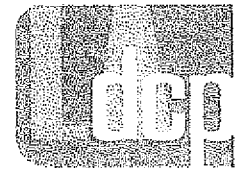




## DEPARTMENT OF CITY PLANNING RECOMMENDATION REPORT



### Los Angeles City Planning Commission

**Date:** December 19, 2013  
**Time:** After 8:30 a.m.\*  
**Place:** Van Nuys City Hall  
14410 Sylvan Street,  
Council Chamber 2<sup>nd</sup> Floor  
Van Nuys, CA 91401

**Public Hearing:** Required  
**Appeal Status:** Not further appealable under LAMC  
**Expiration Date:** December 23, 2013  
**Multiple Approval:** LAMC Section 12.36 C.4

**Case No.:** DIR-2012-3534-DB-SPP-  
SPPA-SPR-1A  
**CEQA No.:** ENV-2012-3532-MND  
**Related Cases:** None  
**Council No.:** 13 – O'Farrell  
**Plan Area:** Hollywood  
**Specific Plan:** Vermont/Western Station  
Neighborhood Area Plan  
**Certified NC:** Hollywood Studio District  
**GPLU:** High Density Residential  
**Zone:** [Q]R5-2

**PROJECT LOCATION:** 5514, 5516, 5520, 5522, 5524, 5526, 5528, 5540, 5542, 5544, 5546, 5548, 5550, 5552 and 5558 W. Hollywood Boulevard, legally described as Lot: B, Block: None, Tract: PM2093; Lot:4, Block: None, Tract: Clark Tract; Lots: 1-6, Block: None, Tract: Dunning Tract

**PROPOSED PROJECT:** Demolition of seven existing commercial structures; the partial demolition and preservation of one historic building façade (5524, 5526, 5528 Hollywood Blvd.) and the northerly most 44 feet of one historic building (5540, 5542, 5544 Hollywood Blvd.); and the construction, use and maintenance of a six-story, 86-foot tall mixed-use commercial and residential building that contains approximately 283,005 square feet with 280 dwelling units, 12,030 square feet of ground floor commercial floor area and 434 parking spaces located at-grade and within mezzanine and subterranean levels in the [Q]R5-2 Zone within Subarea C (Community Center) of the Vermont/Western Transit Oriented District Specific Plan.

A Density Bonus Compliance Review for two incentives requested by the applicant for a project reserving at least 11 percent, or 23 dwelling units, of the 207 total "base" dwelling units permitted on the site for Very Low Income tenants/owners for a period of 30 years:

- Floor Area Ratio.** An approximately 14 percent increase in the allowable Floor Area Ratio allowing an approximate total floor area ratio of 3.42:1 or 283,005 square feet.
- Height.** An approximately 14.7 percent increase in the height requirement, allowing 86 feet in height in lieu of the normally required 75 feet.

**APPLICANT:** Sonny Astani, represented by Jim Ries, c/o Craig Lawson & Co., LLC

**APPELLANT:** 1) ABS Mayer Bricker, LLC and Historic Hollywood Holdings, LLC, represented by Robert Silverstein, the Silverstein Law Firm  
2) George Abrahams, represented by Robert Silverstein, the Silverstein Law Firm

**REQUESTED ACTIONS:** Appeals of the Director of Planning's **Conditional Approval of a Density Bonus Compliance Review, Project Permit Compliance Review, Project Permit Adjustment and Site Plan Review**, pursuant to 12.22 A.25, 11.5.7 and 16.05 of the Los Angeles Municipal Code (LAMC), and of the Director of Planning's **Adoption of the Mitigated Negative Declaration (ENV-2012-3532-MND)**, as the project's environmental clearance.

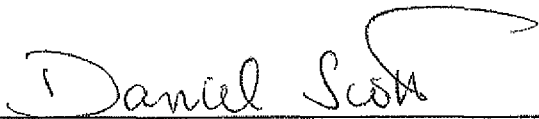
**REQUESTED ACTIONS:** Appeals of the Director of Planning's Conditional Approval of a Density Bonus Compliance Review, Project Permit Compliance Review, Project Permit Adjustment and Site Plan Review, pursuant to 12.22 A.25, 11.5.7 and 16.05 of the Los Angeles Municipal Code (LAMC), and of the Director of Planning's Adoption of the Mitigated Negative Declaration (ENV-2012-3532-MND), as the project's environmental clearance.

**RECOMMENDED ACTIONS:**

1. **Deny** the appeals of the Director of Planning's Conditional Approval of a Density Bonus Compliance Review, Project Permit Compliance Review, Project Permit Adjustment and Site Plan Review;
2. **Modify** in part the Determination of the Director in approving a Density Bonus Compliance Review, Project Permit Compliance Review, Project Permit Adjustment and Site Plan Review to revise Findings and add Conditions relating to temporary groundborne vibration during construction;
3. **Sustain** the Determination of the Director of Planning in approving a Density Bonus Compliance Review, Project Permit Compliance Review, Project Permit Adjustment and Site Plan Review to allow the construction of 280 residential dwelling units, with 11% as restricted affordable units, and 12,030 square feet of commercial floor area;
4. **Adopt** the attached revised Findings;
5. **Adopt** Mitigated Negative Declaration No. ENV-2012-3532-MND; and
6. **Advise** the applicant that, pursuant to State Fish and Game Code Section 711.4, a Fish and Game fee and / or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination (NOD) filing.

MICHAEL J. LOGRANDE  
Director of Planning

By:



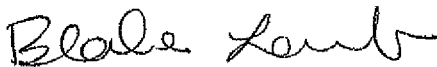
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### Exhibits:

- A – Appeal #1 of DIR-2012-3534-DB-SPP-SPPA-SPR
- B – Appeal #2 of DIR-2012-3534-DB-SPP-SPPA-SPR
- C – Director’s Determination DIR-2012-3534-DB-SPP-SPPA-SPR
- D – Mitigated Negative Declaration ENV-2012-3532-MND
- E – Project Plan Sheets
- F – Radius Map
- G – Geology and Soils Report Approval Letter
- H – Letter to Caltrans
- I – Preliminary Pro-forma
- J – Property Document Reports

## PROJECT ANALYSIS

### PROJECT SUMMARY

On October 9, 2013, a Director's Determination (Exhibit C) approved a Project Permit Compliance Review, Project Permit Adjustment, a Density Bonus and Site Plan Review for the demolition of seven existing commercial structures; the partial demolition and preservation of one historic building façade (5524, 5526, 5528 Hollywood Boulevard) and the partial demolition and preservation of the northerly most 44 feet of one historic building (5540, 5542, 5544 Hollywood Boulevard); and the construction, use and maintenance of a six-story, maximum 86-foot tall mixed-use commercial and residential building that contains approximately 283,005 square feet with 280 dwelling units and 12,030 square feet of ground floor commercial floor area with 434 parking spaces located at-grade and within mezzanine and subterranean levels (Exhibit E). The Project includes approximately 30,920 square feet of open space including 19,520 square feet of common open space and 11,400 square feet of private open space on balconies.

The following entitlements were approved for the Project:

- A Project Permit Compliance Review for the demolition of seven existing commercial structures; the partial demolition and preservation of one historic building façade (5524, 5526, 5528 Hollywood Blvd.) and the northerly most 44 feet of another historic building (5540, 5542, 5544 Hollywood Blvd.); and the construction, use and maintenance of a six-story, 86-foot tall mixed-use commercial and residential building that contains approximately 283,005 square feet with 280 dwelling units, 12,030 square feet of ground floor commercial floor area and 434 parking spaces located at-grade and within mezzanine and subterranean levels in the [Q]R5-2 Zone within Subarea C (Community Center) of the Vermont/Western Transit Oriented District Specific Plan.
- A Project Permit Adjustment from Development Standard No. 6 Building Design-Stepback to allow for the redistribution of the building's volume and massing in lieu of the requirement that no portion of any structure exceed more than 30 feet in height within 15 feet of the front property line and a ten-foot setback of the second floor from the first floor frontage on Hollywood Boulevard.
- Two incentives for reserving at least 11 percent, or 23 dwelling units, of the 207 total "base" dwelling units permitted on the site for Very Low Income tenants/owners:
  - Floor Area Ratio. An approximately 14 percent increase in the allowable Floor Area Ratio allowing an approximate total floor area ratio of 3.42:1 or 283,005 square feet.
  - Height. An approximately 14.7 percent increase in the height requirement, allowing 86 feet in height in lieu of the normally required 75 feet.
- A Site Plan Review for a project that creates a maximum of 283,005 square feet of development on an 82,801-square-foot site including 280 residential units and 12,030 square feet of retail/commercial uses.

Without utilizing the Density Bonus Ordinance, the base density of the lots would be 207 units (1 unit per each 400 square feet of lot area). Of the 207 total "base" dwelling units permitted on the site, 11%, or 23 units are set aside as restricted for very-low income households, qualifying the project for the 35% density bonus. Utilizing the Density Bonus, 35% of the 207 residential

unit base density yields 72.45 units which per the code is rounded up to 73 units. Therefore, 280 total residential units may be developed on the site and are proposed by the applicant. Since the project sets aside at least 11% of its units for very-low income residents, the applicant is eligible for two on-menu incentives and has requested two on-menu incentives including a floor area ratio (FAR) increase of approximately 14 percent allowing a 3.42:1 FAR and a height increase of approximately 14.7 percent allowing 86 feet in building height.

### **Appellate Decision**

Two appeals have been filed regarding the original determination. Pursuant to Sections 12.22 A.25 of the Los Angeles Municipal Code (LAMC), appeals of Density Bonus Affordable Housing Incentives are made to the City Planning Commission. One Appellant is an abutting (adjacent) neighbor, and therefore is eligible to appeal the Density Bonus entitlement. Pursuant to Section 11.5.7 and 16.05, appeals of Project Permit Compliance Review, Project Permit Adjustments and Site Plan Review are made to the Area Planning Commission. Appeals of multiple entitlement actions are made to the highest level appeal body of the involved entitlement actions, per LAMC Section 12.36 C.4. Therefore, the subject appeals are made to the City Planning Commission. The appellate decision of the City Planning Commission is final and effective as provided in Charter Section 245.

### **BACKGROUND**

The project site is located within the Hollywood Community Plan Area, which was adopted on June 19, 2012. The project site is also located within in the Vermont/Western Transit Oriented District Specific Plan, which was adopted on January 23, 2001. The land use designation for the site is High Density Residential with a corresponding zone of R5. The zoning classification for the site is [Q]R5-2. The Vermont/Western Transit Oriented District Specific Plan designates the site as Subarea C (Community Center).

The "Q" Qualified classification (Ordinance 165,668 Subarea 420) for the site limits the uses allowed to residential uses permitted in the R4 Zone, hotel, motel, apartment hotel and limited uses subject to approval of the Zoning Administrator which include parking buildings, uses permitted in the C1 Zone. However, the Vermont/Western Specific Plan Section 3.B. states the following:

*More and Less Restrictive Uses. Wherever this Specific Plan contains provisions which require or permit greater or lesser setbacks, street dedications, open space, densities, heights, uses, parking or other controls on development than would be allowed or required pursuant to the provisions contained in Chapter 1 of the Code, the Specific Plan shall prevail and supersede the applicable provisions of the Code.*

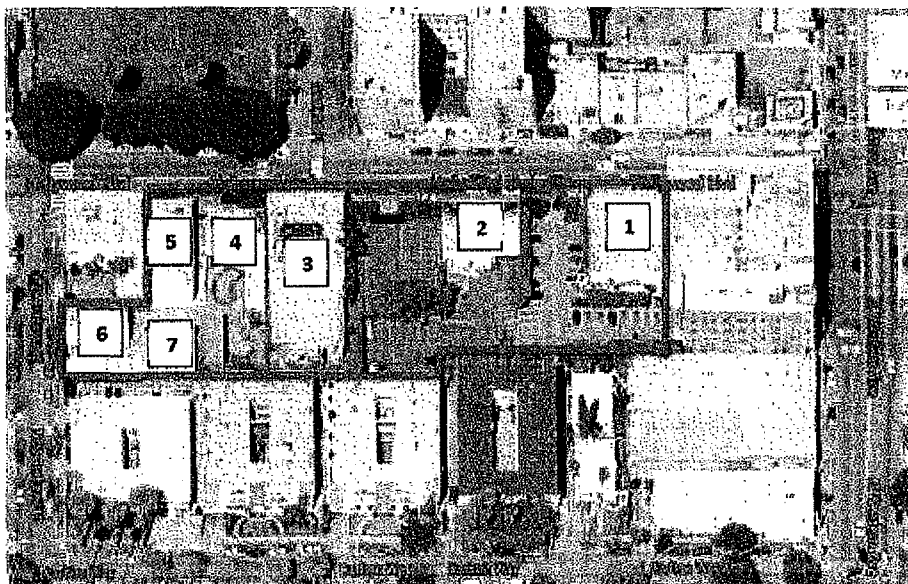
### **Description of the Property**

The project site includes addresses at: 5514, 5516, 5520, 5522, 5524, 5526, 5528, 5540, 5542, 5544, 5546, 5548, 5550, 5552 and 5558 W. Hollywood Boulevard. The project site consists of seven lots on a 1.9 acre site (82,801 square feet of gross lot area) that is bounded by Hollywood Boulevard to the north, St. Andrews Place and a two-story commercial retail building (5562-5564 Hollywood Boulevard) to the west, the Mayer Building (5550 Hollywood Boulevard) and the Bricker Building (1669-1673 N. Western Avenue) to the east, and one- two- and three-story multi-family residential buildings to the south. All the surrounding properties are in the [Q]R5-2 Zone and designated High Density Residential. Additionally, all the surrounding properties are designated as Subarea C (Community Center) in the Vermont/Western Specific Plan. The Project Site is located approximately one-quarter mile east of the Hollywood (101) Freeway on

Hollywood Boulevard and less than one-half a block west of the Hollywood/Western Metro Red Line Station.

The Project Site includes a total of seven properties with nine existing structures that have a combined existing developed floor area of 37,786 square feet. All of the existing buildings on the site would be removed with the exception of the façade of the Falcon Studios Building (which is designated Los Angeles Historic Cultural Monument #382) at 5524 Hollywood Boulevard and the northerly most 44 feet of the commercial building (which is eligible for listing in the California Register of Historical Resources) at 5540 Hollywood Boulevard. A summary of the existing land uses and developed floor area is provided below.

Summary of Existing Land Uses				
	Addresses	APN	Name/Land Use	Floor Area (square feet)
1	5514, 5516, 5518, 5520, & 5522 Hollywood Blvd.	5544-025-034	2-story building with recording studio and office uses	9,256
2	5524, 5526, 5528 Hollywood Blvd.	5544-025-005	Falcon Studios: 1-story building with studio land uses	2,400
3	5540, 5542, 5544, Hollywood Blvd.	5544-025-011 5544-025-012 5544-025-013	2-story building with recording studio, office and surface parking land uses.	15,840
4	5546, 5548, 5550, 5552 Hollywood Blvd.	5544-025-031	1-story building with retail and office uses and a 900 sf storage shed	3,040
5	5558 Hollywood Blvd.	5544-025-015	1-story building with retail uses	4,000
6	No Address	5544-025-017 5544-025-018	1-story building with surface parking	1,250
7	No Address	5544-025-019	1-story building with surface parking	2,000
Total Existing Floor Area				37,786



## Surrounding Uses

North: The Project Site is bounded by Hollywood Boulevard to the north. Along the north side of Hollywood Boulevard, between Garfield Place to the west and Western Avenue to the east, there is a large, five-story mixed-use building (the Gershwin Hotel) with ground floor retail, and several one-story commercial buildings and a vacant lot. The Gershwin Hotel is undergoing adaptive reuse as a mixed-use project with ground floor retail uses. At the northwest corner of Garfield Place and Hollywood Boulevard is a five-story mixed-use building currently under construction for a senior housing (the "Metro at Hollywood") with studio uses on the ground floor. Properties to the south have a zoning classification of [Q]R5-2 and R3-1. The Specific Plan designates the properties in [Q]R5-2 Zone as Subarea C – Community Center and the properties in the R3-1 Zone as Subarea A – Neighborhood Conservation.

South: The area to the south of the Project Site, between St. Andrews Place to the west and Western Avenue to the east, is developed with multi-family residential buildings, mostly two- and three-story buildings. Properties to the south have a zoning classification of R4-2. The Specific Plan designates these properties as Subarea C – Community Center.

East: Immediately adjacent to the Project Site to the east, at the southwest corner of Hollywood Boulevard and Western Avenue, is the historic Louis B. Mayer Building, a four-story commercial building with ground floor retail space and offices on the floors above (See Figure II-4, View 8). The Project Site is also immediately adjacent to the historic Bricker Building, a four-story mixed-use building with ground floor retail space and residential units above. Further to the east, across Western Avenue, is the portal to the Hollywood/Western MTA Rail Station, which is located in a plaza that is part of a 4-story mixed-use building. On the north side of Hollywood Boulevard to the east of Western Avenue is a large four-story mixed-use complex that includes a major supermarket, brand-name clothing store, and neighborhood-serving retail uses. The property immediately to the east has a zoning classification of [Q]R5-2 and the properties to the east of Western Avenue have a zoning classification of [Q]C2-2D and C4-1VL. The Specific Plan designates these properties as Subarea C – Community Center.

West: To the immediate west is a commercial parcel at the southeast corner of St. Andrews Place and Hollywood Boulevard, a two-story building with a liquor store and other retail uses. Further to the west, along Hollywood Boulevard, on both the north and south sides of the street are a mix of commercial properties, including a motel, an auto body repair shop, a café, retail shops and a vacant lot. Properties to the west have a zoning classification of [Q]R5-2. The Specific Plan designates these properties as Subarea C – Community Center.

## GENERAL PLAN CONSISTENCY

The proposed project is consistent with the land-use designation, goals and policies of the Hollywood Community Plan, the Housing Element of the General Plan, the Framework Element of the General Plan and the Vermont/Western Transit Oriented District Specific Plan (Station Neighborhood Area Plan). The development of the project in the Hollywood Community Plan Area represents the opportunity to achieve the following General Plan Goals and Policies:

### Community Plan Policy, Housing

Additional low and moderate-income housing is needed in all parts of this Community. Density bonuses for provision of such housing through Government Code 65915 may be granted in the Low-Medium I or less restrictive residential categories.

Housing Element Objective 1.1	Plan the capacity and develop incentives for the production of an adequate supply of rental and ownership housing for households of all income levels and needs.
Housing Element Objective 1.4	Promote an equitable distribution of affordable housing opportunities throughout the City.
Housing Element Policy 1.4.2	Provide the development of new affordable housing units citywide and within each Community Plan area.
Housing Element Policy 2.2.3	Provide incentives and flexibility to generate new housing and to preserve existing housing near transit.
Framework Element Policy 4.1.6	Create incentives and give priorities in permit processing for low- and very-low income housing developments throughout the City.
Framework Element Objective 4.4	Reduce regulatory and procedural barriers to increase housing production and capacity in appropriate locations.
Specific Plan Purpose Section 2.D	Improve the quality of housing stock in the neighborhood through the construction of affordable housing units available for home ownership, in Mixed Use buildings along transit corridors.

The proposed project is consistent with the land-use designation and zoning for the subject lots. Pursuant to the State Density Bonus Program and the City's adopted implementation Ordinance, the incentives for an increase in building height and an increase in floor area have been granted to encourage the development of low-income housing units.

#### **APPEAL POINTS OF APPELLANT #1 AND STAFF RESPONSE**

The appeals of the Director's Determination contend that:

- 1. The appellant states there is no evidence to support the finding that the specific incentive sought is necessary to provide for affordable housing. There is no substantial evidence in the record that supports the legally required finding that "the incentives are necessary to provide for affordable housing costs as defined in California Health and Safety Code Section 50052.5 or Section 50053 for rents for affordable units." The findings completely evade the fact that nearby multi-family projects, especially those directly south of the Project site, are significantly smaller in scale and height than the proposed Project, and were financially viable without density bonus incentives.**

*Response:* The appellant contends that general statements do not constitute evidence of the need for the incentives, and the Director erred in determining that the incentives are necessary without independent evidence and analysis. Per LAMC 12.22 A.25 (g) 2.C, "The Director shall approve a Density Bonus and requested Incentive(s) unless the Director Finds that: (i) The Incentive is not required in order to provide for affordable housing costs as defined in California Health and Safety Code Section 50052.5, or Section 50053 for rents for the affordable units." Because the Director of Planning did approve the Density Bonus and requested incentives, the Director was not required to prepare or review a financial analysis of the project in order to make this finding.



Density Bonus Incentives are normally necessary to allow adjustments to the zoning regulations in order to accommodate the additional density bonus units that will be built on the site. Typically, this means an increase in height, an increase in floor area, and a reduction in required yards - all for the purpose of increasing size of the zoning envelope to make room for the additional units. The additional market-rate units then subsidize the rents for the affordable units, so that the project pencils out.

Staff received a preliminary pro-forma from the project developer at the time of writing of this staff report, and the applicant indicated they will be providing a more enhanced pro-forma for the review of the City Planning Commission. The document submitted describes five physical constraints impeding the development of the project, which required the project to seek the additional floor area and height in order to accommodate the 73 density bonus units (Exhibit I). These constraints include the restoration of on-site historic structures; that subterranean parking is limited to one-story below grade to limit surcharges to the Mayer Building and the MTA tunnel; that the project is observing a side yard separation with the Mayer Building to accommodate Appellant concerns; and that DWP power lines run through the project's south property line limiting the building footprint. The pro-forma also analyzes the development of 73 additional density bonus units to achieve a capitalization rate that represents financial feasibility.

Proposed revisions to Finding 2 of the Density Bonus Affordable Housing Incentives Compliance Findings are incorporated in this Staff Report beginning on page F-3.

2. **There is no evidence that the proposed project does not involve a structure that is a City of Los Angeles designated Historic-Cultural Monument (HCM).** The required findings for a density bonus mandate that the Housing Development Project shall not involve "a structure that is a City of Los Angeles designated Historic-Cultural Monument (HCM)." The City's purported "finding" concedes that this project involves the Falcon Studios Building (HCM LA-382). The finding asserts, without citation to any legal part of an Adaptive Reuse project, that a density bonus involving HCM is permissible if it is part of an Adaptive Reuse project. This Project is not an adaptive reuse of the Falcon Studios Building. As explained in the MND, the Building will be demolished and the back wall of the new space shall be moved north to accommodate parking. Additionally, as conceded in the MND, the Project is not consistent with Secretary of Interior Standards for Rehabilitation because if the new construction is removed, the remaining façade of the Falcon Studios Building would not be able to stand on its own. For all of these reasons, the Housing Development Project is not legally entitled to obtain any density bonus and the current Project, as proposed, must be rejected as unlawful in its destruction of the integrity of the City HCM.

*Response:* The proposed project does involve a structure that is identified as a Historic-Cultural Monument, the Falcon Studios Building (HCM LA-382). Impacts to the Falcon Studios Building were adequately and appropriately analyzed in the Initial Study/MND (Exhibit D), which includes a historic resource report generated by GPA Consulting that determined the Project will have a less than significant impact on the identified historic resources.

The Falcon Studios Building will be partially preserved and incorporated into the project. The original construction date of this building is 1920. While the complex once included multiple buildings and a courtyard, the site is currently occupied by a single street-facing building. The Falcon Studios Building was designed as a commercial building containing three retail spaces. The project calls for the building to be occupied by one to three retail spaces, which is not inconsistent with the original use of the building. The primary exterior

character-defining features are found on the front portion of the building that contains the street-facing elevation. The only character-defining feature of the building interior is the volume of space, which will be reconstructed with the exception of the depth. The space is now 60'6" deep, while the proposed plans call for a space that is 55'6" deep. The historic character of the Falcon Studios Building will be retained and preserved. The street facing elevation will be preserved and the interior volume will be mostly reconstructed. The project will have a less than significant impact on the Falcon Studios Building after the implementation of mitigation measures which are included as Environmental Conditions of Approval.

Per LAMC 12.22 A .25(e)(2)(iii) to be eligible for on-menu Density Bonus incentives, the Housing Development Project cannot be on the list of Historical-Cultural Monuments *unless* it is part of an Adaptive Reuse project. The purpose of this limitation is to ensure that Density Bonus projects do not cause significant adverse impacts to Historic-Cultural Monuments including demolition. This language was added into the ordinance and detailed in a January 15, 2008 report from the City Attorney's Office to the City Council. There was a request by the Planning and Land Use Management Committee (PLUM) and the Housing, Community and Economic Development Committee (HCED) to make changes to the then draft Density Bonus Ordinance. The joint committee wished to add language to the Density Bonus Ordinance which would enlarge the City's ability to deny an incentive or concession to include a specific adverse impact on real property listed "... in the City of Los Angeles list of Historical Cultural Monuments, or is a contributing structure in a designated Historic Preservation Overlay Zone. . . ." While the particular language proposed by the joint committee appeared to violate state law, the City Attorney's Office modified the language of the proposed Density Bonus Ordinance to enable the city to deny an "on menu" incentive or concession if the project includes historical or cultural resources recognized by the city, and not part of an Adaptive Reuse Project.

There is no definition of "Adaptive Reuse Project" in the Density Bonus Ordinance, LAMC 12.22 A 25. However, LAMC 12.22 A 26 is the Downtown Adaptive Reuse Projects section of the code, which provides guidance for Adaptive Reuse projects in downtown Los Angeles. This code section does contain a definition of Adaptive Reuse: "...an Adaptive Reuse Project is any change of use to dwelling units, guest rooms, or joint living and work quarters in all or any portion of an eligible building." Historic Cultural Monuments, such as the Falcon Studios Building, are eligible buildings per 12.22 A. 26 (d). Therefore, as the entirety of the Falcon Studios Building is being incorporated into a mixed-use project which contains dwelling units, it meets the definition of an Adaptive Reuse Project. In sum, the intent of LAMC 12.22 A .25(e)(2)(iii) regarding Density Bonus incentives and Historic Cultural Monuments is to protect the integrity of Historic Cultural Monuments.

The Initial Study/MND (Exhibit D) adequately and appropriately analyzed impacts to the Falcon Studios Building and determined the Project will have a less than significant impact on the identified historic resources. However, additional historic analysis has been conducted by GPA Consulting. Property Documentation Reports were prepared, dated November 22, 2013 for 5524 W. Hollywood Boulevard (Falcon Studios) and 5540 W. Hollywood Boulevard (Exhibit J). These reports include recommendations for additional mitigation measures. As such, Planning Staff recommends modification of Condition No. 38 to include the following:

- The historic buildings at 5524 W. Hollywood Boulevard and 5540 W. Hollywood Boulevard shall be preserved and treated in such a way that they continue to be prominent features of the streetscape and are not overwhelmed by the new building. There shall be no new construction immediately above the historic buildings other than open space.

- The applicant shall create an on-site interpretative display on the history of the Falcon Studios for 5524 W. Hollywood Boulevard. The applicant shall create an on-site interpretative display on the work of Frank Meline Company in Hollywood and/or the history of the area for 5540 W. Hollywood Boulevard.
  - Prior to the issuance of any building permit, the applicant shall nominate the historic building at 5540 W. Hollywood Boulevard for listing as a Los Angeles Historic-Cultural Monument.
  - The applicant shall consult with Hollywood Heritage on the preparation of the reports, plans, and interpretative materials described above. Hollywood Heritage shall be provided with an opportunity to review and comment on the reports, plans and interpretative materials before they are finalized.
3. **The appellant asserts that the MND prepared for this project is inadequate and there is a fair argument of potentially significant impacts that have not been analyzed or mitigated and therefore an Environmental Impact Report (EIR) should be required.**

*Response:* As the Lead Agency, the Department of City Planning determined that an Environmental Impact Report was not warranted for the proposed project and that the appropriate environmental analysis document was a Mitigated Negative Declaration (MND), in accordance with Sections 15063, 15064, and 15070 of the State CEQA Guidelines. As discussed throughout the MND, all potential impacts would be reduced to a less than significant level with the implementation of mitigation measures. Therefore, a Mitigated Negative Declaration was the appropriate environmental analysis document.

4. **The appellant further argues that implementation of the project may create numerous significant impacts that cannot be adequately mitigated; therefore an EIR is required. The appellant cites the significant impacts that may result from the project implementation, include:**

- a. **The transportation/circulation, public services and fire safety impacts will be significant. Specifically, there is inadequate setback between the proposed Project building and the Appellants' adjacent historic buildings. As part of any project that is approved, there must be increased and improved fire safety accessibility, including avoidance of impairment to access to the Mayer Bricker buildings from the rear. A standard width alley which fully connects from Hollywood Boulevard to the alley south of the Project and the Bricker Building, with a turn-around adequate to accommodate fire truck access and movement, should be required as a condition of the Project.**

*Response:* The Fire Department provided additional comments in response to the appeal points. Fire Department Staff reviewed the appeal points along with the project plans, and confirmed the mitigation measure for fire services included in the Initial Study/MND (Exhibit D) and incorporated as Condition No. 52 is adequate. The Fire Department will review and approve final construction plans to ensure that the project complies with Division Nine of the Fire Code.

Impacts to traffic and circulation were adequately and appropriately analyzed in the Initial Study/MND (Exhibit D). A traffic report generated by the Los Angeles

Department of Transportation (LADOT) included in the Initial Study/MND and is part of the Initial Study, determined that none of the six intersections studied would be significantly impacted by project related traffic. Additionally, as conditioned in the Director's Determination, street dedications and widening on Hollywood Boulevard and St. Andrews Place will be required in order to ensure that they are developed in accordance with the adopted standards.

**b. Deficient mitigation of potential vibration impacts from construction.**

*Response:* As conditioned in the Director's Determination (Exhibit C), environmental conditions are required for construction and earthwork activities that have the potential to cause temporary vibration impacts to the adjacent historic Mayer and Bricker buildings. As such, temporary vibration impacts would be mitigated to a less than significant level. However, given the close proximity of the historic Mayer and Bricker buildings, Planning Staff recommends modification of Condition No. 51 to include the following:

- The Applicant shall retain a qualified vibration consultant to take vibration monitoring measurements regularly in order to assess the actual impact of vibration on adjacent structures and to incorporate and adjust techniques as necessary to reduce impact.
- The Applicant shall retain an experienced vibration engineer to plan for and monitor vibration impacts on the adjacent historic Mayer and Bricker buildings during site clearing, earthmoving and foundation construction, and structural construction, to the extent that the adjacent historic Mayer and Bricker buildings allows the Applicant to conduct monitoring within the adjacent historic Mayer and Bricker buildings and to understand the baseline vibration impacts prior to site-clearing. The engineer shall insure the incorporation of maximum vibration mitigation into every phase of Project development.

**APPEAL POINTS OF APPELLANT #2 AND STAFF RESPONSE**

The appeals of the Director's Determination contend that:

- 1. The Site Development Condition (Condition of Approval No. 1) unconstitutionally delegates legislative power to the Planning Director and subordinates.**

*Response:* Condition of Approval No. 1 reads as follows:

**Site Development.** Except as modified herein, the project shall be in substantial conformance with the plans and materials submitted by the Applicant, stamped "Exhibit E," and attached to the subject case file. No change to the plans will be made without prior review by the Department of City Planning, Plan Implementation Division, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Municipal Code or the project conditions.

The project site is located within the boundaries of the Vermont/Western Specific Plan. The procedures for the review of projects located within all Specific Plans are set forth in LAMC 11.5.7. Approval of projects located within Specific Plans is quasi-judicial, meaning that any approval for the initial decision becomes final unless appealed. For a project that does not require multiple legislative or quasi-judicial approvals, the Director of Planning has the initial

decision-making authority to determine whether a Project Permit application for a project within a Specific Plan is in conformance with LAMC 11.5.7 and the provisions of the Specific Plan.

The project also requested an on-menu Density Bonus Compliance Review. For a project that does not require multiple legislative or quasi-judicial approvals, pursuant to LAMC 12.22 A.25 (g)(2)b., the Director of Planning has the initial decision-making authority to determine whether an on-menu Density Bonus shall be approved.

The subject project was subject to review and approval by the Director of Planning, in accordance with LAMC 11.5.7 and LAMC 12.22 A.25 (g)(2)b. Thus, it required quasi-judicial, not legislative, approval. Condition of Approval No. 1 is a standard condition for cases which require the Director of Planning as initial decision maker. The purpose of this condition is to link the approved entitlement(s) directly to the approved project plans. If there are any changes to those project plans after approval, the plans must be reviewed again by the Director of Planning.

- 2. The Project is not compatible with existing and future development on adjacent properties and neighboring properties. The proposed six-story building is not compatible with adjacent historic resources, the single story building at the southeast corner of Hollywood Boulevard and St. Andrews Place, the block façade of one- to three- story buildings on Hollywood Boulevard or with the residential apartment buildings to the rear of the Project. The Project would tower over the adjacent historic buildings.**

*Response:* The Project site is located in Height District No. 2, which does not specify a height restriction. Additionally, the Project site is designated Subarea C (Community Center) in the Vermont/Western Specific Plan, which limits mixed use projects to 75 feet in height. As a result of providing 11% of the residential units for Very Low Income households, the Applicant requests a Density Bonus On-Menu Incentive to increase the height of the proposed structure an additional 11 feet above the 75-foot limit.

Properties adjacent to the Project site consist of varying states of age and repair of buildings, land uses, building heights and massing and architectural styles. In a few block radius of the Project site, there are commercial retail, office, restaurant, parking, hotel and residential land uses ranging in height from one- to five-stories above grade. The recently completed Hollywood Metro building located on the northwest corner of Hollywood Boulevard and Garfield Avenue is five stories in height and approximately 60 feet high. The Gershwin Hotel building, which is undergoing an adaptive reuse renovation, is five stories and approximately 60 feet high as well. The historic Mayer building, located at the southwest corner of Hollywood Boulevard and Western Avenue, is four stories and approximately 45 feet high. The proposed mixed use development would be six stories high and approximately 86 feet in height, which is higher but generally consistent with the surrounding land uses. As evidenced in the Initial Study/MND (Exhibit D), the height of the Project would not create any significant adverse impacts upon the adjacent land uses. Thus the aesthetic impacts created by the scale and massing of the Project would be less than significant.

- 3. The appellant asserts that the MND prepared for this project is inadequate and there is a fair argument of potentially significant impacts that have not been analyzed or mitigated and therefore an Environmental Impact Report (EIR) should be required.**

*Response:* As the Lead Agency, the Department of City Planning determined that an Environmental Impact Report was not warranted for the proposed project and that the appropriate environmental analysis document was a Mitigated Negative Declaration, in accordance with Sections 15063, 15064, and 15070 of the State CEQA Guidelines. As discussed throughout the Initial Study/MND, all potential impacts would be reduced to a less than significant level with the implementation of mitigation measures. Therefore, a Mitigated Negative Declaration was the appropriate environmental analysis document.

**4. The appellant further argues that implementation of the project may create numerous significant impacts that cannot be adequately mitigated; therefore an EIR is required. The appellant cites the significant impacts that may result from the project implementation, include:**

- a. Aesthetic impacts to significant views of the Hollywood Sign from properties south of the Project due to the height of the building. The Specific Plan limits height to 75 feet specifically in order to allow reasonable and financially viable development in transit oriented areas, but helps mitigate negative impacts on views of the Hollywood Sign and other iconic landmarks in the area by avoiding over height buildings from blocking views.**

*Response:* As detailed in the Initial Study/MND (Exhibit D), a significant impact may occur if the Project introduces incompatible visual elements within a field of view containing a scenic vista or substantially blocks views of a scenic vista. Scenic vistas are generally described in two ways: panoramic views (visual access to a large geographic area, for which the field of view can be wide and extend into the distance) and focal views (visual access to a particular object, scene, or feature of interest). The Project Site is currently occupied by nine, one- and two-story commercial structures and surface parking lots. The Project site is not located within or along a designated scenic corridor. Views in the vicinity of the Project site are largely constrained by adjacent structures and the area's relatively flat topography. No scenic views are provided from or through the Project Site. The Project site is an infill lot within a developed area of the Hollywood area and does not possess any unique aesthetic characteristics. The proposed Project would improve the Project site with a new mixed-use development, resulting in the development of a six-story, approximately 86 feet high above grade, residential building with ground floor retail space. The proposed Project would alter the existing views and character of the Project site and immediate surrounding area in a manner that is compatible with the urban form of the surrounding neighborhood. The proposed Project would be visually compatible with the surrounding land uses and is consistent with the revitalization of several other developments in the area. Due to the relatively level topography and extent of development within the immediate area, there are no scenic views or vantage points that afford scenic views. Thus, it was determined that no impact to any recognized or valued scenic view would occur.

- b. Noise impacts to adjacent residential apartments along the southern property line and eastern property line due to Project residents utilizing balconies on the south and east elevations of the Project building.**

*Response:* On-site operational noise was adequately and appropriately analyzed in the Initial Study/MND (Exhibit D). Stationary and mobile vehicular source categories are analyzed for operational noise impacts, which include the following:

**Stationary Source Categories**

- Agricultural operations
- Commercial/Institutional
- Home workshops and gardening tools
- Industrial
- Lumbering operations
- Petroleum production and refining
- Port operations
- Public and private utilities
- Public services

**Mobile Source Categories**

- Automobiles
- Buses
- Motorcycles
- Trucks

However, noise generated from Project residents utilizing their balconies is not considered a stationary or mobile vehicular source category for the purpose of measuring operational noise impacts and therefore is not required to be analyzed. It is also important to note that two of the five residential buildings along the southern boundary include balconies, which may also generate noise impacts for Project residents. As such, noise generated from Project residents and adjacent residents utilizing their balconies would then be reciprocal. With the implementation of all mitigation measures, as included in the Director's Determination, operational noise impacts would be less than significant.

- c. Land use impacts due to inconsistency with land use plans. The land use analysis is non-responsive to the CEQA mandate that the lead agency shall analyze conflicts with plans, policies or regulations. The Project is inconsistent with the density and height limits of the Specific Plan.**

*Response:* As detailed in the findings of the Director's Determination (Exhibit C), the Project is consistent with the Framework Element, Housing Element, Transportation Element, Hollywood Redevelopment Plan, Hollywood Community Plan and the Vermont/Western Transit Oriented District Specific Plan. The Project is consistent with the site's High Density land use designation, [Q]R5-2 Zone and Subarea C (Community Center) designation in the Vermont/Western Specific Plan. The intent of the Community Center Subarea is to create a denser, livelier pedestrian environment along major commercial and transit corridors such as Hollywood Boulevard, Sunset Boulevard, Santa Monica Boulevard and Vermont Avenue, near each of the four subway stations. Uses in Subarea C include multi-family residences, community serving retail, workshops and offices. The proposed Project would improve the existing character of the underutilized Project site, create additional multi-family residential units and commercial space, encourage the use of public transportation options and contribute to the walkability of the area serving the Project site. The proposed mixed-use commercial and residential development would also be consistent with the prevailing character and scale of the multi-family and commercial structures along W. Hollywood Boulevard, N. Western Avenue and in the vicinity of the Project site. The Project is consistent with the intent of Subarea C Development Standards. Additionally, the Initial Study/MND (Exhibit D) adequately and appropriately analyzed the Project with applicable land use plans, policies and regulations resulting in a less than significant impact.

- d. **Impacts to adjacent historic resources (Mayer and Bricker buildings) were not analyzed in the MND. Additionally, none of the reports supporting the MND were attached to the MND, thus the Appellant could not analyze these reports. The MND states that the adjacent historic resources are four stories and 45 feet tall and the Project will be six stories and 86 feet tall; however, architectural elevations in the MND falsely portray the historic Mayer and Bricker buildings as being close in height to the Project. The MND claims that the Mayer building and the Project will be "similar in height and scale".**

*Response:* The Initial Study/MND (Exhibit D) adequately and appropriately analyzed impacts to adjacent historic resources (Mayer and Bricker buildings). In addition, a historic resource report was prepared by GPA Consulting, dated June 2013 and is included as Appendix B to the Initial Study/MND. For clarification, a complete copy of the historic resource report dated June 2013 is attached to the Initial Study/MND and is located both in the environmental case file for ENV-2012-3532-MND and in the related parent case file for the proposed Project, DIR-2012-3534-DB-SPP-SPPA-SPR. These case files were readily available to the public to view in City Hall, Room 621, 200 North Spring Street, Los Angeles, CA 90012. Also, the Initial Study/MND was published on July 4, 2013 for a 30-day public comment period that ended on August 5, 2013, which did not include comments from the appellant.

Although the proposed mixed-use development will be approximately 41 feet higher than the adjacent historic Mayer and Bricker buildings, the new structure's building height does not impair or affect the historic significance or eligibility of those adjacent historic resources.

- e. **Transportation impacts to the Hollywood Freeway were not adequately analyzed because the MND traffic study did not use the State methodology utilized by Caltrans and did not include effects from all related projects in the Hollywood Community Plan area, the expected build out from the Hollywood Community Plan area and the NBC/Universal project in the Cahuenga Pass. Therefore a new traffic study is warranted analyzing the aforementioned. Caltrans should be included as a commenting and a responsible agency.**

*Response:* The Appellant's concerns regarding the State methodology and effects of related projects in the Initial Study/MND (Exhibit D) were also expressed by the California Department of Transportation (Caltrans). Caltrans has also expressed similar concerns for other projects in Downtown and Hollywood. The Department of City Planning responded to Caltrans about these concerns in a letter dated September 17, 2013 for a project in Downtown (Exhibit H).

Regarding the use of State methodology, the Caltrans Guide does not define significant impact thresholds. This is clearly stated in Caltrans' recent environmental impact report for the I-710 Corridor Project: "Caltrans has not adopted specific thresholds of significance for determining whether an impact is significant." The Caltrans Guide does not define what constitutes a "significant" impact on the freeway system. This problem was highlighted by the working group of 2002 made up of staff from Caltrans, Los Angeles County and DOT that met to discuss potential fixes to the Caltrans guide. Unfortunately, this effort did not lead to any changes to the guide. Since Caltrans has not adopted thresholds of significance, the process of



determining freeway impacts (beyond the CMP analysis) and mitigations has become subjective and legally questionable. The Metro CMP provides clear and consistent evaluation procedures. The Caltrans guide indicates that a traffic impact study may be required if a project "generates 1 to 49 peak hour trips to a State highway facility" provided that the facility experiences significant delay or forced traffic flow conditions (LOS E or F). This "one trip" threshold is not a realistic or reasonable gauge to determine the need for a study particularly in urban areas where many of the freeway segments operate at LOS E and F.

Regarding related projects, the vehicle trips associated with the 61 identified related development projects were included in the projected traffic demands for the project's future scenarios. The project also assumed an annual ambient traffic growth rate of 2% per year. This is considered a rather high growth rate as recent surveys and traffic count data indicate that the growth rate in the Los Angeles Metro area is actually 0.2% per year. This is a likely result of the economic downturn, higher gas prices and the expansion of the regional transit system. Nonetheless, even with the anticipated traffic demand from the related projects and with a 2% per year ambient growth rate, the levels-of-service at the study intersections remain at satisfactory levels (LOS A through C).

- f. **Seismic impacts were not adequately analyzed. The MND claims the Hollywood Fault is .6 miles from the Project site is dubious when the City's Safety Element depicts the intersection of Hollywood Boulevard and Western Avenue as in the middle of the City of Los Angeles' Fault Rupture Study Area. For properties within these areas, the environmental review must include the investigation and preparation of a Fault Investigation Report as mandated under Publication 42 of the State Geologic Survey and the applicable provisions of the State Building Code. The MND reports that over the Project site, the ground water level shifts from 60 feet to as much as 85 feet deep under the site. Dramatic shifts in the water table is evidence of perched water or other conditions that may be caused by the presence of an earthquake fault. There has been no investigation of the possible presence of the Hollywood Fault on the Project site and such a study is required to be completed and circulated for public comment.**

*Response:* The Initial Study/MND (Exhibit D) adequately and appropriately analyzed seismic impacts. Additionally, subsequent to the preparation of the Initial Study/MND, the Department of Building and Safety (DBS), Grading Division, issued the Project's Geology and Soils Report Approval Letter (Exhibit G). DBS provided additional comments in response to the appeal points. Regarding the Hollywood Fault, the Department of Building and Safety confirms that the Hollywood Fault is over 1,000 feet from the Project site and is located north of Franklin Avenue and Western Avenue. Regarding the Safety Element identifying the intersection of Hollywood Boulevard and Western Avenue as being located in a Fault Rupture Study Area, the Department of Building and Safety explains that the Study Areas are shown for emergency preparedness purposes and are not used by the DBS for the purpose of requiring reports. Regarding the shift in the water table, the DBS explains that the ground water level shift is a result of the data that was used and obtained four years ago and accounts for about ten feet of differential. Thus, the shift in the water table is actually less than what is included in the Initial Study/MND.

DBS Staff reviewed the appeal points along with the MND and the Geology and Soils Report Approval Letter, and confirmed that the mitigation measures for seismic impacts included in the Initial Study/MND and incorporated as Condition Nos. 42 and

44 are adequate. The Department of Building and Safety will review and approve final construction plans to ensure that the project complies with Uniform Building Code seismic standards.

- g. The MND conceded that the weight of the Project building foundations may impose surcharges on portions of the southern tunnel of the Metro Red Line Subway. The MND fails to resolve possible surcharges of the building on the tunnel subway structure. The Los Angeles County Metropolitan Transportation Authority (Metro) must specifically be informed of this issue as a commenting and responsible agency.**

*Response:* The Initial Study/MND (Exhibit D) adequately and appropriately analyzed geologic impacts including lateral and vertical surcharges of the Project building on the Metro Red Line subway tunnel. Additionally, subsequent to the preparation of the Initial Study/MND, the Department of Building and Safety, Grading Division, issued the Project's Geology and Soils Report Approval Letter (Exhibit G). This approval letter shows that the computed lateral and vertical surcharges from the proposed structure on the Metro tunnel are negligible. Furthermore, Condition No. 44 in the in the Director's Determination (Exhibit C) requires the Project to comply with the conditions contained within the Department of Building and Safety's Geology and Soils Report Approval Letter, which contains the following conditions that specifically address the Metro Red Line tunnel:

- Condition No. 2 – Approval shall be obtained from the Metropolitan Transportation Authority (MTA) and any other appropriate jurisdiction for the proposed construction in proximity to the Metro tunnels.
- Condition No. 4 – A survey program along with installation and monitoring of inclinometers to be established for the northern side of the site (i.e. along the Metro side), and installation of inclinometers behind the shoring and strain gages on the shoring face in critical areas shall be implemented, as recommended on page 21 of the 08/01/2013 report.
- Condition No. 18 – Prior to the issuance of the permits, the soils engineer and /or the structural designer shall evaluate the surcharge loads used in the reports calculations for the design of the retaining walls, shoring, and for evaluation of the surcharge loads on the Metro tunnel. If the surcharge loads used in the calculations do not conform to the actual surcharge loads, the soil engineer shall submit a supplementary report with revised recommendations to the Department for approval.

With the implementation of conditions in the Director's Determination and in the Geology and Soils Report Approval Letter, the surcharges from the proposed Project would be less than significant.

## REVISED CONDITIONS OF APPROVAL

*The Department of City Planning recommends modification of the Conditions of Approval. Underlined text has been added and ~~strikeout~~ text is to be removed.*

Approval of the subject development project is made with the following Terms and Conditions imposed, in order to ensure compliance with applicable requirements of the State Government Code Section 65915 (State Density Bonus Program), and the promotion of development compatible with existing and future development of neighboring properties.

### Project Permit Compliance Conditions

1. **Site Development.** Except as modified herein, the project shall be in substantial conformance with the plans and materials submitted by the Applicant, stamped "Exhibit E," and attached to the subject case file. No change to the plans will be made without prior review by the Department of City Planning, Plan Implementation Division, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Municipal Code or the project conditions.
2. **Parks First.** Prior to the issuance of a Certificate of Occupancy, the applicant shall pay a total of \$1,105,100 to the Office of the Chief Administrative Officer, Parks First Trust Fund for the increase of 257 market rate residential units (not inclusive of the 23 very low income units). The applicant shall contact Bernyce Hollins, (213) 473-7547, of the CAO directly to arrange for payment.
3. **Uses.** Commercial uses are limited to uses permitted in the C4 Zone pursuant to LAMC Section 12.16.
4. **Density.** The project shall be limited to 280 residential units.
5. **Parking.** The project shall provide a total 434 parking spaces.
  - a. 364 residential parking spaces and 70 residential guest parking spaces that are to be shared with commercial parking spaces.
6. **Dedications and Improvements.** The following requirements shall be completed to the satisfaction of the City of Los Angeles Bureau of Engineering:

### Dedications

- a. Hollywood Boulevard is classified as a Modified Major Highway – Class II, which requires a five-foot strip of land along the property of Lot 1 and Lot 2, Arb 1 of Dunning Tract and Lot B of Tract PM2093 to complete a 50-foot half right-of-way. The historic building and façade to remain preclude the required dedication along the property of Lot 2, Arb 2 and Lot 3 of Dunning Tract and Lot 4 of Clark Tract.
- b. St. Andrews Place is classified as a Local Street, which requires a five-foot strip of land along Lot 6, Arb 2 of Dunning Tract to complete a 30-foot half right-of-way.

- c. A certified survey map showing the existing buildings and areas to be dedicated together with legal description describing the dedication areas shall be submitted with the dedication application.

### Improvements

- d. Hollywood Boulevard: the project shall construct additional surfacing to provide a 35-foot wide half roadway in accordance with Modified Major Highway – Class II Street Standards, including asphalt pavement, integral concrete curb, two-foot gutter, and a ten-foot to 15-foot wide concrete sidewalk. These improvements shall transition and suitably join the existing sidewalk.
- e. St. Andrews Place: the project shall construct additional surfacing to join the existing improvements to provide a 20-foot wide half roadway in accordance with Local Street Standards, including asphalt pavement, integral concrete curb, two-foot gutter, and a ten-foot wide concrete sidewalk. These improvements shall transition and suitably join the existing sidewalk.
- f. Install tree wells with root barriers and plant street trees satisfactory to the City Engineer and the Urban Forestry Division of the Bureau of Street Services. Some tree removal in conjunction with the street improvement project may require Board of Public Works approval. The applicant may contact the Urban Forestry Division for further assistance.
- g. Removal of street trees is required in conjunction with the street widening for this project requires Board of Public Works approval.
- h. Street lighting and street light relocation may be required satisfactory to the Bureau of Street Lighting (213) 847-1551.
- i. Department of Transportation may have additional requirements for dedication and improvements.
- j. Relocate traffic signs, equipment and parking meters to the satisfaction of the Department of Transportation.
- k. Contact the Department of Water and Power regarding power pole (213) 367-2715.
- l. Roof drainage and surface run-off from the property shall be collected and treated at the site and drained to the streets through drain pipes constructed under the sidewalk and through curb drains or connections to the catch basins.
- m. Sewers exist in Hollywood Boulevard. Extension of the six-inch house connection laterals to the new property line may be required. All Sewerage Facilities Charges and Bonded Sewer Fees are to be paid prior to obtaining a building permit.
- n. An investigation by the Bureau of Engineering Central 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 Central District Office of the Bureau of Engineering (213) 482-7050.

7. **Bicycle Parking.** The project shall provide a minimum of 140 bicycle parking spaces for the residential units and a minimum of ten bicycle parking spaces for commercial uses.
8. **Landscape Plan.** All landscaped areas shall be irrigated with an automated watering system including the public right-of way. The irrigation system shall be illustrated on the Landscape Plan. Landscaping shall be maintained in good health for the life of the project.
9. **Street Trees.** Prior to the issuance of a building permit, the applicant shall obtain a Class "A" or "B" Permit guaranteeing installation of:
  - a. Fourteen (14), shade trees shall be provided in the public right-of-way along the Hollywood Boulevard project frontage subject to the Department of Street Services, Urban Forestry Division requirements.
  - b. Three (3), shade trees shall be provided in the public right-of-way along the St. Andrews Place project frontage subject to the Department of Street Services, Urban Forestry Division requirements.
  - c. A tree well cover shall be provided for every new and reused street tree in the project area subject to the Department of Public Works.
  - d. An automatic irrigation system shall also be provided.
  - e. Tree removal and replacement shall be conducted consistent with the Department of Street Services, Urban Forestry Division requirements.
  - f. The applicant shall be responsible for new street tree planting and pay fees for clerical, inspection, and maintenance per the Los Angeles Municipal Code Section 62.176 for each tree.

Note: Contact the Urban Forestry Division, Subdivision staff, at (213) 847-3088 for site inspection prior to any street tree work.

10. **Streetscape Elements.** Prior to the issuance of a building permit, the applicant shall obtain a Class "A" or "B" Permit guaranteeing installation of:
  - a. Nine (9) bike racks shall be provided in the public right-of-way along the Hollywood Boulevard and two (2) bike racks shall be provided in the public right-of-way along St. Andrews project frontage subject to the Department of Public Works.
  - b. Four (4) trash receptacles shall be provided in the public right-of-way along the Hollywood Boulevard project frontage subject to the Department of Public Works.
  - c. One (1) public bench shall be provided in the public right-of-way along the Hollywood Boulevard subject to the Department of Public Works.

11. **Curb Cuts.** Curb cuts shall be a maximum width of 20 feet unless required by the Departments of Public Works, Transportation or Building and Safety.
12. **Design of Entrances.** Detailed drawings of the storefront configurations within the two historic building facades shall be submitted for review to the satisfaction of the Department of City Planning, Office of Historic Resources.
13. **Pedestrian Throughway.** The applicant shall submit detailed plans which demonstrate that:
  - a. The building façades facing the pedestrian throughway provide windows, doors and signs at ground level oriented to pedestrian traffic.
  - b. All ground surfaces within the pedestrian throughway are paved with decorative stone, masonry, tile, stamped concrete or other similar decorative paved surface.
14. **Utilities.** All new utility lines which directly service the lot or lots shall be installed underground. If underground service is not currently available, then provisions shall be made by the applicant for future underground service.
15. **Façade Relief.** The applicant shall submit revised plans that show all exterior windows above the first floor are designed to provide depth and articulation along the building façade either through recessing the windows a minimum of three inches or through the application of window frames and sill. Sliding aluminum windows, windows with faux-muntins and windows that are mounted flush with the building façade are prohibited.
16. **Surface Equipment.** All surface or ground mounted mechanical equipment shall be screened from public view and treated to match the materials and colors of the building which they serve.
17. **Rooftop Appurtenances.** All rooftop equipment and buildings appurtenances shall be screened from any street, public right-of-way, or adjacent property.
18. **Private Open Space.** The applicant shall submit revised floor plans that show a minimum six-foot dimension for all private balconies.
19. **Privacy.** The applicant shall submit a south elevation depicting that project windows do not directly face windows of adjacent structures across the south property line.
20. **On-Site Lighting.** Prior to issuance of a Certificate of Occupancy, the applicant shall install onsite lighting along all vehicular and pedestrian access ways. Installed lighting shall provide  $\frac{3}{4}$  foot candle of flood lighting intensity as measured from the ground. Lighting must also be shielded from projecting light higher than 15 feet above ground level and away from adjacent property windows. The maximum height of any installed lighting fixture shall not exceed 14 feet in height.
21. **Security Devices.** If at any time during the life of the project the property owner wishes to install security devices such as window grilles and/or gates, such security devices shall be designed so as to be fully concealed from public view. The project owner shall be required to acquire approval from the Director of Planning, via a Building Permit clearance sign off, for the installation of any security devices on the exterior or the structure.

22. **Hours of Operation.** All parking lot cleaning activities, deliveries and other similar maintenance activities shall take place between the hours of 7:00 a.m. to 8:00 p.m., Monday through Friday and 10:00 a.m. to 4:00 p.m. on Saturday and Sunday.
23. **Noise.** Any dwelling unit exterior wall including windows and doors having a line of sight to a public street or alley shall be constructed to provide a Sound Transmission Class of 50 or greater, as defined in the Uniform Building Code Standard No. 35-1, 1979 edition, or latest edition.
24. **Signs.** Prior to the issuance of a building permit, the applicant shall submit a comprehensive signage plan which shows the location and type of all proposed signage related to the project. All subsequent sign permit clearances shall substantially comply with the comprehensive signage plan. Cabinet signs, pole signs, flashing LED or other similar electronic signs and roof signs are prohibited.

#### **Density Bonus/Affordable Housing Incentives Program Conditions**

25. **Floor Area Ratio (FAR).** The project qualifies for a 14 percent increase in the allowed floor area ratio, and shall therefore be limited to a total floor area ratio of 3.42:1 or 283,005 square feet.
26. **Height.** The project qualifies for an 11-foot increase in height beyond the normally imposed 75-foot height limit. The project may be built no higher than 86 feet in height.
27. **Calculation of Residential Density.** For the purposes of calculating the total number of dwelling units allowed at the site, any land required to be dedicated for street or alley purposes may be included as lot area.
28. **Housing Requirements.** Prior to issuance of a building permit, the owner shall execute a covenant to the satisfaction of the Los Angeles Housing Department (LAHD) to make 11 percent (or 23 dwelling units) available to Very Low Income Households, at a rent or sale determined to be affordable to such households by LAHD for a period of 30 years. Enforcement of the terms of said covenant shall be the responsibility of LAHD. The applicant will present a copy of the recorded covenant to the Planning Department for inclusion in this file. The Planning covenant prevails unless preempted by State or Federal law.
29. The project shall comply with the Guidelines for the Affordable Housing Incentives Program adopted by the City Planning Commission and with any monitoring requirements established by the LAHD.

#### **Environmental Mitigation Conditions**

30. **Aesthetics (Landscape Plan).** All open areas not used for buildings, driveways, parking areas, recreational facilities or sidewalks shall be attractively landscaped and maintained in accordance with a landscape plan and an automatic irrigation plan, prepared by a licensed Landscape Architect and to the satisfaction of the decision maker.
31. **Aesthetics (Vandalism).**
- Every building, structure, or portion thereof, shall be maintained in a safe and sanitary condition and good repair, and free from, debris, rubbish, garbage, trash, overgrown vegetation or other similar material pursuant to Municipal Code Section 91.8104.

- b. The exterior of all buildings and fences shall be free from graffiti when such graffiti is visible from a street or alley, pursuant to Municipal Code Section 91.8104.15.

**32. Aesthetics (Signage on Construction Barriers).**

- a. The applicant shall affix or paint a plainly visible sign, on publically accessible portions of the construction barriers, with the following language: "POST NO BILLS."
- b. Such language shall appear at intervals of no less than 25 feet along the length of the publically accessible portions of the barrier.
- c. The applicant shall be responsible for maintaining the visibility of the required signage and for maintaining the construction barrier free and clear of any unauthorized signs within 48 hours of occurrence.

**33. Aesthetics (Light).** Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties or the public right-of-way.

**34. Aesthetics (Glare).** The exterior of the proposed structure shall be constructed of materials such as, but not limited to, high-performance and/or non-reflective tinted glass (no mirror like tints or films) and pre-cast concrete or fabricated wall surfaces to minimize glare and reflected heat.

**35. Air Pollution (Demolition, Grading, and Construction Activities).**

- a. All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting would reduce fugitive dust by as much as 50 percent.
- b. The construction area shall be kept sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
- c. All clearing, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
- d. All dirt/soil loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- e. All dirt/soil materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- f. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
- g. Trucks having no current hauling activity shall not idle but be turned off.

**36. 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:

1. 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.
2. 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.
3. 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.
4. 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.

**37. 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 the Department of Public Works, Bureau of Street Services.

**38. Cultural Resources (Designated Historic-Cultural Resource).**

- a. As the plans evolve beyond the schematic level, compliance with the Secretary of the Interior's Standards for rehabilitation shall be reviewed, monitored, and carried out in compliance with the Secretary of Interior's Standards to the satisfaction of the City of Los Angeles Cultural Heritage Commission for properties located at 5524 W. Hollywood Boulevard and 5540 W. Hollywood Boulevard. The Commission may delegate this responsibility to its staff in the Department of City Planning Office of Historic Resources.
- b. The brick on the side and rear walls of the Falcon Studios Building shall be salvaged. The Office of Historic Resources shall be consulted to determine if the brick can be used to reconstruct the side walls, and if it can be used, it shall be.

- c. The historic buildings at 5524 W. Hollywood Boulevard and 5540 W. Hollywood Boulevard shall be preserved and treated in such a way that they continue to be prominent features of the streetscape and are not overwhelmed by the new building. There shall be no new construction immediately above the historic buildings other than open space.
- d. The applicant shall create an on-site interpretative display on the history of the Falcon Studios for 5524 W. Hollywood Boulevard. The applicant shall create an on-site interpretative display on the work of Frank Meline Company in Hollywood and/or the history of the area for 5540 W. Hollywood Boulevard.
- e. Prior to the issuance of any building permit, the applicant shall nominate the historic building at 5540 W. Hollywood Boulevard for listing as a Los Angeles Historic-Cultural Monument.
- f. The applicant shall consult with Hollywood Heritage on the preparation of the reports, plans, and interpretative materials described above. Hollywood Heritage shall be provided with an opportunity to review and comment on the reports, plans and interpretative materials before they are finalized.

**39. Cultural Resources (Archaeological).**

- a. If any archaeological materials are encountered during the course of the Project development, all further development activity shall halt and:
  - 1. The services of an archaeologist shall then be secured by contacting the South Central Coastal Information Center (657-278-5395) located at California State University Fullerton, or a member of the Society of Professional Archaeologist (SOPA) or a SOPA-qualified archaeologist, who shall assess the discovered material(s) and prepare a survey, study, or report evaluating the impact.
  - 2. The archaeologist's survey, study or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource.
  - 3. The applicant shall comply with the recommendations of the evaluating archaeologist, as contained in the survey, study or report.
  - 4. Project development activities may resume once copies of the archaeological survey, study or report are submitted to:

SCCIC Department of Anthropology  
McCarthy Hall 477  
CSU Fullerton  
800 North State College Boulevard  
Fullerton, CA 92834

- b. Prior to the issuance of any building permit, the applicant shall submit a letter to the case file indicating what, if any, archaeological reports have been submitted, or a statement indicating that no material was discovered.
- c. A covenant and agreement binding the applicant to this condition shall be recorded prior to issuance of a grading permit.

**40. Cultural Resources (Paleontological).**

- a. If any paleontological materials are encountered during the course of the Project development, all further development activities shall halt and:

1. The services of a paleontologist shall be secured by contacting the Center for Public Paleontology - USC, UCLA, Cal State Los Angeles, Cal State Long Beach, or the County Natural History Museum – who shall assess the discovered material(s) and prepare a survey, study or report evaluating the impact.
  2. The paleontologist's survey, study or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource.
  3. The applicant shall comply with the recommendations of the evaluating paleontologist, as contained in the survey, study or report.
  4. Project development activities may resume once copies of the paleontological survey, study or report are submitted to the Los Angeles County Natural History Museum.
- b. Prior to the issuance of any building permit, the applicant shall submit a letter to the case file indicating what, if any, paleontological reports have been submitted, or a statement indicating that no material was discovered.
- c. A covenant and agreement binding the applicant to this condition shall be recorded prior to issuance of a grading permit.
- 41. Cultural Resources (Human Remains).**
- a. If the event that human remains are discovered during excavation activities, the following procedure shall be observed::
1. Stop immediately and contact the County Coroner:  
1104 N. Mission Road  
Los Angeles, CA 90033  
323-343-0512 (8 a.m. to 5 p.m. Monday through Friday) or  
323-343-0714 (After Hours, Saturday, Sunday, and Holidays)
  2. The coroner has two working days to examine human remains after being notified by the responsible person. If the remains are Native American, the Coroner has 24 hours to notify the Native American Heritage Commission.
  3. The Native American Heritage Commission will immediately notify the person it believes to be the most likely descendent of the deceased Native American.
  4. The most likely descendent has 48 hours to make recommendations to the owner, or representative, for the treatment or disposition, with proper dignity, of the human remains and grave goods.
  5. If the descendent does not make recommendations within 48 hours the owner shall reinter the remains in an area of the property secure from further disturbance, or;
  6. If the owner does not accept the descendant's recommendations, the owner or the descendent may request mediation by the Native American Heritage Commission.
- b. Discuss and confer means the meaningful and timely discussion careful consideration of the views of each party.
- 42. Seismic.** The design and construction of the Project shall conform to the Uniform Building Code seismic standards as approved by the Department of Building and Safety.
- 43. Erosion/Grading/Short-Term Construction Impacts.**
- a. The Proposed Project shall comply with Chapters 29 and 70 of the California Building Code ("CBC") and Chapter IX, Division 70 of the LAMC to ensure that uncovered or uncompacted soils are managed to prevent movement.

- b. The Project Applicant shall provide a staked signage at the site with a minimum of 3-inch lettering containing contact information for the Senior Street Use Inspector (Department of Public Works), the Senior Grading Inspector ("LADBS") and the hauling or general contractor.
  - c. Chapter IX, Division 70 of the LAMC addresses grading, excavations, and fills. All grading activities require grading permits from the Department of Building and Safety. Additional provisions are required for grading activities within Hillside areas. The application of BMPs includes but is not limited to the following mitigation measures:
    - 1. Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), diversion dikes shall be constructed to channel runoff around the site. Channels shall be lined with grass or roughened pavement to reduce runoff velocity.
    - 2. b. Stockpiles, excavated, and exposed soil shall be covered with secured tarps, plastic sheeting, erosion control fabrics, or treated with a bio-degradable soil stabilizer.
44. **Geotechnical Report.** 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.
45. **Green House Gas Emissions.**
- a. Install a demand (tankless or instantaneous) water heater system, or high efficiency central boiler system, sufficient to serve the anticipated needs of the dwelling(s).
  - b. Only low- and non-VOC-containing paints, sealants, adhesives, and solvents shall be utilized in the construction of the Project.
46. **Explosion/Release (Existing Toxic/Hazardous Construction Materials).**
- a. (Asbestos) Prior to the issuance of any permit for the demolition or alteration of the existing structure(s), the applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant indicating that no Asbestos-Containing Materials (ACM) are present in the building. If ACMs are found to be present, it will need to be abated in compliance with the South Coast Air Quality Management District's Rule 1403 as well as all other applicable State and Federal rules and regulations.
  - b. (Lead Paint) Prior to issuance of any permit for the demolition or alteration of the existing structure(s), a lead-based paint survey shall be performed in accordance with LADBS standards and to the written satisfaction of the Department of Building and Safety. Should lead-based paint materials be identified, standard handling and disposal practices shall be implemented pursuant to OSHA regulations.
  - c. (Polychlorinated Biphenyl – Commercial and Industrial Buildings) Prior to issuance of a demolition permit, a polychlorinated biphenyl ("PCB") abatement contractor shall conduct a survey of the project site to identify and assist with compliance with applicable state and federal rules and regulation governing PCB removal and disposal.
47. **Stormwater Pollution (Demolition, Grading, and Construction Activities).**
- a. Sediment carries with it other work-site pollutants such as pesticides, cleaning solvents, cement wash, asphalt, and car fluids that are toxic to sea life.

- b. Leaks, drips and spills shall be cleaned up immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- c. All vehicle/equipment maintenance, repair, and washing shall be conducted away from storm drains. All major repairs shall be conducted off-site. Drip pans or drop clothes shall be used to catch drips and spills.
- d. Pavement shall not be hosed down at material spills. Dry cleanup methods shall be used whenever possible.
- e. Dumpsters shall be covered and maintained. Uncovered dumpsters shall be placed under a roof or be covered with tarps or plastic sheeting.

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

- a. The project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which regulate construction noise sources.
- b. Construction and demolition shall be restricted to the hours of 7:00 A.M. to 6:00 P.M. Monday through Friday, and 8:00 A.M. to 6:00 P.M. on Saturday.
- c. Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- d. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- e. Noise and groundborne vibration construction activities whose specific location on the site may be flexible (e.g., operation of compressors and generators, cement mixing, general truck idling) shall be conducted as far as possible from the nearest noise- and vibration-sensitive land uses, and natural and/or manmade barriers (e.g., intervening construction trailers) shall be used to screen propagation of noise from such activities towards these land uses to the maximum extent possible.
- f. Barriers such as, but not limited to, plywood structures or flexible sound control curtains extending eight feet in height shall be erected around the perimeter of active construction areas wherever feasible and physically possible to minimize the amount of noise during construction on the nearby noise-sensitive uses.
- g. All construction truck traffic shall be restricted to truck routes approved by the City of Los Angeles Department of Building and Safety, which shall avoid residential areas and other sensitive receptors to the extent feasible.
- h. The project shall comply with the City of Los Angeles Building Regulations Ordinance No. 178048, which requires a construction site notice to be provided that includes the following information: job site address, permit number, name and phone number of the contractor and owner or owner's agent, hours of construction allowed by code or any discretionary approval for the site, and City telephone numbers where violations can be reported. The notice shall be posted and maintained at the construction site prior to the start of construction and displayed in a location that is readily visible to the public.

**49. Increased Noise Levels (Parking Structure Ramps).**

- a. Concrete, not metal, shall be used for construction of parking ramps.

- b. The interior ramps shall be textured to prevent tire squeal at turning areas.

50. **Increased Noise Levels (Mixed-Use Development).** Wall and floor-ceiling assemblies separating commercial tenant spaces, residential units, and public places, shall have a Sound Transmission Coefficient ("STC") value of at least 50, as determined in accordance with ASTM E90 and ASTM E413.

51. **Temporary Groundborne Vibration Impacts During Construction.**

- a. All new construction work shall be performed so as not to adversely affect the historic designations of the Mayer Building located immediately adjacent to the site at 5500 Hollywood Boulevard and the Bricker Building located at 1671 N. Western Avenue. Preconstruction surveys shall be performed to document conditions of the on-site and adjacent historic structures. The structural monitoring program shall be implemented and recorded during construction.
- b. The performance standards of the structure monitoring plan shall include the following:
  - 1. Documentation shall consist of video and/or photographic documentation of accessible and visible areas on the exterior and select interior facades of the buildings. A registered civil engineer or certified engineering geologist shall develop recommendations for the adjacent structure monitoring program that will include, but not be limited to, vibration monitoring, elevation and lateral monitoring points, crack monitors and other instrumentation deemed necessary to protect the historic resources from construction-related damage.
  - 2. The monitoring program shall survey for vertical and horizontal movement, as well as vibration thresholds. If the thresholds are met or exceeded, or noticeable structural damage becomes evident to the project contractor, work shall stop in the area of the affected building until measures have been taken to stabilize the affected building to prevent construction related damage to historic resources.
  - 3. The structure monitoring program shall be submitted to the Department of Building and Safety and received into the case file for the associated discretionary action permitting the project prior to initiating any construction activities.
  - 4. The Applicant shall retain a qualified vibration consultant to take vibration monitoring measurements regularly in order to assess the actual impact of vibration on adjacent structures and to incorporate and adjust techniques as necessary to reduce impact.
  - 5. The Applicant shall retain an experienced vibration engineer to plan for and monitor vibration impacts on the adjacent historic Mayer and Bricker buildings during site clearing, earthmoving and foundation construction, and structural construction, to the extent that the adjacent historic Mayer and Bricker buildings allows the Applicant to conduct monitoring within the adjacent historic Mayer and Bricker buildings and to understand the baseline vibration impacts prior to site-clearing. The engineer shall insure the incorporation of maximum vibration mitigation into every phase of Project development.

52. **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.

53. **Public Services (Police – Demolition/Construction Sites).** Fences shall be constructed around the site to minimize trespassing, vandalism, short-cut attractions and attractive nuisances.
54. **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.
55. **Public Services (Schools).** The Applicant shall pay school fees to the Los Angeles Unified School District as required by Section 65995 of the Government Code to offset the impact of additional student enrollment at schools serving the project area.
56. **Recreation (Increased Demand For Parks Or Recreational Facilities).**
- a. (Apartments) Pursuant to Section 21.10 of the Los Angeles Municipal Code, the applicant shall pay the Dwelling Unit Construction Tax for construction of apartment buildings.
  - b. (Vermont/Western Specific Plan, Ordinance 173,749) Pursuant to the Vermont/Western Specific Plan, Section 6.F. Parks First Program and Park Fees, the applicant shall pay a fee to the Parks First Trust Fund of \$4,300 per dwelling unit and shall be off-set by the amount of any Quimby Fee or Dwelling Unit Construction Tax Fee paid as a result of the project.
57. **Transportation (Haul Route).**
- a. The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.
  - b. (Non-Hillside): Projects involving the import/export of 20,000 cubic yards or more of dirt shall obtain haul route approval by the Department of Building and Safety.
58. **Increased Vehicle Trips/Congestion.**
- a. The Applicant shall work with DOT's Hollywood/Wilshire District Office to seek review and final approval of the traffic signal warrants analysis. If a new signal is approved at Hollywood Boulevard and St. Andrews Place, DOT will issue a Traffic Control Report authorizing the installation of the traffic signal and the Applicant shall be required to plan, design and construct the new signal through the Bureau of Engineering (BOE) B-permit process.
  - b. A construction work site traffic control plan shall be submitted to DOT's Hollywood/Wilshire District Office for review and approval prior to the start of any construction work. The plan shall show the location of any roadway or sidewalk closures, traffic detours, haul routes hours of operation, protective devices, warning signs and access to abutting properties. All construction related traffic shall be restricted to off-peak hours.

- c. The Department of Building and Safety shall determine the number of Code-required parking spaces needed for the project.
- d. Prior to the commencement of building or parking layout design efforts, contact DOT for driveway width and internal circulation requirements. All new driveways shall be Case 2 driveways and any security gates shall be a minimum 20 feet from the property line.
- e. The applicant shall pay any applicable fees per Ordinance No. 180542 for traffic study review, condition clearance, and permit issuance.

**59. Safety Hazards.**

- a. The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.
- b. The applicant shall submit a parking and driveway plan that incorporates design features that reduce accidents in compliance with the LAMC, to the Bureau of Engineering and the Department of Transportation for approval.

**60. Utilities (Local Water Supplies - Landscaping).**

- a. The project shall comply with Ordinance No. 170,978 (Water Management Ordinance), which imposes numerous water conservation measures in landscape, installation, and maintenance (e.g, use drip irrigation and soak hoses in lieu of sprinklers to lower the amount of water lost to evaporation and overspray, set automatic sprinkler systems to irrigate during the early morning or evening hours to minimize water loss due to evaporation, and water less in the cooler months and during the rainy season).
- b. In addition to the requirements of the Landscape Ordinance, the landscape plan shall incorporate the following:
  - c. Weather-based irrigation controller with rain shutoff
  - d. Matched precipitation (flow) rates for sprinkler heads
  - e. Drip/microspray/subsurface irrigation where appropriate
  - f. Minimum irrigation system distribution uniformity of 75 percent
  - g. Proper hydro-zoning, turf minimization and use of native/drought tolerant plant materials
  - h. Use of landscape contouring to minimize precipitation runoff
  - i. A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for existing and expanded irrigated landscape areas totaling 5,000 sf. or greater.

**61. Utilities (Local Water Supplies - All New Construction).**

- a. If conditions dictate, the Department of Water and Power may postpone new water connections for this project until water supply capacity is adequate.
- b. Install high-efficiency toilets (maximum 1.28 gpf), including dual-flush water closets, and high-efficiency urinals (maximum 0.5 gpf), including no-flush or waterless urinals, in all restrooms having urinals.



- c. Install restroom faucets with a maximum flow rate of 1.5 gallons per minute.
  - d. A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for all landscape irrigation uses.
  - e. Single-pass cooling equipment shall be strictly prohibited from use. Prohibition of such equipment shall be indicated on the building plans and incorporated into tenant lease agreements. (Single-pass cooling refers to the use of potable water to extract heat from process equipment, e.g. vacuum pump, ice machines, by passing the water through equipment and discharging the heated water to the sanitary wastewater system.)
- 62. Utilities (Local Water Supplies - New Commercial or Industrial).** All restroom faucets shall be of a self-closing design.
- 63. Utilities (Local Water Supplies - New Residential).**
- a. Install no more than one showerhead per shower stall, having a flow rate no greater than 2.0 gallons per minute.
  - b. Install and utilize only high-efficiency clothes washers (water factor of 6.0 or less) in the project, if proposed to be provided in either individual units and/or in a common laundry room(s). If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance.
  - c. Install and utilize only high-efficiency Energy Star-rated dishwashers in the project, if proposed to be provided. If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance.
- 64. Utilities (Solid Waste Recycling).**
- a. (Operational) Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. These bins shall be emptied and recycled accordingly as a part of the Project's regular solid waste disposal program.
  - b. (Construction/Demolition) Prior to the issuance of any demolition or construction permit, the applicant shall provide a copy of the receipt or contract from a waste disposal company providing services to the project, specifying recycled waste service(s), in compliance with the LAMC and to the satisfaction of the Department of Building and Safety. The demolition and construction contractor(s) shall only contract for waste disposal services with a company that recycles demolition and/or construction-related wastes.
  - c. (Construction/Demolition) To facilitate on-site separation and recycling of demolition- and construction-related wastes, the contractor(s) shall provide temporary waste separation bins on-site during demolition and construction. These bins shall be emptied and the contents recycled accordingly as a part of the Project's regular solid waste disposal program.

#### **Administrative Conditions**

65. **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.
66. **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.
67. **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.
68. **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.
69. **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.
70. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
71. **Expiration.** In the event that this grant is not utilized within three 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.
72. **Indemnification.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees relating to or to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

## REVISED FINDINGS

*The Findings have been modified. Underlined text has been added and ~~strikeout~~ text is to be removed.*

The applicant proposes to develop a mixed-use project on an approximately 1.90 acre (82,801-square-foot) site bounded by Hollywood Boulevard to the north and St. Andrews Place to the west. The Applicant proposes to redevelop the site to construct 280 residential apartment units with a minimum 11 percent of the base density designated as Very Low Income affordable units and approximately 12,030 square feet of commercial retail space (the "Project").

The applicant proposes the demolition of seven existing commercial structures; the partial demolition and preservation of one historic building façade (5524, 5526, 5528 Hollywood Blvd.) and the partial demolition and preservation of the northerly most 44 feet of another historic building (5540, 5542, 5544 Hollywood Blvd.); and the construction, use and maintenance of a six-story, maximum 86-foot tall mixed-use commercial and residential building that contains approximately 283,005 square feet with 280 dwelling units and 12,030 square feet of ground floor commercial floor area with 434 parking spaces located at-grade and within mezzanine and subterranean levels in the [QJR5-2 Zone within Subarea C (Community Center) of the Vermont/Western Transit Oriented District Specific Plan. The Project includes approximately 30,920 square feet of open space including 19,520 square feet of common open space and 11,400 square feet of private open space on balconies.

The applicant also proposes to utilize Section 12.22 A 25 (Density Bonus) of the Los Angeles Municipal Code LAMC, which permits a density bonus of 11 percent. This permits 73 dwelling units over the maximum density limit of 207 dwelling units on the property for a total of 280 residential units. A density bonus is granted in exchange for the applicant setting aside a portion of their by-right dwelling units, in this case 23 dwelling units, for habitation by Very Low income households for a period of 30 years. As permitted by Section 12.22 A.25 the applicant is requesting two incentives that will facilitate the provision of affordable housing at the site:

- a. **Floor Area Ratio.** An approximately 14 percent increase in the allowable Floor Area Ratio allowing a total floor area ratio of 3.42:1 or 283,005 square feet.
- b. **Height.** An approximately 14.7 percent increase in the height requirement, allowing 86 feet in height in lieu of the normally required 75 feet.

### Density Bonus/Affordable Housing Incentives Program Findings

1. **The project complies with the following criteria required by Section 12.22.A 25 (e) (2) of the LAMC for Housing Development Projects requesting on-menu incentives:**

- a. *The façade of any portion of a building that abuts a street shall be articulated with a change of material or a break in plane, so that the façade is not a flat surface.*

The proposed mixed-use project will consist of 12,030 square feet of ground floor retail space with 280 dwelling units above. The proposed project is unique in that it will preserve and include a portion of one two-story historic building and a historic building façade as part of the new development. The façade of the one-story Falcon Studios is Historic Cultural Monument No. LA-382; this façade will be maintained and incorporated into the project. An additional two-story historic structure on-site will also be maintained. With the integration of these two historic facades with the

proposed new construction, the total façade of the project will have articulation and façade relief. Portions of the building will be setback five feet from the front property line. The front façade will not be a flat surface and will include a variety of materials including cement plaster, stone veneer accent panels, vertical metal panels, horizontal metal fins, building canopies, and metal balconies. The architectural features and building colors will be harmonious and distinctive; resulting in a unique building form defined by varied elevations, articulations and fenestration patterns.

The structure will be oriented to Hollywood Boulevard and will include pedestrian entrances and an inner block pedestrian walkway at the ground floor. The ground floor retail areas are also articulated with a change in materials for the different retail bays, a variety of window shapes and sizes, and large expanses of glass windows for visibility into the storefronts.

Not only do the materials provide articulation, but the building form itself includes several breaks in plane to achieve articulation. The project includes two large open areas fronting on Hollywood Boulevard. The first open area surrounds the two-story historic building with a setback of 39 feet from the edge of the historic building's frontage on Hollywood Boulevard. The second open area includes a large courtyard, pool and pool deck area that are located above a 39-foot three-inch section of the historic building façade as well as above a 35-foot eight-inch section above the ground level's new building. The courtyard and pool and pool deck area are setback at a horizontal distance of 36 feet from the edge of the historic building façade and 31 feet from the edge of the ground level of the new building.

Additionally, a small portion of the building that fronts on St. Andrews Place will be similarly articulated with a variety of materials including cement plaster, stone veneer accent panels, vertical metal panels, horizontal metal fins, aluminum windows and storefront system, and metal balconies.

- b. *All buildings must be oriented to the street by providing entrances, windows architectural features and/or balconies on the front and along any street facing elevation.*

The proposed ground floor of the building includes 12,030 square feet of ground floor retail as well as lobby entrances into the residential units. The retail square footage will be divided into multiple storefronts, all of which are proposed to have a unique architectural treatment, with pedestrian entrances, large windows, canopies, and seating areas. The historic facades provide an interesting contrast to the new construction. The ground floor retail areas are also articulated with a change in materials for the different retail bays, a variety of window shapes and sizes, and large expanses of glass windows for visibility into the storefronts.

- c. *The Housing Development Project shall not involve a contributing structure in a designated Historic Preservation Overlay Zone (HPOZ) and shall not involve a structure that is a City of Los Angeles designated Historic-Cultural Monument (HCM).*

The proposed project consists of 280 residential apartment units, 11 percent of which (23 units total) will be set aside as Very Low Income affordable units, and approximately 12,030 square feet of neighborhood serving retail space.

To be eligible for on-menu incentives, the Housing Development Project cannot be on the list of Historical-Cultural Monuments *unless* it is part of an Adaptive Reuse project. This proposed Housing Development Project is located on a lot that

contains Historic Cultural Monument No. LA-382 - The Falcon Studios Building - but because it includes the Falcon Studios Building as part of an Adaptive Reuse Project the project is eligible for incentives.

The façade of the one-story Falcon Studios is protected as Historic-Cultural Monument No. LA-382. The Falcon Studios building retains only its façade; the rear of the building was demolished. This historic resource designation was adopted on July 26, 1988, and the Office of Historic Resources' List of Cultural-Historic Monuments includes the notation that the rear studio building was demolished in 1988.

In recognition of the historic status, the project will maintain the façade of the one-story Falcon Studios. The proposed project includes preservation and Adaptive Reuse of the historic façade of the Falcon Studios into the new project design.

The project is not located within a designated Historic Preservation Overlay Zone.

- d. *The Housing Development Project shall not be located on a substandard street in a Hillside Area or in a Very High Fire Hazard Severity Zone as established in Section 57.25.01 of the LAMC.*

The project is not located in a Hillside Area, nor is it located in a Very High Fire Hazard Severity Zone.

2. ~~The incentives are necessary to provide for affordable housing costs as defined in California Health and Safety Code Section 50052.5 or Section 50053 for rents for the affordable units. Pursuant to Section 12.22 A.25(c) of the LAMC, the Director shall approve a Density Bonus and requested Incentive(s) unless the Director finds that:~~

~~The proposed project consists of 280 residential apartment units, 11 percent of which (23 units total) will be set aside as Very Low Income affordable units, and approximately 12,030 square feet of neighborhood serving retail space.~~

~~The applicant stated in his application that the increase in floor area and height are necessary incentives to allow for the setting aside of 23 Very Low Income dwelling units for 30 years. The requested incentives will allow for the developer to construct the additional 73 density bonus units with the same number of bedrooms and a consistent unit size as the 23 restricted units. The increased floor area and height enables exclusive features such as several landscaped courtyards, community rooms, pool deck area, and private balconies and patios. Without the incentives, the buildable envelope could not fully accommodate the featured amenities available to all of the residents within the apartment complex.~~

- a. *The Incentive is not required in order to provide for affordable housing costs as defined in California Health and Safety Code Section 50052.5, or Section 50053 for rents for the affordable units.*

The Incentives are required in order to provide for affordable housing costs.

Density Bonus Incentives are normally necessary to allow adjustments to the zoning regulations in order to accommodate the additional density bonus units that will be built on the site. Typically, this means an increase in height, an increase in floor area, and a reduction in required yards - all for the purpose of increasing size of the

zoning envelope to make room for the additional units. The additional market-rate units then subsidize the rents for the affordable units, so that the project pencils out.

Staff received a preliminary pro-forma and is attached as Exhibit I. The document submitted describes five physical constraints impeding the development of the project, which required the project to seek the additional floor area and height in order to accommodate the 73 density bonus units (Exhibit I). These constraints include the restoration of on-site historic structures; that subterranean parking is limited to one-story below grade to limit surcharges to the Mayer Building and the MTA tunnel; that the project is observing a side yard separation with the Mayer Building to accommodate concerns about historic issues; and that DWP power lines run through the project's south property line limiting the building footprint. The pro-forma also analyzes the development of 73 additional density bonus units to achieve a capitalization rate that represents financial feasibility.

- b. *The Incentive will have a Specific Adverse Impact upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the Specific Adverse Impact without rendering the development unaffordable to Very Low, Low and Moderate Income households. Inconsistency with the zoning ordinance or general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety.*

The Incentive will not have a Specific Adverse Impact.

The proposed project and potential impacts were analyzed in accordance with the City's Environmental Quality Act Guidelines and the City's L.A. CEQA Thresholds Guide. These two documents establish standards and thresholds of significant impact, and provide the data for determining whether or not the impacts of a proposed project reach or exceed thresholds. Analysis of the proposed project involved the preparation of a Mitigated Negative Declaration (MND) (ENV-2012-3532-MND), and it was determined that the proposed project may have an impact on the following environmental factors: aesthetics; air quality; biological resources; cultural resources; geology and soils; greenhouse gas emissions; hazards and hazardous materials; hydrology and water quality; noise; public services; recreation; transportation/circulation; and, utilities. Mitigation measures will reduce impacts to less than significant, and are imposed as conditions of approval in the Director's Determination (Environmental Mitigation Conditions 30 through 64). Therefore, there is no substantial evidence that the proposed project will have a Specific Adverse Impact on the physical environment, on public health and safety, and/or on property listed in the California Register of Historical Resources.

### **Project Permit Compliance Review Findings**

- 3. The project substantially complies with the applicable regulations, findings, standards, and provisions of the specific plan.**
  - a. Parks First.** The project is subject to the Parks First Program and Park Fees by Section 6.F. of the Vermont/Western Specific Plan (Ordinance 173,749), which requires that the applicant pay \$4,300 for each new residential unit. However, units set aside as affordable to very low or low income residents with affordability covenants of at least 30 years, are exempt from the Parks First Trust Fund. These

fees are placed into a fund which will provide park amenities within the Specific Plan area. The project includes 280 residential units, of which 23 residential units are set aside as very low income residential units and the remaining 257 residential units will be market rate. Therefore the applicant is required to pay \$1,105,100 into the Parks First Trust Fund for the net increase of 257 residential dwelling units and is to be offset by the amount of any Quimby Fee or dwelling unit construction tax. This requirement is reflected in the Conditions of Approval.

- b. **Use.** Section 9.A. of the Vermont/Western Specific Plan states that C4 commercial and R4 residential land uses are allowed by right within Subarea C of the Specific Plan area. The proposed mixed-use project provides 280 residential units, which are all contained within Subarea C of the Specific Plan Area (which allows 207 dwelling units within 82,801 square feet of lot area). The project complies with Section 9.A. of the Specific Plan only with a Density Bonus to allow the 35 percent increase in residential density (of an 73 dwelling units). The Specific Plan also limits commercial uses for Subarea C parcels to those permitted in the C4 Zone pursuant to LAMC Section 12.16. This is reflected in the Conditions of Approval and therefore complies with Section 9.A. of the Specific Plan.
- c. **Height and Floor Area.** Section 9.B of the Vermont/Western Specific Plan states mixed-use projects shall not exceed a building height of 75 feet and a maximum floor area ratio (FAR) of 3.0. The Specific Plan also limits the commercial floor area within a mixed-use project to an FAR of 1.5:1. The applicant has proposed to construct a 283,005-square-foot mixed-use structure that is 86 feet in height over seven parcels that have a combined lot area of 82,801 square feet and a floor area ratio of 3.42:1. The proposed building height is 86 feet, which is more than the allowed 75 feet in height. However, the applicant has elected to utilize an on-menu density bonus incentive as part of setting aside 11 percent of the base density at a very low income level for a building height increase of 11 feet and is therefore allowed a building height up to 11 feet. With the granting of the on-menu density bonus incentive, the proposed 86 feet in building height complies with the Specific Plan. A 3:1 FAR generates approximately 248,403 square feet of development, which is less than the proposed 283,005 square feet of development. However, the applicant has set aside 11 percent (or 23 residential units) of the base density and is therefore allowed a floor area increase up to 35 percent of its by-right development (or 335,344 square feet). The applicant is only requesting a floor area increase of approximately 14 percent, which allows 283,005 square feet of floor area. The project therefore complies with Section 9.B. of the Specific Plan.
- d. **Transitional Height.** Section 9.C. of the Vermont/Western Specific Plan states that portions of buildings on a lot located within Subarea C shall not exceed specified transitional height limits set forth when located within specified distances of a lot within Subarea A. The Specific Plan specifies transitional height limits for buildings on a lot located within Subareas B and C to be 25 feet in height that are within a distance of 0 to 49 feet of a lot within Subarea A and 33 feet in height for buildings within a distance of 50 to 99 feet of a lot within Subarea A. The project site does not abut lots in Subarea A. Section 9.C. of the Specific Plan therefore does not apply.
- e. **Usable Open Space.** Section 9.D. of the Vermont/Western Specific Plan states that mixed-use and residential projects must provide specified amounts of common and private open space. The Specific Plan further stipulates that 25 percent of the total open space must be provided at ground level or first habitable room level of the project. Open space requirements for the project are as follows:

Required Open Space			
	Number of Units	Open Space Required per Unit (Square Feet)	Total Open Space Required (Square Feet)
Less than 3 habitable rooms	192	100	19,200
Equal to 3 habitable rooms	83	125	10,375
More than 3 habitable rooms	5	175	875
<b>Total</b>	<b>280</b>		<b>30,450</b>

The project necessitates 30,450 square feet of open space. The applicant has proposed to provide open space as follows:

Provided Open Space		
<b>Common Open Space</b>		
Level	Open Space Areas	Area (Square Feet)
1st Level	Amenities – Lobby 1	600
1st Level	Amenities – Lobby 2	700
1st Level	Community Area	6,250
2nd Level	Courtyard 1	3,800
2nd Level	Courtyard 2	3,700
2nd Level	Pool Deck	4,400
<b>Subtotal</b>		<b>19,250</b>
<b>Private Open Space</b>		
3rd -6th Levels	Balconies (228 x 50 square feet)	11,400
<b>Subtotal</b>		<b>11,400</b>
<b>Total Open Space Provided</b> (19,250 + 11,400)		<b>30,920</b>
25% required on ground floor/first habitable room level		7,613
<b>Total Open Space Required</b>		<b>30,450</b>
25% provided on ground floor/first habitable room level		7,620

The applicant provides 30,920 square feet of open space, which is more than the required 30,450 square feet. The applicant also locates the 25 percent of open space provided on the ground level or first habitable room level by incorporating amenity rooms and a community area, which total 7,620 square feet on the ground floor. The project therefore complies with Section 9.D. of the Specific Plan.



- f. **Project Parking Requirements.** Section 9.E. of the Vermont/Western Specific Plan states that commercial projects provide a maximum number of two parking spaces for each 1,000 square feet of combined non-residential floor area.

SNAP Minimum Parking Spaces			
	Parking Space Per Square Feet / Unit	Square Feet / Quantity	Parking Spaces
Retail	2:1,000 SF	12,030	24
Dwelling Units with Less than 3 Habitable Rooms	1	192	192
Dwelling Units with 3 Habitable Rooms*	1.5	83	124
Dwelling Units with More than 3 Habitable Rooms	1.5	5	7
Guest (shared w/retail)	.25	280	70
<b>Total Minimum Required Spaces (minus retail spaces shared with guest spaces)</b>			<b>393</b>
*Section 9.E. does not stipulate the number of spaces required for dwelling units with exactly 3 habitable rooms, therefore the LAMC requirement of 1.5 minimum spaces is applied.			

SNAP Maximum Parking Spaces			
	Parking Space Per Square Feet / Unit	Square Feet / Quantity	Parking Spaces
Retail	2:1,000 SF	12,030	24
Dwelling Units with Less than 3 Habitable Rooms	1	192	192
Dwelling Units with 3 Habitable Rooms	1.5	83	124
Dwelling Units with More than 3 Habitable Rooms	2	5	10
Guest (shared w/retail)	.50	280	140
<b>Total Maximum Allowed Spaces (minus retail spaces shared with guest spaces)</b>			<b>466</b>

The table above indicates that a minimum of 393 residential and commercial spaces (shared with guest spaces) is required for the project and a maximum of 466 residential and commercial spaces (shared with guest spaces) is allowed for the project. Because the minimum residential guest parking spaces is 70 and the maximum residential guest parking spaces is 140, the applicant is not entitled to provide any additional parking for the exclusive use of the commercial uses and at least 24 of the residential guest spaces must be shared for commercial parking. The applicant has proposed to provide 434 parking spaces which is within the range that is allowed by Section 9.E. of the Specific Plan.

**Bicycles.** Section 9.E.2. of the Vermont/Western Specific Plan also states that residential projects with two or more residential units must provide one-half bicycle parking space per residential unit. The proposed development will consist of 280 residential units, therefore requiring a minimum of 140 bicycle parking spaces. The Specific Plan also stipulates that one bicycle parking space must be provided for

every 1,000 square feet of commercial floor area for the first 10,000 square feet, and one bicycle parking space for every additional increment of 10,000 square feet of floor area. The proposed development will consist of 12,030 square feet of commercial floor area, thus requiring a minimum of 10 bicycle parking spaces for the new ground floor commercial floor area. The applicant proposes to provide 160 bicycle parking spaces, which is more than the required 150 bicycle parking spaces for residential and commercial uses. The bicycle parking spaces will be provided as follows:

Bicycle Parking Location	Quantity
Ground Level	90
Mezzanine	30
Basement Level	40
<b>Total</b>	<b>160</b>

- g. **Conversion Requirements.** Section 9.F. of the Vermont/Western Specific Plan sets forth requirements pertaining to conversion of existing structures from commercial uses to residential uses. The project is a new mixed-use building with ground floor commercial and residential uses above and is therefore exempt from the standards set forth in Section 9.F. of the Specific Plan.
- h. **Yards.** Section 9.H. of the Vermont/Western Specific Plan specifies that no front, side or rear yard setbacks shall be required for the development of any project within Subarea C. The project does not include a front yard setback; however, the project includes a side yard setback that varies from approximately five feet to eight feet one inch and a rear yard setback that varies from approximately five feet three inches to ten feet four inches. As proposed, the project complies with Section 9.H. of the Specific Plan.
- i. **Pedestrian Throughways.** Section 9.G. of the Vermont/Western Specific Plan requires that applicants provide a pedestrian walkway, thoroughway or path for every 250 feet of street frontage for a project. The pedestrian thoroughway shall be accessible to the public and have a minimum vertical clearance of 12 feet and a minimum horizontal clearance of 10 feet. The new mixed-use development occupies approximately 425 feet of street frontage on Hollywood Boulevard and 191 feet of street frontage on St. Andrews Place, requiring one (1) pedestrian thoroughway to be provided along Hollywood Boulevard. The applicant proposes to provide a pedestrian thoroughway that is 13 feet four inches wide and is located adjacent to the residential lobby with access from the sidewalk to a pedestrian passageway connecting to the interior of the Project's ground level. The thoroughway leads directly through the proposed structure to the surface parking area at the rear of the proposed development, thereby complying with Section 9.G. of the Specific Plan.
- j. **Development Standards.** Section 9.I. of the Vermont/Western Specific Plan requires that all projects be in substantial conformance with the following Development Standards and Design Guidelines:

### Development Standards

- k. **Landscape Plan.** The Development Standards require that all open areas not used for buildings, driveways, parking, recreational facilities, or pedestrian amenities shall be landscaped by lawns and other ground coverings. The project proposes a new 283,005-square-foot mixed-use residential and commercial development, which is built to the new property line maintaining the urban street wall along Hollywood Boulevard. The applicant has provided a landscape plan that shows decorative landscaping within two courtyards, a pool deck area and planted areas surrounding the historic façade that will be preserved at 5540 W. Hollywood Boulevard. These landscaped areas include trees, planters with shrubs, decorative pots with planting and decorative paving that are all thoughtfully placed among the pool area and outdoor courtyards, which are located on the second level and visible from Hollywood Boulevard. As the landscaping and trees are visible from Hollywood Boulevard it adds and complements the new street trees that will be provided along Hollywood Boulevard and St. Andrews Place. The landscape concept plan does not include an automated watering system that will provide irrigation for the landscaping installed on-site and for the new street trees installed as part of this project in the public right of way. The applicant has been required in the Conditions of Approval to revise the landscape plan to include an irrigation system for landscaped areas on the second level and for the newly installed street trees that are required as part of this project. As conditioned, the project complies with this Development Standard.
- l. **Usable Open Space.** The Development Standards for common usable open space stipulate that no portion of the required common usable open space can have a dimension less than 20 feet or an overall area of 600 square feet. Common open space areas are proposed with the following dimensions:

Open Space Type	Area (Square Feet)	Minimum Dimension (Feet)
Courtyard 1	3,800	37
Courtyard 2	3,700	39
Pool Deck	4,400	59
Amenities -- Lobby 1	600	20
Amenities -- Lobby 2	770	32
Community Area	6,250	64

The Development Standards for private usable open space require that all private balconies must have a minimum dimension of six feet and that all private patios must have a minimum dimension of ten feet. The plans indicate that 228 private balconies are proposed that are each 50 square feet; however, the plans do not indicate that they meet the minimum dimension of six feet. The Conditions of Approval specify that all private balconies must comply with the minimum six-foot dimension. As conditioned, the project complies with this Development Standard.

- m. **Streetscape Elements – Street Trees.** The Development Standards require that one 36-inch box shade tree be planted and maintained in the sidewalk for every 30 feet of street frontage. The project site has two street frontages, which include Hollywood Boulevard (425 feet) and St. Andrews Place (90 feet). According to the provisions of the Development Standards, 14 street trees would be required along Hollywood Boulevard and three street trees would be required along St. Andrews Place for a total of 17 new street trees. The project site includes two existing street trees on Hollywood Boulevard, which the applicant has proposed to remove.

	Proposed Street Trees	Required Street Trees
Hollywood Boulevard 425 feet street frontage	6	14
St. Andrews Place 90 feet street frontage	4	3
<b>Total</b>	<b>10</b>	<b>17</b>

The landscape plan shows six trees proposed on Hollywood Boulevard and four trees proposed on St. Andrews Place. The applicant has been required to submit a revised landscape plan that shows that the full 17 trees will be planted along Hollywood Boulevard and St. Andrews Place. Should the Department of Public Works determine that the full number of street trees is infeasible to plant in the public right-of-way due to conditions such as curb cuts, utility vaults or other streetscape elements, then the applicant is required to submit a record from the Street Services Division indicating that the maximum number of trees cannot be provided in the parkway.

- n. **Streetscape Elements – Tree Well Covers.** The Development Standards require that a tree well cover be provided for each new and existing street tree in the project area. This requirement is reflected in the Conditions of Approval, thus conforming to this Development Standard.
- o. **Streetscape Elements – Bike Racks.** The Development Standards require one bike rack for every 50 feet of street frontage. The project site has two street frontages, which include Hollywood Boulevard (425 feet) and St. Andrews Place (90 feet). According to the provisions of the Development Standards, nine (9) bike racks would be required along Hollywood Boulevard and two (2) bike racks would be required along St. Andrews Place for a total of 11 new bike racks. The applicant has proposed to provide 18 bike racks along Hollywood Boulevard, thus complying with this Development Standard.
- p. **Streetscape Elements – Trash Receptacles.** The Development Standards require one trash receptacle be provided in the public right of way for every 100 feet of lot frontage along a major and secondary highway. Hollywood Boulevard is classified as a Modified Major Highway, thus requiring four (4) trash receptacles along Hollywood Boulevard given its 425 feet of frontage. The applicant is required to provide four (4) trash receptacles along Hollywood Boulevard, thus complying with this Development Standard.

- q. **Streetscape Elements – Public Benches.** The Development Standards require that one public bench be provided in the public right of way for every 250 feet of lot frontage on a major or secondary highway. Hollywood Boulevard is classified as a Modified Major Highway, thus requiring one (1) public bench along Hollywood Boulevard. The applicant is required to provide one (1) public bench on Hollywood Boulevard, thus complying with this Development Standard.
- r. **Pedestrian/Vehicular Circulation – Parking Lot Location.** The Development Standards require that surface parking lots be placed at the rear of structures. The project provides one level of subterranean parking, one level at-grade and one level on a mezzanine floor, which are all contained within the building footprint and not visible from the street. The project complies with this Development Standard.
- s. **Pedestrian/Vehicular Circulation – Waiver.** The Director of Planning may authorize a waiver from the requirement to provide parking in the rear of the lot. The project provides one level of subterranean parking, one level at-grade and one level on a mezzanine floor, which are all contained within the building footprint and not visible from the street. The project complies with the Parking Lot Location Development Standard and therefore a waiver is not necessary.
- t. **Pedestrian/Vehicular Circulation – Curb Cuts.** The Development Standards allow one curb cut that is 20 feet in width for every 150 feet of street frontage when a project takes its access from a major or secondary highway, unless otherwise required by the Departments of Public Works, Transportation or Building and Safety. The project proposes two driveways that provide vehicle ingress and egress on Hollywood Boulevard, which is classified as a Modified Major Highway. The two driveways on Hollywood Boulevard provide access to the at-grade and mezzanine parking levels. The easterly curb cut is 27 feet wide and the westerly curb cut is 24 feet wide on Hollywood Boulevard, as shown on Exhibit A. The driveway on St. Andrews Place provides access to the subterranean parking level. The curb cut on St. Andrews is 28 feet wide, as shown on Exhibit A. The Conditions of Approval require that the applicant contact the Departments of Public Works, Transportation or Building and Safety with the intent to minimize the width of all three curb cuts and that the Departments of Public Works, Transportation or Building and Safety review the request and implement the 20-foot requirement to the greatest extent physically feasible to comply with this Development Standard. As conditioned, the project complies with this Development Standard.
- u. **Pedestrian/Vehicular Circulation – Pedestrian Entrance.** The Development Standards require that all buildings that front on a public street shall provide a pedestrian entrance at the front of the building. The project provides a primary residential entrance and lobby along Hollywood Boulevard and a secondary residential entrance and lobby along St. Andrews Place. The commercial storefronts all provide pedestrian entrances along Hollywood Boulevard. The project complies with this Development Standard.
- v. **Pedestrian/Vehicular Circulation – Design of Entrances.** The Development Standards require that entrances be located in the center of the façade or symmetrically spaced if there are more than one and be accented by architectural elements such as columns, overhanging roofs or awnings. The primary residential entrance along Hollywood Boulevard is designed using glass entry doors with a metal canopy above. The entrance is adjacent to the pedestrian thoroughway that leads to and from the at-grade parking lot located behind the ground floor retail

spaces. The design of the entrance area is distinctive from the surrounding store fronts and provides prominence along the streetscape. The entrances to the commercial uses along Hollywood Boulevard are designed in a traditional storefront style with entrances located between structural bays and aluminum and glass storefront systems. The applicant is required to submit detailed drawings of the storefront designs proposed for the two historic buildings for final review with the Office of Historic Resources prior to the issuance of a building permit. As conditioned, the project complies with this Development Standard.

- w. **Pedestrian/Vehicular Circulation – Inner Block Pedestrian Walkway.** The Development Standards require that applicants provide a pedestrian walkway, thoroughway or path for every 250 feet of street frontage for a project. The pedestrian thoroughway shall be provided from the rear property line to the front property line. The pedestrian thoroughway shall be accessible to the public and have a minimum vertical clearance of 12 feet and a minimum horizontal clearance of 10 feet. The new mixed-use residential and commercial development occupies approximately 425 feet of street frontage on Hollywood Boulevard and 90 feet of street frontage on St. Andrews Place, requiring one (1) pedestrian thoroughway be provided along Hollywood Boulevard. A pedestrian walkway is proposed along the Hollywood Boulevard frontage located in between the primary residential entrance and a commercial storefront. The walkway has a minimum vertical clearance of 23 feet and a minimum horizontal clearance of 13 feet four inches. The walkway will provide access to the rearward at-grade parking level. This Development Standard also requires the building façade facing the pedestrian walkway to provide windows, doors and signs at ground level oriented to pedestrian traffic. This requirement is reflected in the Conditions of Approval and therefore complies with this Development Standard.
- x. **Pedestrian/Vehicular Circulation – Speed Bumps.** The Development Standards require speed bumps be provided at a distance of no more than 20 feet apart when a pedestrian walkway and driveway share the same path for more than 50 lineal feet. The applicant has not proposed to combine pedestrian walkways and driveways for more than 50 lineal feet. Therefore this Development Standard does not apply.
- y. **Utilities.** The Development Standards require that when new utility service is installed in conjunction with new development or extensive remodeling, all proposed utilities on the project site shall be placed underground. The plans do not indicate the location of utility service. The Conditions of Approval require all proposed utilities on the project site to be placed underground. If underground service is not currently available, then provisions shall be made for future underground service. As conditioned, the project complies with this Development Standard.
- z. **Building Design – Stepbacks.** The Development Standards require that no portion of any structure exceed more than 30 feet in height within 15 feet of the front property line and for projects fronting on major highways the second floor be setback from the first floor frontage by at least ten feet. The proposed development is required to provide 15-foot upper-floor stepbacks along the front-facing façade where the height of those facades exceeds 30 feet. In order to provide a design that adequately provides relief surrounding two historically significant structures and a high degree of overall articulation and delineation between ground floor retail space and upper-floor residential space; the applicant has provided upper-floor stepbacks that account for the overall building mass that should be stepped back along the upper floors. However, the proportions of this stepback differ from the Design

Standard in that the applicant has provided a design where there is a vertical redistribution of the building massing in lieu of a required linear tiered design. This difference requires the granting of a Specific Plan Project Permit Adjustment and the findings for this Adjustment are below in Section 4 of this determination. With the granting of an Adjustment the project provides a street front facade that is aesthetically pleasing, designed at a pedestrian scale and is spatially appropriate with regard to surrounding historically significant structures. The project substantially complies with this Development Standard.

- aa.* **Building Design – Transparent Building Elements.** The Development Standards require that transparent building elements such as windows and doors occupy at least 50-percent of the ground floor facades on the front and side elevations. The applicant has provided a transparency analysis of the amount of glass that is provided based on ground floor wall coverage. The façade facing Hollywood Boulevard (front/north elevation) provides 54 percent transparency using glass windows and doors based on a ground floor exterior wall surface area of 4,379 square feet. The façade facing St. Andrews Place (side/west elevation) provides 60 percent transparency using glass windows and doors based on a ground floor exterior wall surface area of 801 square feet. The project complies with this Development Standard.
- bb.* **Building Design – Façade Relief.** The Development Standards require that exterior walls provide a break in plane for every 20 feet horizontally and every 30 feet vertically. The project provides articulation through multiple breaks in the plane with variations in building materials, balconies and setbacks, the incorporation of the two existing historic facades and by providing a courtyard on the second level that is approximately 75 feet wide thereby recessing units from the street and breaking up the building massing. The ground floor facade facing Hollywood Boulevard (north elevation) is built to the property line; however, the five levels above are designed with portions of the building built to the property line varied with segments of the building that are recessed to accommodate the pool deck and courtyard, as well as the preservation of the first 44 feet of the historic structure at 5540 W. Hollywood Boulevard. The side and rear elevations also demonstrate that the building provides articulations and incorporates a thoughtful design strategy. The Development Standard further requires the articulation of windows and that windows may not be flush with the exterior façade. The applicant is required to submit window details showing that upper-floor exterior windows provide additional depth and texture to the overall façade through the inclusion of recesses, frames or sills. As conditioned, the project complies with this Development Standard.
- cc.* **Building Design – Building Materials.** The Development Standards require that building facades be comprised of at least two types of complimentary building materials. The new mixed-use residential and commercial structure is comprised of cement plaster in three alternating colors, stone veneer accent panels, vertical metal panels, a horizontal metal fin that runs the length of the building at three different levels with ample glazing. Additionally, the project incorporates and preserves the façade of one historic structure and preserves the first 44 feet of another historic structure, which add to the architectural interest of the new mixed-use development. The building materials proposed for the project comply with this Development Standard.
- dd.* **Building Design – Surface Mechanical Equipment.** The Development Standards require that all surface or ground mounted mechanical equipment be screened from

public view and treated to match the materials and colors of the building which they serve. In the event surface mechanical equipment is constructed, the Conditions of Approval require surface mechanical equipment to match the colors and materials of the building which they serve, thus complying with this Development Standard.

- ee. **Building Design – Roof Lines.** The Development Standards require that all rooflines in excess of 40 feet are broken up. The north, south, east and west elevations show a varied roofline by providing a five-foot parapet roof that is varied and recessed. The roof parapet changes depth approximately eight to 37 horizontal feet, which is more frequent than the required 40 feet. The design of the roofline complies with this Development Standard.
- ff. **Rooftop Appurtenances.** The Conditions of Approval require that building equipment and ducts be screened from view from any street, public right-of-way or adjacent property and the screening shall be solid and match the exterior materials, design and color of the building. As conditioned, the project complies with this Development Standard.
- gg. **Trash and Recycling Areas.** The Development Standards require that trash storage bins be located within a gated, covered enclosure constructed of identical building materials, be a minimum of six feet high, and have a separate area for recyclables. The site plan shows two trash and recycling areas on the ground floor, one is located to the rear of a retail tenant and one is located to the rear of the amenities room (lobby 2). The proposed trash and recycling areas comply with this Development Standard.
- hh. **Pavement.** The Development Standards require that paved areas not used as parking and driveway areas consist of enhanced paving materials such as stamped concrete, permeable paved surfaces, tile, and/or brick pavers. Decorative concrete pavement is proposed on the second level within the courtyards and pool deck. The new mixed-use development is built to the property line along Hollywood Boulevard and St. Andrews Place providing little opportunity for enhanced paving on the ground floor; however, the pedestrian walkway proposed adjacent to the residential lobby on Hollywood Boulevard should incorporate enhanced paving. The plans submitted as part of the application do not specify paving materials in the pedestrian thoroughway. The applicant is required to submit revised plans that show enhanced paving materials in the pedestrian thoroughway. As conditioned, the project complies with this Development Standard.
- ii. **Freestanding Walls.** The Development Standards require that all freestanding walls contain an architectural element at intervals of no more than 20 feet and be set back from the property line adjacent to a public street. The applicant does not propose new freestanding walls and therefore this Development Standard does not apply.
- jj. **Parking Structures – Required Commercial Frontage.** The Development Standards require building frontage for parking structures to consist of commercial, community facilities or other non-residential uses to a minimum depth of 25 feet. The project provides commercial uses at the ground floor for more than 25 feet in depth with parking that is contained within the building footprint and located to the rear at-grade, in a mezzanine level and a subterranean level. Therefore this Development Standard does not apply.



- kk.* **Parking Structures – Façade Treatment.** The Development Standards require parking structures to be designed to match the style, materials and color of the main building they serve. The project does not include a separate parking structure; the proposed parking areas are contained within the building footprint with no notable differentiation between the parking levels and non-parking levels. The project does not include a separate parking structure and therefore this Development Standard does not apply.
- ll.* **Parking Structures Across from Residential Uses.** The proposed parking areas are contained within the building footprint and located at-grade to the rear of the retail uses, on a mezzanine level and a subterranean level. The project does not include a separate parking structure and therefore this Development Standard does not apply.
- mm.* **Surface Parking Lots.** The proposed project provides two levels of subterranean parking. The project does not include a surface parking lot and is therefore exempt from this Development Standard.
- nn.* **Surface Parking Abutting Residential.** The proposed parking areas are contained within the building footprint and located at-grade to the rear of the retail uses, on a mezzanine level and a subterranean level. The project does not include a surface parking lot and therefore this Development Standard does not apply.
- oo.* **On-Site Lighting.** The Development Standards require that the project include on-site lighting along all vehicular and pedestrian access ways. The Development Standards specify that the acceptable level of lighting intensity is  $\frac{3}{4}$  foot-candle of flood lighting measured from the ground, a maximum mounting height of light sources shall be 14 feet, and "white" color corrected lamp color shall be used for ground level illumination. The applicant has been required in the Conditions of Approval to comply with these provisions, thus complying with this Development Standard.
- pp.* **Security Devices.** The Development Standards require that all security devices, such as security grills and window bars, be concealed from public view. The plans submitted by the applicant do not indicate that such security devices have been incorporated in the design. However, the Development Standard has been incorporated into the Conditions of Approval should security devices be integrated into the building at a later time.
- qq.* **Privacy.** The Development Standards require that buildings be arranged to avoid windows facing windows across property lines, or the private open space of other residential units. The project does propose windows on the south/rear elevation, which faces five multi-family residential structures that range from one- to three stories in height and front onto Carlton Way. The applicant is required to provide a south elevation depicting that project windows do not directly face windows of adjacent structures across the south property line. As conditioned, the project complies with this Development Standard.
- rr.* **Hours of Operation.** The Development Standards limit parking lot cleaning and sweeping, and any deliveries or on-site garbage collection to be no earlier than 7:00 a.m. and no later than 8:00 p.m. Monday through Friday and no earlier than 10:00 a.m. and no later than 4:00 p.m. on Saturdays and Sundays. The applicant has

been required in the Conditions of Approval to comply with this Development Standard.

- ss. **Noise Control.** The Development Standards require that any dwelling unit exterior wall including windows and doors having a line of sight to a public street or alley be constructed to provide a Sound Transmission Class of 50 or greater, as defined in the Uniform Building Code Standard No. 35-1, 1979 edition, or latest edition. The applicant has been required in the Conditions of Approval to comply with this Development Standard.
- tt. **Required Ground Floor Uses.** The Development Standards require that 100-percent of street level uses within Subarea C must be commercial uses up to a depth of 25 feet. The project provides commercial uses along Hollywood Boulevard for a depth of more than 25 feet thus complying with this Development Standard.

#### **Design Guidelines**

- uu. **Urban Form.** The proposed project is a mixed-use structure developed on numerous parcels along Hollywood Boulevard and Saint Andrews Place. As designed, the structure will be comprised of a variety of complementary building materials. The primary residential entrance is architecturally distinguished from the rest of the building, and two historic building facades along Hollywood Boulevard have been incorporated into the overall project design. The applicant has proposed unique upper-floor elevations above the ground floor level with fenestration patterns that are complementary of the two historic structures that have been partially preserved and incorporated into the design of the project. The applicant has also proposed to provide stepped-back elevations and a pedestrian passageway adjacent to the Falcon Studios historic structure that is found onsite. The applicant has provided articulation by way of building protrusions and uniquely designed building modules that echo the parcel-by-parcel building pattern typically found along Hollywood Boulevard in the project vicinity. Lastly, the applicant has proposed storefront elevations along Hollywood Boulevard that provide a high level of transparency with traditional bulkheads, recessed entryways and opening patterns that are indicative of the surrounding streetscape. The design of the proposed project therefore satisfies the urban form provisions of the Design Guidelines, which endeavor to create a pedestrian friendly environment along the commercial streets of Hollywood. Subject to the Conditions of Approval the project satisfies the Urban Form Design Guideline.
- vv. **Building Form.** According to the Design Guidelines, buildings are encouraged to have a clearly defined ground plane, roof expression and middle or shaft that relates to the two. The ground plane of the project is defined by traditional storefronts with storefront windows, and canopies. The upper floors relate to those portions of the ground plane that contain historic structures by providing unique elevations and compatible fenestration patterns. The middle shaft is clearly defined with a pool deck and landscaped courtyard on the second level, varied with the building at the property line to then again be setback to accommodate the two-story historic structure with its tile pitched roof which retains prominence along the streetscape. The roof plane is established by a five-foot parapet roof that is varied and adds interest to the building. The project therefore satisfies the Building Form Design Guideline.

- ww. **Architectural Features.** The Design Guidelines recommend courtyards, balconies, arbors, roof gardens, water features, and trellises, as well as appropriate visual references to historic building forms in new construction. The project provides landscaped courtyards and a pool deck, which are visible from Hollywood Boulevard. The building design incorporates balconies for residential units. Two historic structures will be partially demolished and partially preserved with the façade of the Falcon Studios at 5524 W. Hollywood Boulevard and the first 44 feet of another historic structure at 5540 W. Hollywood Boulevard. Incorporating these two historic structures will complement the contemporary design of the new mixed-use development. Commercial spaces at the ground floor are designed with highly transparent storefronts and prominent pedestrian entrances and the overall aesthetic of the structure is unified by building materials. As designed, the project satisfies the intent of the Architectural Features Design Guideline.
- xx. **Building Color.** The Design Guidelines encourage buildings be painted three colors: a dominate color, a subordinate color and a "grace note" color. Plans submitted by the applicant indicate that the building will be painted harmoniously in three shades of cement plaster with accentuating veneer accent panels and non-painted vertical and horizontal metal panels. As shown on Exhibit A, the color scheme of the project complies with the Building Color Design Guideline.
- yy. **Signs.** The Design Guidelines provide extensive guidance related to the placement, type and style of signage to be used for projects. The Guidelines indicate that signs should coordinate with the building and not dominate or obscure architectural elements; that window signs should allow for clear views into and out of tenant spaces; that awning signs should be confined to awning valences; that pedestrian oriented "hanging signs", which are visible from the sidewalk are encouraged, as are neon signs, portable signs and hand painted lettering. The Specific Plan prohibits the use of any pole, roof or off-site sign, any sign containing flashing, mechanical or strobe lights. The plans submitted as part of this application do not identify specific sign details. The applicant has been required to provide a comprehensive signage program that demonstrates the proposed location and type of each sign that will be used along the commercial storefronts for the project. Additionally, the Conditions of Approval stipulate that signs for the project shall be limited pursuant to the requirements listed above and shall be gracefully integrated into the overall building.
- zz. **Plant Material on Facades.** The Design Guidelines encourage façade plant materials in addition to permanent landscaping. The applicant has incorporated landscaping on the second level within the courtyard and pool deck areas, as well as within planted areas surrounding the historic structure at 5540 W. Hollywood Boulevard. The landscape plan shows that a variety of plant species will be located throughout the project on the second level providing shade and façade relief. Furthermore, the landscaping provided will enhance the overall design aesthetic of the mixed-use development and Hollywood Boulevard. As designed, the project complies with the Plant Material on Facades Design Guideline.

**Project Permit Adjustment Findings**

4. **There are special circumstances applicable to the project or project site, which make the strict application of the Specific Plan regulation impractical.**

Existing conditions at the subject property location pose challenges to the development of the site with an appropriate mixed-use commercial and residential project that adheres to the Stepback Development Standard which requires no portion of any structure to exceed 30 feet in height within 15 feet of the front property line. Additionally, the Development Standard requires that all buildings with a property line fronting on a major highway set the second floor back from the first floor frontage at least ten feet.

The architectural integrity of the proposed project requires the preservation and incorporation of the two-story historic building (5540 W. Hollywood Boulevard) and the historic façade of the Falcon Studios (5524 W. Hollywood Boulevard) into the new project design. In particular, the façade of the one-story Falcon Studios is protected as Historic-Cultural Monument No. LA-382. The Applicant proposes to maintain the façade of the one-story Falcon Studios at 5524 Hollywood Boulevard. Additionally, the Applicant proposes to incorporate a two-story historic structure that is also found on-site fronting on Hollywood Boulevard. Although this two-story building does not have a historic designation, it is eligible for listing in the California Register of Historical Resources and warrants consideration as a potential historic resource. Moreover, the Specific Plan's Development Standards and Design Guidelines note that Hollywood Boulevard is the location of a number of commercial and mixed use buildings with Art Deco, Mediterranean and Spanish/Moorish influences. The "Guidelines" identify examples, including "a highly ornamented two-story building of Spanish-Moorish design located at 5540-42 W. Hollywood Boulevard." This example is the two-story historic building located on the project site that is to be preserved in the design of the new development. Maintaining the historic elements on site constrains some of the site's development potential.

The project site has previously received an approval of a Specific Plan Adjustment for a similar mixed-use project in scope and scale to allow for a redistribution of the required upper-floor building stepback along the Hollywood Boulevard street frontage. In Case No. DIR-2006-8901-SPP, the Director granted a Project Permit Adjustment for the modification of Specific Plan Section 9.I, Development Standard 6, the front-facing stepback requirement, to allow the overall stepback volume to be proportioned so as to accommodate existing historic structures and a public plaza. The Director made the finding that "there are special circumstances applicable to the project or project site, which makes the strict application of the specific plan regulation impractical." The Specific Plan's Development Standard requires that all upper floors above 30 feet along the building front be stepped back 15 feet from the front property line. The Director recognized that the "intent of the Development Standard is to increase the penetration of daytime sunlight onto surrounding sidewalks and pedestrian areas and to minimize the appearance of height within the district from the pedestrian realm." Acknowledging that the project is immediately west of the four-story Louis B. Mayer (aka Hollywood Western Building), a City Historic Cultural Monument (LA-336), the Director observed that this "historically significant structure does not provide the upper-floor building stepback that would be required for contemporary buildings." Therefore, the Director found that a "strict application of the stepback requirement would result in the placement of an upper-floor stepback adjacent to the historic structure that would result in inconsistent elevations and an awkward transition from the historic Mayer Building to the proposed project building."

The historically significant structures on the site are a special circumstance that renders the strict interpretation of the Development Standard infeasible. The Applicant proposes a mixed-use project similar in scale to the one that was previously approved for a Specific Plan Adjustment. By incorporating two historically significant structures into the project design, the Applicant seeks a development that is compatible and consistent with the scope and size of the adjacent historic Hollywood Western/Mayer Building.

The project site is further constrained by the existing easement which runs through the entire length of the rear of the property, which adjoins multi-family residential buildings located on property zoned R4 and also situated within Subarea C of the Specific Plan. As a result, the proposed structures will be setback at a depth varying from approximately five feet three inches to ten feet four inches. Existing power poles and power lines are located within this rear yard area, requiring a setback that is not otherwise required by the Specific Plan. Section 9.H of the Specific Plan states that notwithstanding any contrary provisions of the Code, "no front, side or back yards shall be required for the development of any commercial or residential Project on any lot located within Subarea C." Therefore, the presence of the existing easement at the rear of the subject property diminishes the usable lot area for the construction of the proposed mixed-use project, creating practical difficulties and an unnecessary hardship. As such, the Project's design must necessarily reconfigure some of its floor area to maximize the number of residential units, making it feasible to provide the affordable units for very low income tenants and to create the desired commercial space that is required to front along Hollywood Boulevard. A special circumstance is created by the constraints imposed on the site with the presence of the existing easements. As such, the strict application of the specific plan regulation is impractical and creates a hardship for a high-density mixed-use project in an urban environment where properties are built mostly to or near the property lines, and in this case, the project is unable to be setback to the rear property line, thereby imposing an additional constraint on the project's ability to achieve an upper-floor stepback on the front property line.

As demonstrated above there are special circumstances that justify the approval of the adjustment to allow for a redistribution of the required upper-floor building stepback along the Hollywood Boulevard Street frontage.

5. **In granting the Project Permit Adjustment, the Director has imposed project requirements and/or decided that the proposed project will substantially comply with all applicable Specific Plan regulations.**

As designed, the high density mixed-use project is in substantial compliance with the execution and intent of the Specific Plan and all applicable regulations. The requested adjustment will not substantially change any of the development constraints in the Specific Plan's permitted land uses, density, height or bulk, setbacks or yards, open space or parking standards regulated by the specific plan. The adjustment will allow for a well-designed building that is consistent and compatible with adjacent historic buildings.

As part of the project's design and incorporated within the architectural plans, the architect prepared diagrams to analyze the amount of volume associated with an adherence to the 15-foot stepback requirement as the project fronts on Hollywood Boulevard. Given the project's horizontal dimension fronting on Hollywood Boulevard, the amount of volume generated by the 15-foot stepback requirement would be 347,062 cubic feet. The applicant proposes a project with a vertical stepback instead of the horizontal stepback. As a result, the project is designed to achieve articulation of its mass and bulk by creating large open areas that break up the building's appearance along Hollywood Boulevard. The architect

has designed the project so that the area above ground results in a volume of 347,383 cubic feet, thereby achieving slightly more volume than required by the adherence to a uniformly horizontal 15-foot setback.

The project incorporates historic building features that are unique to this project site. To achieve the nearly equivalent amount of volume generated by the 15-foot setback, the project is designed with two large open areas fronting on Hollywood Boulevard. The first open area surrounds the two-story historic building, with a setback of 39 feet from the edge of the historic building's frontage on Hollywood Boulevard. In addition, approximately 14 feet ten inches and 14 feet nine inches of open area on either side of the historic building at a horizontal distance of 33 feet from the ground level's new building edge fronting on Hollywood Boulevard creates additional space that reduces massing. The second open area includes the large open courtyard, pool and pool deck area that are located above a 39-foot three-inch section of the historic building façade as well as above a 35-foot eight-inch section above the ground level's new building. The courtyard and pool and pool deck area are stepped back at a horizontal distance of 36 feet from the edge of the historic building façade and 31 feet from the edge of the ground level of the new building. The calculation of the volume generated by these setbacks does not include the amount of open area in the courtyard that extends approximately 98 feet one-inch from the edge of the new building at the ground level. Calculating the full depth of the open courtyard and pool and pool deck area would result in a significantly larger amount of volume of cubic feet open to the sky. Nevertheless, the applicant seeks to achieve the Specific Plan's purpose of building design so that the project avoids large blank expanses of building walls. The project's design will be in harmony with the surrounding neighborhood and contributes to a lively pedestrian friendly atmosphere.

The proposed project substantially complies with all applicable specific plan regulations that affect Subarea C's designation of a Community Center. The project complies with the mixed-use development standards of the Code as they apply to a pedestrian oriented development. The project meets the density and floor area limitations imposed by the Code and the Specific Plan. With a Density Bonus On-Menu Incentive, the project complies with the height and FAR limitations imposed by the Specific Plan. The project provides the open space required by the Code. The parking requirements for vehicles and bicycles are achieved by adherence to the minimum and maximum standards imposed by the Specific Plan. A pedestrian thoroughway is provided from the sidewalk so as to achieve the Specific Plan's requirement for public access for properties with more than 250 feet of street frontage. Though the Specific Plan does not require any front, side or rear yard setbacks, the project provides setbacks in order to accommodate easements and power poles at the rear of the property as well as transformers and electrical equipment located in the side yard.

Lastly, the project site's size and proximity to mass transit and other public facilities combines to create special circumstances for modification of the setback requirement and the granting of a Project Permit Adjustment. The almost two-acre site permits a high density development which offers the City an opportunity to build density near transit and retail stores, while at the same time supporting a well-designed development on an underutilized parcel of land. The applicant has proposed a design that articulates the building in a vertical approach consistent with surrounding historic structures resulting in an overall building design that substantially implements the intent of the Design Guidelines in a site sensitive manner.

- 6. In granting the Project Permit Adjustment, the Director has considered and found no detrimental effects of the adjustment on surrounding properties and public rights-of-way.**

The requested Project Permit Adjustment will have no significant impact on the surrounding community. Allowing for the redistribution of the upper-floor building setback along the project frontage on Hollywood Boulevard will not be incompatible with existing multi-story buildings that are adjacent to or across the street from the proposed structure. Immediately adjacent to the east is the Hollywood Western/Mayer Building (Historic Cultural Monument LA-336), a four-story building built entirely to the property line along Hollywood Boulevard and Western Avenue with no setback above the first floor. Across Hollywood Boulevard to the north of the project site is a five-story mixed-use building with ground floor retail and guest room above. This building is also built to the property line along Hollywood Boulevard and doesn't include a setback. Also, across the Hollywood Boulevard to the north at 5555 W. Hollywood Boulevard is a five-story mixed-use development currently under construction that was approved not to include a setback (Case No. APCC-2006-4763-SPE-ZV-ZAA-SPP-SPR).

The applicant has provided a volumetric study that shows the total volume required with the setback is 347,062 cubic feet and the total volume provided with the setback redistribution is 347,383 cubic feet, which is more volume or articulation provided than otherwise would be required. As noted above, the project site has previously received an approval of a Specific Plan Adjustment for a similar mixed-use project in scope and size to allow for a redistribution of the required upper floor building setback along the Hollywood Boulevard street frontage. In Case No. DIR-2006-8901-SPP, the Director granted a Project Permit Adjustment to modify the setback. The proposed project seeks a similar setback modification and volume redistribution. With the incorporation of two historic structures into the project design, surrounding historic structures and multi-story structures that do not provide for the upper floor setback; the modified and redistributed setback will not have a detrimental effect on surrounding properties or the public right-of-way.

#### **Site Plan Review Findings**

- 7. 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 proposed project is in compliance with the Framework Element, the Housing Element, the Transportation Element, the Hollywood Redevelopment Plan, the Land Use Element-Hollywood Community Plan, and the Vermont Western Specific Plan.

##### **i. Framework Element**

The Citywide General Framework text defines policies related to growth and includes policies for land use, housing, urban form/neighborhood design, open space/conservation, economic development, transportation, and infrastructure/public services.

The General Plan's Community Center designation, applicable to this site, is described as "a focal point for surrounding residential neighborhoods and containing diversity of uses." Generally, Community Center designations will offer floor area ratios ranging from 1.5 to 1 to 3 to 1. Generally, the height of different

types of Community Centers will also range from 2 to 6-story buildings, e.g., some will be two-story Centers, some four- or six-story Centers depending on the character of the surrounding areas. According to the General Plan, Community Centers are "served by small shuttles, and local buses in addition to automobiles and/or may be located along rail transit stops." Upon application of the Density Bonus On-Menu Incentives, the proposed project is consistent with the floor area ratio designation and the height limit. The project site is located approximately 200 feet from the Metro Red Line station at Hollywood Boulevard and Western Avenue, as well as to bus stops for MTA Rapid Bus lines and local bus lines.

The proposed project will be in conformance with several goals of the Framework as described below.

*A. Land Use Chapter, Framework Element: Issue One: Distribution of Land Use of the Framework Element's Land Use Chapter (Chapter Three) establishes general principles to encourage growth and increase land use intensity around transit nodes, to create a pedestrian oriented environment while promoting an enhanced urban experience and provide for places of employment.*

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

*Policy 3.4.1: Conserve existing stable residential neighborhoods and lower-intensity commercial districts and encourage the majority of new commercial and mixed-use (integrated commercial and residential) development to be located (a) in a network of neighborhood districts, community, regional, and downtown centers, (b) in proximity to rail and bus transit stations and corridors, and (c) along the City's major boulevards, referred to as districts, centers, and mixed-use boulevards, in accordance with the Framework Long-Range Land Use Diagram.*

*Objective 3.9: Reinforce existing and encourage new community centers, which accommodate a broad range of uses that serve the needs of adjacent residents, promote neighborhood and community activity, are compatible with adjacent neighborhoods, and are developed to be desirable places in which to live, work and visit, both in daytime and nighttime.*

The proposed project consists of 280 residential apartment units, 11 percent of which (23 units total) will be set aside as Very Low Income affordable units, and approximately 12,030 square feet of neighborhood serving retail space. Aside from two historic structures on site which will be integrated into the proposed project, the structures on the subject property are mostly aging one-story structures located on a major commercial corridor that is suitable for the type of proposed mixed-use development that will accommodate the goals of the Framework Element. The site is underutilized as some of the commercial building space is vacant, while a large portion of the property is occupied by surface parking areas that are unneeded by the existing businesses that remain.

The above objectives seek to concentrate commercial development in existing commercial corridors and in areas that are able to support such development which are in close proximity to rail and bus transit stations. The project is located within close proximity to the intersection of Hollywood Boulevard and Western



Avenue, which is already established with a mix of commercial and residential uses in mixed-use projects. Several of the commercial uses include major retailers and a supermarket. There are a variety of transit options including the Metro Red Rail Line Vermont/Western station as well as by local and regional bus lines operated by the Los Angeles County MTA and the Los Angeles DOT. The proposed project will increase the amount of neighborhood-serving retail space with the addition of 12,030 square feet of commercial floor area and will add 280 residential units that will increase the amount of pedestrian activity, while adding to the safety of the community by introducing more 24-hour per day residents. The project site is envisioned by the General Plan Framework as the appropriate location for a mixed use project. The General Plan Framework identifies two types of community centers, one of which is described as: "A mixed-use center that encourages the development of housing in concert with the multi-use commercial uses." Compatible with the intent of a "Community Center," the proposed project will increase opportunities for employees to live near their jobs and residents to live near shopping.

## ii. Housing Element

*Objective 1.1: Plan the capacity and develop incentives for the production of an adequate supply of rental and ownership housing for households of all income levels and needs.*

*Policy 1.1.4: Expand location options for residential development, particularly in designated Centers, Transit Oriented Districts and along Mixed-Use Boulevards.*

*Policy 1.4.1: Provide incentives to include affordable housing in residential development, particularly in mixed use development, Transit Oriented Districts and designated Centers.*

*Policy 1.4.2: Promote the development of new affordable housing units citywide and within each Community Plan area.*

*Objective 2.2: Promote sustainable neighborhoods that have mixed-income housing, jobs, amenities, services and transit.*

*Policy 2.2.3: Provide incentives and flexibility to generate new housing and to preserve existing housing near transit.*

*Policy 2.2.4: Promote and facilitate a jobs/housing balance at a citywide level.*

*Objective 2.4: Promote livable neighborhoods with a mix of housing types, quality design and a scale and character that respects unique residential neighborhoods in the City.*

*Policy 2.4.2: Develop and implement design standards that promote quality development.*

The proposed project consists of 280 residential apartment units, 11 percent of which (23 units total) will be set aside as Very Low Income affordable units, and approximately 12,030 square feet of neighborhood serving retail space. This project is adding 280 new residential units into a designated Community Center that is in close proximity to other retail and job uses, transit including buses and the Red Line, and other amenities. The Housing Element indicates that not only are more housing units needed to accommodate the City's growth, but that these units need to be a broader array of typologies to meet evolving household types and sizes. The project will offer a range of apartment types and sizes, with a mix of studio, one-, two-, and three-bedroom units. To ensure the livability of these housing units, especially in this more urban Community Center location, the development project includes innovative open space for use by the residents.

Residential amenities will be located on the ground level and the first level of the residential units above the parking mezzanine level. The amenities on the ground level include common open space adjacent to both residential lobbies fronting on Hollywood Boulevard and St. Andrews Place. At the first residential levels, two landscaped and hardscape courtyards provide more common open space, well as a pool and pool deck. A community room on the third floor connects the courtyards providing another amenity for the residents.

The project also includes affordable housing. Of the total 280 units, the project will provide 23 of its units as Very Low Income units, achieving a Housing Element goal of promoting mixed-income developments in mixed-use communities.

### iii. Transportation Element

Approval of the mixed-use project in proximity to mass transit options will be consistent with the purposes of the General Plan's Transportation Element. This Element recognizes that primary emphasis must be placed on maximizing the efficiency of existing and proposed transportation infrastructure through advanced transportation technology, through reduction of vehicle trips, and through focusing growth in proximity to public transit. The proposed project will address trip reduction measures via its location near the Metro Red Line station at Hollywood Boulevard and Western Avenue. The project's location is ideal to address the issue of easy access to work opportunities and essential services.

The Transportation Element sets forth goals, objectives and policies to establish a citywide strategy to achieve long-term mobility and accessibility within the City of Los Angeles. For example:

*Objective 3: Support development in regional centers, community centers, major economic activity areas and along mixed-use boulevards as designated in the Community Plans.*

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

*Objective 3.16: Promote implementation of the Land Use/Transportation Policy as adopted by City Council and endorsed by the LACMTA Board which encourages economic development in proximity to transit centers.*

*The objectives outlined in the Land Use-Transportation Policy within the Transportation Element are as follows:*

- 1. To focus future growth of the City around transit stations,*
- 2. Increase land use intensity in transit station areas,*
- 3. Reduce reliance on the automobile, and*
- 4. Create a pedestrian friendly oriented environment.*

The proposed project consists of 280 residential apartment units, 11 percent of which (23 units total) will be set aside as Very Low Income affordable units, and approximately 12,030 square feet of neighborhood serving retail space. The project will provide commercial options at the ground floor and residential units above. There are a variety of transit options serving the project site including the Metro Red Rail Line Vermont/Western station (the portal for which is approximately 200

feet from the project site) as well as by local and regional bus lines operated by the Los Angeles County MTA and the Los Angeles DOT.

The applicant proposes a pedestrian-oriented environment by locating high density residential and retail uses in proximity to public transit. The project is designed to take advantage of its location, with ground floor retail accessible directly from Hollywood Boulevard, and two residential lobbies accessed from Hollywood Boulevard and North St. Andrews Place. Additionally, the project will include a 13-foot 4-inch wide throughway that is adjacent to the residential lobby on Hollywood Boulevard to provide access from the sidewalk to a pedestrian passageway connecting to the interior of the project's ground level. The throughway leads directly through the proposed structure to the surface parking area at the rear of the proposed development, increasing pedestrian accessibility.

Residents will also be able to reduce reliance on the automobile because many shopping opportunities are located at the major commercial complex at the northeast corner of Hollywood Boulevard and Western Avenue, including most importantly a major supermarket that draws local residents. The new retail spaces of the project will also help facilitate a more inviting pedestrian-friendly environment. The project is consistent with the Transportation Element because residents will have easy access to work opportunities and essential services, and greater mobility is assured by the plentiful transit options offered by Metro Rail and MTA Rapid Bus lines.

#### iv. Land Use Element – Hollywood Community Plan

The project is located within the Hollywood Community Plan area. The current plan was adopted by the City Council on June 19, 2012. The Community Plan's "Community Vision Statement" states that the Plan "envision[s] a compact city that is growing vertically, mixing residential, commercial and industrial uses in new and interesting ways" and that mixed-use housing along transit corridors "promote[s] a livable community and enable many Hollywood residents to reduce their use of cars." Additionally, the Vision Statement observes that the "balanced growth of commercial and residential uses provides a jobs-housing balance, enabling an increasing number of residents and visitors to live, work, play and shop in Hollywood." Another key element of the community vision is the recognition of the "value of Hollywood's impressive historic architecture and cultural resources," which the Community Plan seeks to protect. The Community Plan includes the following relevant land use objectives, policies and programs:

*Policy LU.1.4: Maintain the Vermont-Western Station Neighborhood Area Plan, a transit-oriented plan in East Hollywood which encourages growth around metro rail stations and protects residential neighborhoods.*

*Policy LU.2.12: Incentivize jobs and housing growth around transit nodes and along transit corridors.*

The proposed project consists of 280 residential apartment units, 11 percent of which (23 units total) will be set aside as Very Low Income affordable units, and approximately 12,030 square feet of neighborhood serving retail space. The project will provide commercial options at the ground floor and residential units above. The proposed project is located approximately 200 feet from the entrance to the MTA Metro Red Line rail station at the corner of Hollywood Boulevard and Western Avenue. The MTA rail line station at Hollywood Boulevard and Western Avenue

affords easy access to the MTA's rail network for residents and visitors, as well as for customers of the retail spaces to be incorporated into the ground floor of the mixed-use project. The proposed project is also very close to many local and regional MTA bus transit lines terminating in destinations such as Glendale, Pasadena, and Santa Monica, among others. Additionally, DASH Hollywood bus service has stops at Western Avenue and Sunset Boulevard to the south and at Western Avenue and Franklin Avenue to the north; the DASH service encircles the project site with destinations to the west at Highland Avenue and to the east at Vermont Avenue.

The availability of many transit options along the commercial corridors of Hollywood Boulevard and Western Avenue creates a lesser need for the use of personal vehicles. The vicinity of the project site is already developed with many retail shops, including a major supermarket. The proposed project will activate the streets with greater pedestrian activity, as residents will be encouraged to walk and use public transit.

Though the project site is zoned [Q]R5-2, designated by the Community Plan as High Density Residential, properties along Hollywood Boulevard, such as the subject site, have been developed primarily with commercial uses or mixed-use projects. The residential neighborhoods are located to the south and the north of Hollywood Boulevard. These neighboring residential areas are protected by the transitional nature of the project, which combines both residential and commercial uses and serves to activate the pedestrian oriented corridor of Hollywood Boulevard.

*Policy LU.1.12: Any development project which involves designated historic resources, including City of Los Angeles Historic-Cultural Monuments (Appendix – Table 1) shall conform with the Secretary of Interior's Standards for Rehabilitation.*

The façade of the one-story Falcon Studios is designated Historic-Cultural Monument No. LA-382. The Falcon Studios building retains only its façade; the rear of the building was demolished. This historic resource designation was adopted on July 26, 1988, and the Office of Historic Resources' List of Cultural-Historic Monuments includes the notation that the rear studio building was demolished in 1988.

In recognition of Historic-Cultural Monument No. LA-382, the project will maintain the façade of the one-story Falcon Studios. The proposed project includes preservation and adaptive reuse of the historic façade of the Falcon Studios into the new project design as part of retail space fronting on Hollywood Boulevard. Additionally, the project will incorporate a two-story historic structure fronting on Hollywood Boulevard. This two-story building does not have a Cultural-Historic Monument designation, and yet, the City, in a previous approval of a similar project, recognized the building's historic architectural relevance. Moreover, the Vermont/Western Specific Plan's Development Standards and Design Guidelines note that Hollywood Boulevard is the location of a number of commercial and mixed use buildings with Art Deco, Mediterranean and Spanish/Moorish influences. The Guidelines identify examples, including "a highly ornamented two-story building of Spanish Moorish design located at 5540-42 Hollywood Boulevard." This example is the 2-story historic building located on the project site that is to be preserved in the design of the new development.

In addition, the proposed project is immediately west of the four-story Louis B. Mayer Building (aka Hollywood Western/Mayer Building), City Historic-Cultural Monument No. LA-336. Maintenance of the historic façade and historic building on the project site is essential to the architectural integrity of the block. Preservation of the project site's historic buildings serves to protect the identified historic-cultural resources.

*Policy LU.3.2.1: Encourage building designs which create interesting, attractive walking environments on streets with high pedestrian activity.*

*Policy LU.3.22: Promote well-designed retail with transparent facades to allow visibility of commercial uses as illustrated in the urban Design Chapter, Chapter 7.*

*Policy LU.3.24: Promote pedestrian-friendly land uses along streets with high pedestrian activity.*

*Policy LU.3.6: Discourage the siting of parking lots next to sidewalks which carry high volumes of pedestrian traffic.*

*Policy LU.3.5: Discourage curb-cuts next to sidewalks on streets with a high level of pedestrian traffic, when alternative access exists.*

*Policy LU.2.15: Encourage mixed-use and multifamily residential projects to provide bicycle parking and/or bicycle lockers.*

The project is currently occupied with a mix of retail spaces, some of which are vacant and others that are not inviting due to existing building design that has little transparency and openness. The proposed project consists of 280 residential apartment units, 11 percent of which (23 units total) will be set aside as Very Low Income affordable units, and approximately 12,030 square feet of neighborhood serving retail space. The project will provide commercial options at the ground floor and residential units above.

The proposed project includes approximately 425 feet of pedestrian friendly street frontage along Hollywood Boulevard. The project will be designed with inviting retail storefronts that will make the experience of walking along Hollywood Boulevard more comfortable, safe and appealing. The retail square footage will be divided into multiple storefronts, all of which are proposed to have a unique architectural treatment, with pedestrian entrances, large windows, canopies, and seating areas. The historic facades provide an interesting contrast to the new construction. The ground floor retail areas are also articulated with a change in materials for the different retail bays, a variety of window shapes and sizes, and large expanses of glass windows for visibility into the storefronts. Only two curb cuts are proposed along Hollywood Boulevard ensuring that pedestrian conflicts are minimized.

Street trees and street benches will be provided along Hollywood Boulevard and North St. Andrews Way, in accordance with the Development Standards required by the Vermont/Western Specific Plan. These amenities will make walking more convenient and comfortable. The project will also provide three separate bike racks in the public right-of-way, encouraging more street activity. Introducing 280 new residential units at this location will increase public safety as the additional residents will bring a 24-hour per day presence to the neighborhood.

*Policy LU.3.23: Encourage large commercial projects to consider designs which break up the floor plate, providing pedestrian connections, and human scale design features, such as plazas, green space or a public focal point. Discourage "superblocks".*

*Policy LU.4.5: Improve available rights-of-way throughout the Plan Area with landscaping, benches, and walkways and bikeways for low-intensity recreational uses.*

The proposed project consists of 280 residential apartment units, 11 percent of which (23 units total) will be set aside as Very Low Income affordable units, and approximately 12,030 square feet of neighborhood serving retail space.

Though the project has 425 feet of linear frontage along Hollywood Boulevard, it has been designed so as not to have a "superblock" design. The proposed project is unique in that it will preserve and include one two-story historic building and a historic building façade as part of the new development. The façade of the one-story Falcon Studios is as Historic Cultural Monument No. LA-382; this façade will be maintained and incorporated into the project. An additional two-story historic structure on-site will also be incorporated. With the integration of these two historic facades with the proposed new construction, the total façade of the project will have articulation and façade relief. Portions of the building will be setback five feet from the front property line.

The proposed structure will be oriented to Hollywood Boulevard and will include pedestrian entrances and an inner block pedestrian walkway at the ground floor. The ground floor retail areas are also articulated with a change in materials for the different retail bays, a variety of window shapes and sizes, and large expanses of glass windows for visibility into the storefronts.

Not only do the materials provide articulation, but the building form itself includes several breaks in plane to achieve articulation. The project includes two large open areas fronting on Hollywood Boulevard. The first open area surrounds the two-story historic building with a setback of 39 feet from the edge of the historic building's frontage on Hollywood Boulevard. The second open area includes a large open courtyard, pool and pool deck area that are located above a 39-foot three-inch section of the historic building façade as well as above a 35-foot eight-inch section above the ground level's new building. The courtyard and pool and pool deck area are setback at a horizontal distance of 36 feet from the edge of the historic building façade and 31 feet from the edge of the ground level of the new building.

Finally, the project will improve pedestrian access within the site with a 13-foot four-inch wide thoroughway that is adjacent to the residential lobby on Hollywood Boulevard to provide access from the sidewalk to a pedestrian passageway connecting to the interior of the project's ground level. The thoroughway leads directly through the proposed structure to the surface parking area at the rear of the proposed development, increasing pedestrian accessibility.

v. Hollywood Redevelopment Plan

The following Hollywood Redevelopment Plan goals are consistent with the proposed development:

Section III. Redevelopment Plan Goals

- Provide housing choices and increase the supply and improve the quality of housing for all income and age groups, especially for persons with low and moderate incomes.

- Promote the development of sound residential neighborhoods through mechanisms such as land use, density and design standards, public improvements, property rehabilitation, sensitive in-fill housing, traffic and circulation programming, development of open spaces and other support services necessary to enable residents to live and work in Hollywood.
- Recognize, promote and support the retention, restoration and appropriate reuse of existing buildings, groupings of buildings and other physical features especially those having significant historic and/or architectural value and ensure that new development is sensitive to these features through land use and development criteria.
- Support and encourage a circulation system which will improve the quality of life in Hollywood, including pedestrian, automobile, parking and mass transit systems with an emphasis on serving existing facilities and meeting future needs.

vi. Vermont Western Specific Plan

The project is consistent with the following Purposes of the Vermont Western Specific Plan:

*Section 2.A. Implement the goals and policies of the Hollywood Community Plan, the Wilshire Community Plan, the City General Plan Framework Element and the Transportation Element, including the new formats and terminology regarding land use designations created by the General Plan Framework.*

The proposed project consists of 280 residential apartment units, 11 percent of which (23 units total) will be set aside as Very Low Income affordable units, and approximately 12,030 square feet of neighborhood serving retail space. The project is located within the Hollywood Community Plan area. The current plan was adopted by the City Council on June 19, 2012. The updated Community Plan has established a land use designation of "High Density Residential" on the subject site, corresponding to the R5 Zone. This land use designation permits commercial uses. The Community Plan includes a proposed General Plan Framework Map, revised to include an expanded "Community Center" designation for the vicinity of Hollywood Boulevard and Western Avenue, extending from Hollywood Boulevard to the north and to Fountain Avenue to the south and to Wilton Place to the west and Serrano Street to the east.

The General Plan Framework describes the "Community Center" as follows: "A focal point for surrounding residential neighborhoods and containing a diversity of uses such as small offices and overnight accommodations, cultural and entertainment facilities, schools and libraries, in addition to neighborhood oriented services. Community Centers range from floor area ratios of 1.5:1 to 3.0:1. Generally, the height of different types of Community Centers will also range from 2- to 6-story buildings, e.g., some will be two-story Centers, some four- or six-story Centers depending on the character of the surrounding area. Community Centers are served by small shuttles, local buses in addition to automobiles and/or may be located along rail transit stops."

The project is located within close proximity to the intersection of Hollywood Boulevard and Western Avenue, which is already established with a mix of commercial and residential uses in mixed-use projects. Several of the commercial uses include major retailers and a supermarket. The Metro Red Rail Line Vermont/Western station provides access to a mass transit system that is utilized by

neighborhood residents to commute to jobs. The proposed project will increase the amount of neighborhood-serving retail space and will add 280 residential units that will increase the amount of pedestrian activity on a major commercial street. The project site is envisioned by the Community Plan and the General Plan Framework as the appropriate location for a mixed-use project. The General Plan Framework identifies two types of community centers, one of which is described as: "A mixed-use center that encourages the development of housing in concert with the multi-use commercial uses." Compatible with the intent of a "Community Center," the proposed project will increase opportunities for employees to live near their jobs and residents to live near shopping.

*Section 2.C. Establish a clean, safe, comfortable and pedestrian oriented community environment for residents to shop in and use the public community services in the neighborhood.*

The proposed project consists of 280 residential apartment units, 11 percent of which (23 units total) will be set aside as Very Low Income affordable units, and approximately 12,030 square feet of neighborhood serving retail space. The project is located in an area already established with many retail uses oriented to the local community. Pedestrian activity is enhanced by the location of the nearby Metro Red Rail Line station at Western Avenue and Hollywood Boulevard. Several MTA Rapid Bus Lines and local bus lines also serve the area.

The proposed structure will be oriented to Hollywood Boulevard and will include pedestrian entrances and an inner block pedestrian walkway at the ground floor. The ground floor retail areas are also articulated with a change in materials for the different retail bays, a variety of window shapes and sizes, and large expanses of glass windows for visibility into the storefronts. The project will improve pedestrian access within the site with a 13-foot four-inch wide throughway that is adjacent to the residential lobby on Hollywood Boulevard to provide access from the sidewalk to a pedestrian passageway connecting to the interior of the project's ground level. The throughway leads directly through the proposed structure to the surface parking area at the rear of the proposed development, increasing pedestrian accessibility.

The proposed new project will create a cleaner and safer environment with new ground floor retail spaces to serve the neighborhood and by the addition of many new residents in the 280 residential units, thereby further activating the streets and increasing the 24-hour per day presence of residents.

*Section 2.E. Guide all development, including use, location, height and density, to assure compatibility of uses and to provide for the consideration of transportation and public facilities, aesthetics, landscaping, open space and the economic and social wellbeing of area residents.*

The project site is unique in that it includes a two-story historic building and a historic building façade that will be preserved and integrated into the new development. When these historic elements are incorporated into the new structure, the project will be compatible with the historic Hollywood Western Building adjacent to the immediate east. Aside from the two-story historic building and the one historic building facade, the structures on the subject property are mostly aging one-story structures located on a major commercial corridor that is suitable for the type of proposed mixed-use redevelopment that will accommodate the goals of the Specific Plan. The site is underutilized as some of the commercial building space is vacant,



while a large portion of the property is occupied by surface parking areas that are unneeded by the existing businesses that remain.

*Section 2.H. Promote increased flexibility in the regulation of height and bulk of buildings as well as the design of sites and public streets in order to ensure a well-planned combination of commercial and residential uses with adequate open space.*

As a result of providing 11 percent of the residential units for Very Low Income households, the Applicant is granted two Density Bonus On-Menu Incentives to increase the height of the structure an additional 11 feet above the 75-foot limit and to increase the allowable FAR to 3:42:1 in lieu of the allowed 3:1. In so doing, the project is granted flexibility in regulations that ensures a well-planned combination of commercial and residential uses that serves to achieve the Specific Plan's objective to encourage mixed-use projects in proximity to public transit and other public facilities. To ensure the livability of the housing units, especially in this more urban Community Center location, the development project includes innovative open space for use by the residents, exceeding the required standards.

8. **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 proposed project consists of 280 residential apartment units, 11 percent of which (23 units total) will be set aside as Very Low Income affordable units, and approximately 12,030 square feet of neighborhood serving retail space. The Vermont Western Specific Plan includes a series of Design Guidelines which endeavor to create a pedestrian friendly environment and attractive new development compatible with the community. The guidelines include criteria regarding site planning, building design, façade treatment, open space, and landscaping. As designed and conditioned by this Determination, the project complies with these guidelines. The proposed project will be consistent and compatible with existing and future development on the neighboring properties.

#### Height, Bulk and Setbacks (Urban Form)

The project is proposed to reach a total height of 86 feet in a six-story structure. This mid-rise style will front on the major commercial corridor of Hollywood Boulevard. Similar to other multi-story mixed-use as well as commercial buildings in the immediate vicinity along Hollywood Boulevard, the project is compatible with the existing and future development of adjacent properties. This type of development is contemplated by the General Plan Framework's designation of "Community Center" for the vicinity. The Community Center is a focal point for surrounding residential neighborhoods that contain a diversity of uses. The height of buildings in a Community Center ranges from two- to six-story buildings, consistent with the height, bulk and scale of buildings on the adjacent properties. The project will also feature a large community area on the ground floor level and will provide additional significant open space for the recreational enjoyment of residents. Consistent with other neighboring buildings, ground floor commercial space will provide a direct interface with the street frontages, creating increased pedestrian activity.

As designed and conditioned by this Determination, the structure will be comprised of a variety of complementary building materials. The primary residential entrance is architecturally distinguished from the rest of the building, and two historic building facades along Hollywood Boulevard have been incorporated into the overall project design. The

applicant has proposed unique upper-floor elevations above the ground floor level with fenestration patterns that are complementary of the two historic structures that have been partially preserved and incorporated into the design of the project. The applicant has also proposed to provide stepped-back elevations and a pedestrian passageway adjacent to the Falcon Studios historic structure that is found onsite. The applicant has provided articulation by way of building protrusions and uniquely designed building modules echo the parcel-by-parcel building pattern typically found along Hollywood Blvd. in the project vicinity. Lastly, the applicant has proposed store-front elevations along Hollywood Boulevard that provide a high level of transparency with traditional bulkheads, recessed entryways and opening patterns that are indicative of the surrounding streetscape.

#### Off-street Parking Facilities

Based upon the required parking for residential and commercial uses in the Project, the Specific Plan requires a minimum of 393 parking spaces and a maximum of 466 parking spaces. The Applicant proposes to provide a total of 434 parking spaces, of which 364 are residential parking spaces and 70 spaces are shared by retail and guest parking. Three levels of parking will be provided with the first level located at grade, and one subterranean level and one mezzanine level. The ground level parking will provide 109 parking spaces, of which 70 are to be shared by guest parking and retail users while 39 spaces are reserved for residential units. An additional 110 parking spaces will be located on the mezzanine level, and the subterranean level will accommodate 215 residential parking spaces.

As shown on the Plot Plan, vehicular access to the site would be provided via three driveways. Two ingress/egress driveways would be provided along Hollywood Boulevard and one along Saint Andrews Place. In addition, a loading zone would be located within the central portion of the ground floor in the parking garage, adjacent to the residential lobby and retail spaces. Delivery trucks would enter the site from the eastern driveway along Hollywood Boulevard to access the 400-square-foot loading zone.

#### Landscaping (Open Space)

The proposed project consists of 280 residential apartment units, 11 percent of which (23 units total) will be set aside as Very Low Income affordable units, and approximately 12,030 square feet of neighborhood serving retail space at the ground floor. To ensure the livability of these housing units, especially in this more urban Community Center location, the development project includes innovative, well designed open space for use by the residents.

Residential amenities will be located on the ground level and the first level of the residential units above the parking mezzanine level. The amenities on the ground level include common open space adjacent to both residential lobbies fronting on Hollywood Boulevard and St. Andrews Place. At the first residential levels, two landscaped and hardscape courtyards provide more common open space, well as a pool and pool deck, affording views onto Hollywood Boulevard and beyond. A community room on the third floor connects the courtyards providing another amenity for the residents.

#### Loading Areas, Lighting and Trash Collections

Located within the central portion of the ground floor in the parking garage, a loading zone of 400 square feet is adjacent to the residential lobby and retail spaces. Delivery trucks would enter the site from the eastern driveway along Hollywood Boulevard to access the 400-square foot loading zone. Lighting and trash collection areas are provided consistent

with Code requirements and the Development Standards of the Vermont Western Specific Plan.

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

The proposed project consists of 280 residential apartment units, 11 percent of which (23 units total) will be set aside as Very Low Income affordable units, and approximately 12,030 square feet of neighborhood serving retail space at the ground floor. To ensure the livability of these housing units, especially in this more urban Community Center location, the development project includes innovative, well designed open space for use by the residents.

The project includes recreational facilities and service amenities that will improve habitability for the residents and will minimize impacts on neighboring properties. The project includes specific dedicated areas for community based social and recreation functions. The open space proposed (30,920 square feet) will provide both private and common outdoor space for the residents. The common open space consists of a ground floor community area of 6,250 square feet, plus an additional 600 square feet of common open space adjacent to the ground floor residential lobby on Hollywood Boulevard and 770 square feet of common open space adjacent to the ground floor residential lobby on St. Andrews Place. At the first residential level, two landscaped and hardscape courtyards account for a total of 7,500 square feet of common open space. Additionally, another 4,400 square feet of common open is provided in a pool and pool deck area. This pool deck area has been designed to afford views onto Hollywood Boulevard and beyond. A community room also provides 4,900 square feet of common open space. Private open space is provided in 11,400 square feet of balconies; 228 of the 280 units have balconies 50 square feet in size. The ground floor commercial space utilized by neighborhood-serving retail uses will provide additional amenities for the project residents as well as neighboring properties.

**Environmental Finding**

- 10. A Mitigated Negative Declaration, ENV-2012-3532-MND was prepared for the proposed project. 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 (and incorporated into the Conditions of Approval herein), 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.**