited in number and located to ensure the smooth and safe flow of vehicles and bicycles." Allowing the proposed loading space to be located in the shared motor court, assures the minimum number of driveway access points onto Riverside Drive, a Mobility Plan 2035-designated Avenue I and former Major Highway Class II under the previous Transportation Element.

With respect to the Community Plan's Urban Design Guidelines, the intent of these guidelines, as stated on page V-1 of the Community Plan, "*...is to promote a stable and pleasant environment.*" As detailed in the Site Plan Review findings of this staff report, the proposed project is consistent with the intent of the Community Plan's relevant Urban Design Guidelines.

In light of the proposed project's consistency with the Community Plan, and therefore the elements of the General Plan, and the integral nature of the proposed loading space's location to the overall project and the project site, the granting of the variance would not adversely affect any element of the General Plan.

4. **Site Plan Review Findings.** Pursuant to Section 16.05 of the Municipal Code, the applicant is requesting a Site Plan Review for a project that results in an increase of 50 or more guest rooms.

- 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 subject property is located within the Van Nuys-North Sherman Oaks Community Plan (the "Community Plan") area. As described below, the proposed project is consistent with the relevant goals, objectives, policies, and programs of the Community Plan.

Goal 2 of the Community Plan's Land Use Policies and Programs for commercial development is, "A strong and competitive commercial sector which best serves the needs of the community through maximum efficiency and accessibility while reserving the historic Commercial and cultural character of the community."

Consistent with Goal 2, the proposed project promotes a "strong and competitive commercial sector which best serves the needs of the community through maximum efficiency and accessibility" by helping address the compelling need Citywide for more hotel rooms, and specifically, a great demand for reasonably priced lodging, with suitable amenities, as an alternative to the existing, high-end, larger-scale hotels located to the southeast of the project site, in Universal City.

In support of Goal 2 is Objective 2-1, which is, "To conserve and strengthen viable commercial development." This Objective in turn is supported by Policy 2-1.1, which states, "New commercial uses shall be located in existing established commercial areas or existing shopping centers."

Consistent with Objective 2-1, the portion of Riverside Drive on which the subject property is located, is designated predominantly for General Commercial land uses corresponding to the C1.5, C2, C4, RAS3, and RAS4 Zones. Additionally, the proximity of the project site to the Ventura Freeway, and specifically to the freeway's Coldwater Canyon Avenue on and off ramps, is both typical and desirable for a hotel in terms of public convenience.

Policy 2-1.2 requires that, "...projects be designed and developed to achieve a high level of quality, distinctive character, and compatibility with existing uses and development." Consistent with Policy 2-1.2, the proposed design is a thoughtful treatment that reaches back to California's iconic motor hotels of the 1950's and 60's for inspiration, but looks forward with an efficient layout that creates a stylish ambience for hotel guests, and provides an attractive design with visual interest to the neighborhood on a pedestrian scale, as well as to those driving by.

Also consistent with Policy 2-1.2, the proposed project upgrades the parking access drive located on the property immediately west of the project site. This access drive currently serves both the subject property and the neighboring medical office building (located at 12840 W. Riverside Drive), which is under common ownership with the subject property. The proposed plans create a landscaped motor court that defines the space between the proposed hotel and the existing medical office building, serving both sites, and creating a visual synergy between the two sites. This arrangement maintains the existing vehicular access pattern whereby a shared driveway serves both the project site and the neighboring medical office building.

The proposed driveway design is also consistent with the Community Plan's "Freeways, Highways and Streets" Policy 14-2.2, which states that, "Driveway access points onto major and secondary highways, should be restricted or limited in number and located to ensure the smooth and safe flow of vehicles and bicycles."

The proposed hotel is consistent with many of the Community Plan's relevant Urban Design Guidelines. With respect to site planning, the Community Plan, beginning on page V-1, lists a number of guidelines related to having commercial structures oriented toward the main commercial street on which they are located, and avoiding pedestrian/vehicular conflicts. Relevant guidelines include the following:

- *Locating surface parking in the rear of structures.*  
The proposed project provides parking on two subterranean levels.
- *Minimizing the number of driveways providing access from major or secondary highways.*  
The proposed project utilizes a community driveway shared with the office building located immediately to the west of the project site. The existing curb cut located near the project site's northeasterly corner will be closed.
- *Maximizing retail and commercial service uses along street level frontages of commercial developments.*  
The portion of Riverside Drive on which the project site is located is not a retail destination; the northerly side of Riverside Drive is predominantly developed with multi-family residential buildings, and the southerly side of Riverside Drive is predominantly developed with medical office and office buildings. The proposed hotel project does not have a retail component, which is consistent in the context of the uses that occupy the properties located on Riverside Drive between

### Coldwater Canyon and Whitsett Avenues.

The proposed hotel building's layout visually activates the Riverside Drive street frontage by locating the hotel's primary leisure activity area, the pool and patio deck, along the project site's Riverside Drive frontage, with views both to and from the pedestrian right of way. The project further reaches out to the street by extending a covered pedestrian walkway from the hotel's lobby to an architectural portico located adjacent to the Riverside Drive sidewalk, with a landscaped gathering area.

- *Providing front pedestrian entrances for businesses fronting on main commercial streets.*  
The project reaches out to the street by extending a covered pedestrian walkway from the hotel's lobby to an architectural portico located adjacent to the Riverside Drive sidewalk, with a landscaped gathering area.
- *Providing through arcades from the front of the building to rear parking for projects within wide frontages.*  
The proposed project does not have rear parking, but rather provides parking on two subterranean levels.
- *Providing landscaping strips between driveways and walkways which access the rear of the properties.*  
The proposed project does not have rear parking, but rather provides parking on two subterranean levels.
- *Requiring site plans which include ancillary structures, services areas, pedestrian walkways, loading areas, drop off and landscaping areas.*  
The site plan shows services areas, pedestrian walkways, loading areas, drop off and landscaping areas.
- *Providing, where feasible, the undergrounding of new utility services.*  
Utility poles are located along the project site's rear property line. New utilities will be undergrounded as required by City regulations.

With regard to "Height and Building Design" the Community Plan, on page V-2, states the following:

*"The mass, proportion and scale of all new buildings and remodels shall be at a pedestrian scale. The design of all proposed projects shall be articulated to provide variation and visual interest, and enhance the streetscape by providing continuity and avoiding opportunities for graffiti.*

*Building materials shall be employed to provide relief to untreated portions of exterior building facades. The purpose of these provisions is to ensure that a project does not result in large sterile expanses of building walls, is designed in harmony with the surrounding neighborhood, and creates a stable environment with a pleasant and desirable character."*

The proposed 94-room hotel is four stories, with a maximum height of 49 feet, 10 inches. The proposed height, consistent with the RAS4-1VL Zone, height forms a natural transition between the five (5)-story office building to the west of the project site, and the two (2)- and three (3)-story buildings located to the east of the project



site.

The proposed hotel's massing is in an "L" shape, with the long arm of the "L" extending along the Subject Property's southerly property line, and the short arm of the "L" extending along the Subject Property's easterly property line. Rather than pulling all of the building mass away from the street, or pushing it all to the street, this configuration defines the street edge, with pedestrian access and ADA ramp, and also encloses the outdoor courtyard and pool deck, creating an urban forecourt that is visible from the street.

The proposed hotel building's layout visually activates the Riverside Drive street frontage by locating the hotel's primary activity area, the pool and patio deck, along the project site's Riverside Drive frontage, with views both to and from the pedestrian right of way. A landscaped strip and planter lines the sidewalk where the short arm of the hotel's "L" shape meets the street, and continues along the property's frontage between the sidewalk and the fence along the hotel's pool/deck area.

The proposed design further reaches out to the street by locating the hotel lobby, with a high level of transparency, close to the public sidewalk. The sense of the lobby's activity is further extended to the public right of way by an architectural portico located adjacent to the Riverside Drive sidewalk that serves as a landing area for pedestrians entering or exiting the hotel.

Exterior walls containing stairway shafts are finished with a dark-hued plaster on one façade, with vertical, metal louvers on the alternate elevation, which provide light and air to the stairway. Exterior walls along the long wall of guest rooms containing no windows are clad with metal panels that create a varied depth and rhythm. Floor bands are affixed to the exterior façade demarcating each floor level, and exterior property barriers/walls are finished with a dark-hued plaster. Additionally, vertical light accents are used on the portion of the building's façade closest to Riverside Drive, stimulating visual interest, and creating an ambient glow, along the Riverside Drive right of way.

The alternating materials, depths, colors, and angles used on the façades with guest-room windows establish identity and visual interest, while the secondary wall-surfaces are finished in a more subdued blue/gray for an accent that creates visual depth.

The pool/patio deck area is located in the proposed hotel's forecourt, with the main portions of the hotel to the east and south of the pool/deck area, and the hotel lobby to the west. Planters and a front wall, which incorporates an ADA ramp, separate the pool/patio deck from Riverside Drive. The upper portion of the wall is glass, allowing views both to and from the pool/patio deck area. This arrangement allows the pool/deck area to interact with the street, creating a sense of activity and visual interest for pedestrians.

Additionally, with the exception of the proposed hotel's front stairs and ADA ramp, landscaped planters, to a minimum depth of 5 feet, line the proposed hotel's Riverside Drive frontage.

As described above, the proposed building's "L"-shaped design, urban forecourt, pedestrian access and views to and from the sidewalk, and landscape buffering the project's Riverside Drive frontage, are on a pedestrian scale. The proposed hotel's varied textures and rhythm on all façades provides variation and visual interest, and the varied surfaces and landscape buffers help avoid opportunities for graffiti. Additionally, the varied façade treatments are used on all façades, precluding large

sterile expanses of building walls.

These architectural amenities, along with the natural transition in height between the 5-story office building to the west of the project site, and the two- and three-story buildings located to the east of the project site, ensure a project that is designed in harmony with the surrounding neighborhood, creating a stable environment with a pleasant and desirable character.

As detailed above, the proposed project is in substantial conformance with the purposes, intent and provisions of the General Plan and the Community Plan. The project is not located within a specific plan area.

- 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 adjacent properties and neighboring properties.*

The subject property is located on the southerly side of Riverside Drive, approximately 300 feet to the east of Coldwater Canyon Avenue. The proposed project is a four (4)-story hotel with 94 guest rooms and a maximum building height of 49 feet, 10 inches.

Properties surrounding the project site are generally developed with medical and general office buildings located along the southerly side of Riverside Drive, and multi-family residential buildings located along the northerly side of Riverside Drive.

The property adjoining the subject property to the west is under common ownership with the subject property, and is improved with a five (5)-story medical office building. The land between the medical office building and the project site is currently improved with an asphalt-paved driveway that serves both the medical office building and the project site. The proposed plans are designed for the medical office building's driveway to continue to serve both sites as a landscaped motor court that functions as an attractive, coordinated point of vehicular access, whose purpose is clearly discernable to passing motorists.

The property adjoining the subject property to the east is improved with a repurposed two (2)-story office building, originally built in 1958. A two (2)-story accessory building located at the rear of this neighboring property is set back approximately seven (7) feet from the two (2) sites' common property line, with the main bulk of the neighboring office building set back approximately 30 feet from the common property line, with a relatively small portion of the front of the main building set back approximately 20 feet at the ground floor and approximately 11 feet at the second story. The proposed project maintains a five (5)-foot setback along the common property line, which is consistent with the requirements of the RAS4 Zone. Additionally, the easterly side of the proposed hotel contains only guest rooms, with no balconies.

The property adjoining the northerly side of Riverside Drive opposite the subject property is improved with a 59-unit, four (4)-story, apartment complex built in 1987. The apartment building's Riverside Drive front façade is approximately 120 feet from the subject property's northerly property line. The proposed project is in similar scale to the building on this neighboring property, as well as to the other multi-family buildings located along the northerly side of Riverside Drive.

Adjoining the subject property to the south is the Ventura Freeway (Highway 101). The freeway right-of-way contains an approximately 25- to 50-foot wide landscape buffer directly adjoining the subject property's southerly property line. Separating this landscape buffer from the freeway roadway is the freeway's westbound exit ramp to Coldwater Canyon Avenue. The freeway right of way is up-sloped from the subject property with the westbound exit ramp situated at a variable elevation approximately between the proposed hotel's second and third finished floors, at a variable distance of approximately 40 to 50 feet from the Subject Property; the main freeway travel lanes are situated at a variable elevation approximately between the proposed hotel's third and fourth finished floors, at a variable distance of approximately 90 to 100 feet from the Subject Property.

The proposed hotel's guest rooms are distributed in an "L" configuration, with the long arm of the "L" extending along the subject property's southerly property line, and the short arm of the "L" extending along the subject property's easterly property line. Rather than pulling all of the building mass away from the street, or pushing it all to the street, this configuration defines the street edge, with pedestrian access and ADA ramp, and also encloses the outdoor courtyard and pool deck, creating an urban forecourt that is visible from the street.

The proposed height, consistent with the RAS4-1VL Zone, forms a natural transition between the five (5)-story office building to the west of the project site, and the two (2)- and three (3)-story buildings located to the east of the project site.

The proposed hotel building's layout visually activates the Riverside Drive street frontage by locating the hotel's primary activity area, the pool and patio deck, along the project site's Riverside Drive frontage, with views both to and from the pedestrian right of way. A landscaped strip and planter lines the sidewalk where the short arm of the hotel's "L" shape meets the street, and continues along the property's frontage between the sidewalk and the fence along the hotel's pool/deck area.

The proposed design further reaches out to the street by locating the hotel lobby, with a high level of transparency, close to the public sidewalk. The sense of the lobby's activity is further extended to the public right of way by an architectural portico located adjacent to the Riverside Drive sidewalk, that serves as a landing area for pedestrians entering or exiting the hotel.

The proposed project's **setbacks/yards** are consistent with the requirements of the RAS4 Zone. With the exception of the proposed hotel's front stairs and ADA ramp, driveway, and LADWP manhole access point, there are landscaped planters at a minimum depth of five (5) feet that line the proposed hotel's Riverside Drive frontage. The proposed building maintains a five (5)-foot landscaped front yard setback along the short arm of the hotel building's "L" shape, where the building is closest to the public right of way; an approximately 50-foot setback in the area of the hotel's pool/deck area; and, an approximately 24-foot setback in the area of the hotel's lobby/front entrance.

The proposed project maintains a five (5)-foot side-yard setback along its easterly property line. This yard contains a hedge planting along the easterly property line to a depth of approximately two (2) feet from the easterly property line, with a minimum height at planting of five (5) feet. The remaining three (3) feet of the yard's width within the building setback area is a hardscaped path of decomposed granite, for maintenance access.

The proposed project maintains a variable width rear yard setback from five (5) to approximately 13 feet. This yard is planted with medium shrub groundcover within five (5) feet of the project site's rear property line, and with low shrub groundcover in the setback areas that are more than five (5) feet from the rear property line.

The proposed hotel building is setback five (5) feet from the subject property's westerly property line. This yard area is paved, and adjoins the motor court that is shared with the neighboring medical office building.

The proposed project's **parking** is provided on two (2) subterranean levels that are accessed via the ramp located at the southwesterly corner of the hotel. Level P1 contains 27 parking spaces and Level P2 contains 34 parking spaces. The total of 61 automobile parking spaces includes seven (7) additional automobile parking spaces in surplus of the 54 parking spaces required by Code.

Additionally, five (5) short-term bicycle spaces and five (5) long-term bicycle spaces are also provided on site. The short-term bicycle spaces are located immediately south of the Riverside Drive public sidewalk, and just east of the hotel's stairs that connect the public sidewalk to the hotel's Riverside Drive pedestrian entrance. The long-term bicycle spaces are located near the northwesterly corner of Level P1.

The proposed **loading area** is located in the project's shared motor court. The loading area is approximately 10 feet by 40 feet, and is situated in the central portion of the motor court. Adjoining the westerly side of the proposed loading area is a planted area, approximately 40 feet in length and 2.5 feet in width, that contains three (3) ornamental trees with a minimum 24-inch box size.

With regard to **lighting**, specific details are yet to be determined, but conceptually will include typical sconces, mounted wall-packs, and bollards. Light poles, if any, will be directed onsite and shielded. There are also decorative backlit light shafts on the building's northerly façade where it is closest to Riverside Drive, and also on the building's southerly and westerly façades, on the portions of wall where there are no guestroom windows. Per the City's plan check and building permit clearance process, proposed lighting will meet all Green Building Code and LA-RIO requirements. **Signage**, as well, will comply with all relevant regulations.

With regard to **landscaping**, the proposed project provides substantial plantings in yards as well as the pool/deck area as follows:

- With the exception of the proposed hotel's front stairs and ADA ramp, driveway, and LADWP manhole access point, there are planter areas along the hotel's Riverside Drive frontage at an approximate depth of five (5) feet adjacent to the hotel's driveway, with the remainder at an approximate depth of seven (7) feet. There is also a raised planter box located immediately to the east of the ADA ramp serving the hotel's front entrance, that contains two (2) ornamental trees with a minimum 24-inch box size. Additionally, four (4) new street trees, 36"-box London Planes, are proposed, planted to City standards.
- The easterly side yard contains a hedge planting along the easterly property line to a depth of approximately two (2) feet from the easterly property line, with a minimum height at planting of five (5) feet. The remaining three (3) feet of the yard's width within the building setback area is a hardscaped path of decomposed granite, for maintenance access.



- The rear yard is planted with medium shrub groundcover within five (5) feet of the project site's rear property line, and with low shrub groundcover in the setback areas that are more than five (5) feet from the rear property line.
- The proposed hotel's pool/deck contains planter areas with low shrubs (e.g., Berkeley Sedge, Deer Grass, and Yankee Point California Lilac) as well as taller vertical accent shrubs (e.g., Hollyleaf Cherry, Pink Melaleuca, and Lemonade Berry), and features one 36"-box Strawberry tree, in a centrally-located raised planter. The pool/deck area also features raised planters and a water feature.
- Adjoining the westerly side of the proposed loading area located in the central portion of the project's shared motor court, is a planted area, approximately 40 feet in length and 2.5 feet in width, that contains three ornamental trees with a minimum 24-inch box size.

**Trash and recycling** rooms are fully enclosed and screened from public view, located in the southwesterly corner of the proposed hotel's P2 level. Trash collection will be by private service, occurring onsite from the hotel's shared motor court.

As described above, 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 will be compatible with existing and future development on adjacent properties and neighboring properties.

- c. *The residential project provides recreational and service amenities to improve habitability for its residents and minimize impacts on neighboring properties.*

The proposed hotel is not a residential project; however, the proposed hotel does provide recreational amenities for its guests. The proposed hotel's forecourt contains a swimming pool and landscaped patio deck. The deck area includes a water feature, with integrated benches and seating. The proposed hotel also provides a fitness room on the first floor.

### C. CEQA Findings

A Mitigated Negative Declaration (ENV-2015-3597-MND) and corresponding Mitigation Monitoring Program (MMP) were prepared for the proposed project. The Mitigation Monitoring Program (MMP) is a document that is separate from the MND and is prepared and adopted as part of the project's approval. Section 21081.6 of the Public Resources Code requires a Lead Agency to adopt a "reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment." The MND was circulated for public review on December 10, 2015 through December 30, 2015.

The Planning Department received one comment letter from the applicant, requesting the clarification of Mitigation Measure ("MM") XI-170 concerning noise mitigations for residential uses fronting a Major or Secondary Highway, or adjacent to a Freeway. The applicant requested the language be amended to clarify the intent of the mitigation measure to require all exterior windows having a line of sight of a Major or Secondary Highway to be constructed with double-pane glass and, as a separate requirement, to require all exterior walls within which said windows are located, to use exterior wall construction which provides a STC value of 50. Their concern was that the language, as originally written, could be misconstrued as

requiring the double-pane glass windows to also achieve a STC value of 50. The request for clarification is reflected in (Q) Qualified Condition No. 20.a of this report.

On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that, with imposition of the mitigation measures described in the MND, there is no substantial evidence that the proposed project will have a significant effect on the environment. The attached Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are with the Environmental Review Section of the Planning Department in Room 750, 200 North Spring Street.

**DETERMINATION LETTER**  
**CPC-2015-3596-ZC-CU-SPR-ZV**  
**MAILING DDATE: 03/29/16**

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