



PLANNING DEPARTMENT TRANSMITTAL TO THE CITY CLERK'S OFFICE

CITY PLANNING CASE:	ENVIRONMENTAL DOCUMENT:	COUNCIL DISTRICT:
CPC-2014-3706-VZC-HD-ZA-SPR	ENV-2014-3707-MND	13 – O'FARRELL
PROJECT ADDRESS:		
1523 - 1541 N. WILCOX AVENUE		
APPLICANT/REPRESENTATIVE:	TELEPHONE NUMBER:	EMAIL ADDRESS:
1541 WILCOX HOTEL, LLC 555 S. FLOWER LOS ANGELES, CA 90071 MICHAEL GONZALEZ		mgonzales@gonzaleslawgroup.com
<input type="checkbox"/> New/Changed		
APPELLANT/REPRESENTATIVE:	TELEPHONE NUMBER:	EMAIL ADDRESS:
FRAN OFFENHAUSER HOLLYWOOD HERITAGE 8762 HOLLOWAY DRIVE W. HOLLYWOOD, CA 90069	310-659-6600	offenhauser@oma-la.com
PLANNER CONTACT INFORMATION:	TELEPHONE NUMBER:	EMAIL ADDRESS:
OLIVER NETBURN	213-978-1382	oliver.netburn@lacity.org
APPROVED PROJECT DESCRIPTION:		
<p>The project involves the demolition of a one-story, 14,208 square-foot warehouse and the construction, use and maintenance of a 11-story, 124-foot, 6-inch (124'-6") tall, 109,470 square-foot, hotel with 200 rooms, 29 bicycle parking spaces and a subterranean garage with four levels for 144 automobile parking spaces. The hotel includes a lobby bar, a ground floor restaurant, meeting rooms and a rooftop pool, fitness/spa and restaurant.</p>		

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

1. **Approved** a **Vesting Zone** and **Height District Change** from C4-2D to **(T)(Q)C4-2D** with a "D" Limitation to allow a maximum FAR of up to 5.5 to 1 (5.5:1 FAR).
2. **Approved** a **Zoning Administrator's Adjustment** to permit zero-foot side yard setbacks in lieu of the 14 feet required by Section 12.11-C,2 of the L.A.M.C..
3. **Approved** a **Site Plan Review** for a development project which creates, or results in an increase of, 50 or more guest rooms.
4. **Adopted** the attached modified **Conditions of Approval**.
5. **Adopted** the attached **Findings**.
6. **Adopted** Mitigated Negative Declaration No. **ENV-2014-3707-MND** for the above-referenced project.
7. **Adopted** the Mitigation Monitoring Program for Mitigated Negative Declaration No. ENV-2014-3707-MND.
8. **Advised** the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.
9. **Advised** the applicant that pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination (NOD) filing.

Recommendations to City Council:

1. **Recommend** the City Council **adopt** a **Vesting Zone** and **Height District Change** from C4-2D to **(T)(Q)C4-2D** with a "D" Limitation to allow a maximum FAR of up to 5.5 to 1 (5.5:1 FAR).
2. **Recommend** the City Council **adopt** Mitigated Negative Declaration No. **ENV-2014-3707-MND** for the above-referenced project and the Mitigation Monitoring Program for Mitigated Negative Declaration No. ENV-2014-3707-MND.

ENTITLEMENTS FOR CITY COUNCIL CONSIDERATION:

VZC-HD-ZAA-SPR

FINAL ENTITLEMENTS NOT ADVANCING:

N/A

ITEMS APPEALED:

VZC-HD-ZAA-SPR

ATTACHMENTS:

REVISED:

ENVIRONMENTAL CLEARANCE:

REVISED:

<input checked="" type="checkbox"/> Letter of Determination <input checked="" type="checkbox"/> Findings of Fact <input checked="" type="checkbox"/> Staff Recommendation Report <input checked="" type="checkbox"/> Conditions of Approval <input checked="" type="checkbox"/> Ordinance <input checked="" type="checkbox"/> Zone Change Map <input type="checkbox"/> GPA Resolution <input type="checkbox"/> Land Use Map <input type="checkbox"/> Exhibit A - Site Plan <input checked="" type="checkbox"/> Mailing List <input type="checkbox"/> Land Use <input type="checkbox"/> Other	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> Categorical Exemption <input type="checkbox"/> Negative Declaration <input checked="" type="checkbox"/> Mitigated Negative Declaration <input type="checkbox"/> Environmental Impact Report <input type="checkbox"/> Mitigation Monitoring Program <input type="checkbox"/> Other	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
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NOTES / INSTRUCTION(S):

FISCAL IMPACT STATEMENT:

Yes No

*If determination states administrative costs are recovered through fees, indicate "Yes".

PLANNING COMMISSION:

<input checked="" type="checkbox"/> City Planning Commission (CPC) <input type="checkbox"/> Cultural Heritage Commission (CHC) <input type="checkbox"/> Central Area Planning Commission <input type="checkbox"/> East LA Area Planning Commission <input type="checkbox"/> Harbor Area Planning Commission	<input type="checkbox"/> North Valley Area Planning Commission <input type="checkbox"/> South LA Area Planning Commission <input type="checkbox"/> South Valley Area Planning Commission <input type="checkbox"/> West LA Area Planning Commission
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PLANNING COMMISSION HEARING DATE:	COMMISSION VOTE:
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September 10, 2015	7 - 0
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LAST DAY TO APPEAL:	APPEALED:
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November 3, 2015	No
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TRANSMITTED BY:	TRANSMITTAL DATE:
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James K. Williams 	NOV 10 2015
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LOS ANGELES CITY PLANNING COMMISSION

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

Determination Mailing Date: OCT 19 2015

CORRECTED COPY **

CASE NO.: CPC-2014-3706-VZC-HD-ZAA-SPR
CEQA: ENV-2014-3707-MND

Location: 1523 – 1541 N. Wilcox Avenue **
Council District: 13 – O'Farrell **
Plan Area: Hollywood
Requests: Vesting Zone Change, Height District, Site Plan Review, Zoning Administrator's Adjustment

Applicant: 1541 Wilcox Hotel, LLC
Representative: Michael Gonzales Law Group

At its meeting of September 10, 2015, the Los Angeles City Planning Commission took the following action:

1. **Approved a Vesting Zone and Height District Change** from C4-2D to (T)(Q)C4-2D with a "D" Limitation to allow a maximum FAR of up to 5.5 to 1 (5.5:1 FAR).
2. **Approved a Zoning Administrator's Adjustment** to permit zero-foot side yard setbacks in lieu of the 14 feet required by Section 12.11-C,2 of the L.A.M.C..
3. **Approved a Site Plan Review** for a development project which creates, or results in an increase of, 50 or more guest rooms.
4. **Adopted** the attached modified **Conditions of Approval**.
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7. **Adopted** the Mitigation Monitoring Program for Mitigated Negative Declaration No. ENV-2014-3707-MND.
8. **Advised** the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.
9. **Advised** the applicant that pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination (NOD) filing.

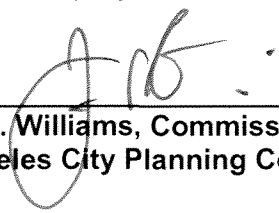
Recommendations to City Council:

1. **Recommend** the City Council **adopt** a **Vesting Zone and Height District Change** from C4-2D to (T)(Q)C4-2D with a "D" Limitation to allow a maximum FAR of up to 5.5 to 1 (5.5:1 FAR).
2. **Recommend** the City Council **adopt** Mitigated Negative Declaration No. **ENV-2014-3707-MND** for the above-referenced project and the Mitigation Monitoring Program for Mitigated Negative Declaration No. ENV-2014-3707-MND.

This action was taken by the following vote:

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

Vote: 7 - 0



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

Effective Date/Appeals: The Los Angeles City Planning Commission's determination is appealable. Any aggrieved party may file an appeal within 15-days after the mailing date of this determination letter. Any appeal not filed within the 15-day period shall not be considered by the City Council. All appeals shall be filed on forms provided at the Planning Department's Public Counters at 201 N. Figueroa Street, Fourth Floor, Los Angeles, or at 6262 Van Nuys Boulevard, Suite 251, Van Nuys.

FINAL APPEAL DATE: NOV 03 2015 **

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

Attachments: Ordinance, Map, Modified Conditions of Approval, Findings
 City Planning Associate: Oliver Netburn

CONDITIONS FOR EFFECTUATING (T) TENTATIVE CLASSIFICATION REMOVAL

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

Dedication(s) and Improvement(s). Prior to the issuance of any building permits, the following public improvements and dedications for streets and other rights of way adjoining the subject property shall be guaranteed to the satisfaction of the Bureau of Engineering, Department of Transportation, Fire Department (and other responsible City, regional and federal government agencies, as may be necessary):

Responsibilities/Guarantees.

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

a. Dedication -

Wilcox Avenue (Avenue III - Secondary Highway) - A 5-foot wide strip of land along Block PT 2 (Arb 2) of Blocks 1, 2, 15 and 16 Hollywood Tract to complete a 35-foot foot half right-of-way in accordance with Avenue III Street standards.

- b. **Sidewalk Easement.** Record a 3-foot wide public sidewalk easement along Wilcox Avenue adjoining property for public sidewalk purposes.

c. Improvements -

- i. **Wilcox Avenue** - The improvements shall be to the satisfaction of the Bureau of Engineering and in accordance with Modified Avenue III Street Standards, including asphalt pavement, integral concrete curb, gutter and concrete sidewalk. These improvements should suitably transition to join the existing improvements.

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 should contact the Urban Forestry Division for further information (213) 847-3077.

Trees: That Board of Public Works approval shall be obtained, prior to the issuance of the Certificate of Occupancy of the development project, for the removal of any tree in the existing or proposed public right-of-way. The Bureau of Street Services, Urban Forestry Division is the lead agency for obtaining Board of Public Works approval for the removal of such trees.

Notes: Street lighting and street lights relocation will be required satisfactory to the Bureau of Street Lighting (213) 847-1551.

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

Refer to the Department of Transportation regarding traffic equipment, signs and parking meters (213) 482-7024.

Refer to the Department of Water and Power regarding power pole (213) 367-2715.

Refer to the Fire Department regarding fire hydrants (213) 482-6543.

- d. Roof drainage and surface run-off from the project shall be collected and treated at the site and directed to the streets via drain system constructed under the sidewalk and through the curb drains connected to the catch basins.
 - e. Sewer lines exist in Wilcox Avenue. Extension of the 6-inch house connection laterals to the new property line will be required. All Sewerage Facilities Charges and Bonded Sewer Fees are to be paid prior to obtaining a building permit.
 - f. 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 at (213) 482-7050.
 - g. Submit parking area and driveway plan to the Central District Office of the Bureau of Engineering for review and approval.
3. Department of Transportation.
- a. A minimum 20-foot reservoir shall be provided between any security gate(s) and the property line.
 - b. A parking area and driveway plan shall be submitted to the Citywide Planning Coordination Section of the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 201 N. Figueroa Street, Suite 400, Station 3.

(Q) QUALIFIED CLASSIFICATIONS

Pursuant to Section 12.32-G of the Municipal Code, the following limitations are hereby imposed upon the use of the subject property, subject to the "Q" Qualified classification.

1. **Use.** The use and area regulations for the new development on-site shall be limited to a maximum of a 200-room hotel and 9,000 square-feet of restaurant/bar uses.
2. **Site Plan.** The use and development of the subject property shall be in substantial conformance with the site plan labeled Exhibit "A". Prior to the issuance of building permits, detailed development plans including a site plan illustrating elevations, facades, and architectural treatment, and a landscape/irrigation plan shall be submitted for review and approval by the Department of City Planning. The plans shall comply with provisions of the Municipal Code, the subject conditions, and the intent of the subject permit authorization.
3. **Commercial Use.** Commercial uses that are open to the public, such as retail and restaurant uses, shall occupy the ground floor space(s) facing Wilcox Avenue.
4. **Hollywood Citizen News Building.** Any structure along the front property line shall have a height consistent with the building height of the Citizen News Building (a historic resource for the purpose of CEQA to the north of the subject property).

“D” DEVELOPMENT LIMITATIONS

Pursuant to Section 12.32-G of the Municipal Code, the following limitations are hereby imposed upon the use of the subject property, subject to the “D” Development Limitations.

1. The total floor area of all buildings or structures on a lot shall not exceed a Floor Area Ratio (FAR) of 3:1.
2. A project may exceed the 3:1 FAR to a maximum of 5.5:1 provided that the project is approved by the City Planning Commission pursuant to Section 12.24-U of the LAMC.
3. The project approved under Case No. CPC-2014-3706-VZC-HD-ZAA-SPR shall be permitted a maximum FAR of 5.4:1. A new project shall be required to obtain a new approval pursuant to the “D” Development Limitation.

ORDINANCE NO. _____

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

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

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

SELMA AVE

60

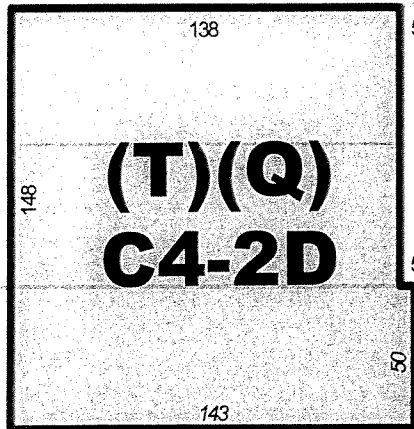
WILCOX AVE

192

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70

65



50 25 0 50 Feet

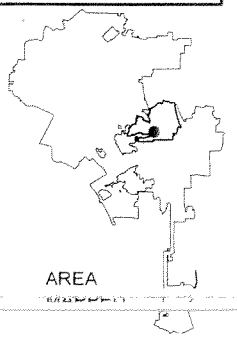
C.M. 147 A 187

CPC 2014-3706 ZC HD ZAA SPR

LH/cf

093015

AREA



CONDITIONS OF APPROVAL

Pursuant to Section 16.05 of the Los Angeles Municipal Code, the following conditions are hereby imposed upon the use of the subject property:

Entitlement Conditions

1. The use and development of the property shall be in substantial conformance with the plot plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.
2. Authorized herein are the operation of a 200-room hotel and a maximum of 9,000 square-feet of restaurant/bar uses.
3. **Floor Area.** The approved hotel/restaurant project shall be limited to a Floor Area Ratio of 5.4:1 (5.4:1 FAR). A new project shall be required to obtain a new approval pursuant to the "D" Development Limitation.
4. **Height.** The building height shall not exceed 110 feet with the exception that 3,500 square feet of floor area at the pool deck shall not exceed 120 feet, as shown on Exhibit "A".
5. **Parking.**
 - a. Vehicle parking shall be provided in conformance with L.A.M.C. Section 12.21-A,4. Electronic vehicle-ready conduits shall be installed for a minimum of twenty percent of the parking spaces.
 - b. Bicycle parking shall be provide in conformance with L.A.M.C. Section 12.21-A,16.
6. **Site Planning.**
 - a. All restaurant/bar uses shall not exceed 9,000 square feet.
 - b. The second floor shall include a minimum of 3,500 square feet of meeting room space.
 - c. The rooftop (the 11th floor) shall include not more than the following:
 - i. 2,000 square feet square feet of restaurant area;
 - ii. 1,500 square feet of gym/spa and pool bathrooms and shower area, and
 - iii. 5,000 square feet outdoor area, including pool.

Note: The square footage used for the gym/spa and pool bathrooms and shower area, and the outdoor area shall not be counted toward the maximum permitted 9,000 square feet of restaurant/bar uses.
7. **Rooftop operations.** The rooftop restaurant area shall close at 1 a.m., daily.
8. **Pick-up/Drop-off.** The applicant shall obtain a Valet Permit for the Los Angeles Police Department to allow the pick-up/drop-off area and valet service to be located within the public right-of-way.

9. **Landscaping.** The private terraces for the guest rooms on the second floor level shall be separated by permanent planters.
10. **Trash collection and storage.** All trash collection and storage areas shall be located on-site and not visible from the public right-of-way.
11. **Side Yards.** The project shall be permitted zero-foot side yard setbacks as shown in Exhibit "A".
12. No live entertainment, ambient background music or amplified sound shall be permitted on the second level terrace. No live entertainment shall be permitted on the rooftop/pool deck (10th floor). Ambient background music shall be permitted on the rooftop/pool deck (10th floor) between the hours of 7 a.m. and 10 p.m., Sunday through Wednesday and 7 a.m. to 11 p.m. Thursday through Saturday.

Environmental Conditions

13. Cultural Resources.

- a. In the event that buried cultural resources are discovered during project development, construction activities shall stop within 50 feet of the find and a qualified archaeologist shall be consulted to determine whether the resource requires further study:
 - i. The archaeologist shall make recommendations to the Lead Agency on the measures that shall be implemented to protect the discovered resources, including but not limited to, excavation of and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines. Potentially significant cultural resources consist of, but are not limited to, stone, bone, fossils, wood, or shell artifacts or features, including hearths, structural remains, or historic dumpsites. Any previously undiscovered resources found during construction within the project area should be recorded on appropriate Department of Parks and Recreation (DPR) forms, and evaluated for significance in terms of CEQA criteria.
 - ii. If the discovered resource is determined to be a unique historic resource as defined under Section 15064.5 of the CEQA Guidelines, additional measures shall be identified by the archaeologist and recommended to the Lead Agency. Appropriate measures for significant resources could include avoidance or capping; incorporation of the location of the find as undisturbed green or open space; and/or data recovery excavations of the find.
 - iii. No further ground-disturbing activities shall occur in the vicinity of the find until the Lead Agency approves the measures to protect these resources. Any archaeological artifacts recovered as a result of mitigation shall be donated to a qualified scientific institution approved by the Lead Agency, where they would be afforded long-term preservation to allow future scientific study.
- b. In the event that paleontological resources are encountered during the course of grading and/or excavation, all development shall temporarily cease in these areas until a qualified paleontologist is brought onto the project site to properly assess the resources and make recommendations for their disposition. Excavation or disturbance may continue in other areas of the project site that are not reasonably suspected to overlie adjacent paleontological resources.

- c. In the event that human remains are discovered during excavation activities, the following procedure shall be observed:
- i. 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)
 - ii. 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.
 - iii. The Native American Heritage Commission will immediately notify the person it believes to be the most likely descendent of the deceased Native American.
 - iv. 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.
 - v. 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;
 - vi. If the owner does not accept the descendant's recommendations, the owner or the descendent may request mediation by the Native American Heritage Commission.

14. Geology and Soils.

- a. The project shall be supported on foundations embedded into alluvium.
- b. The soils chemistry results shall be considered in the design of the project, subject to the approval of the Department of Building and Safety.
- c. The property owner shall maintain the site as outlined in the Preliminary Geotechnical Engineering Investigation document, Drainage and Maintenance section prepared by GeoConcepts and dated May 16, 2014.
- d. Excavation and grading activities shall be scheduled during dry weather periods as feasible. If grading occurs during the rainy season (October 15 through April 1), diversion dikes shall be constructed to channel runoff around the project site. Channels shall be lined with grass or roughened pavement to reduce runoff velocity.
- e. Implementation of appropriate erosion control and drainage devices to the satisfaction of the Building and Safety Department shall be incorporated such as: sand bags and inlet and outlet structures, as specified by Section 91.7013 of the Building Code, and planting fast-growing annual and perennial grasses in areas where construction is not immediately planned.
- f. Stockpiles and excavated soil shall be covered with secured tarps or plastic sheeting.
- g. All excavation and shoring systems shall meet, at a minimum, the requirements given in the State of California Occupational Safety and Health Standards.

- h. When rain is forecast, all fill shall be properly compacted prior to stopping work for the day. Once compacted, these fills shall have the surface sloped and use temporary drainage devices to transfer excess water to the street. Drainage shall not be allowed to pond anywhere on the site.

15. Hazards and Hazardous Materials.

- a. An Operations and Maintenance (O&M) Program shall be implemented in order to safely manage the suspect asbestos containing materials (ACMs). The identified suspect ACMs would need to be sampled to confirm the presence or absence of asbestos prior to any demolition activities to prevent potential exposure to workers and/or building occupants. Prior to the issuance of the demolition permit, the applicant must provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant that no ACMs are present in the buildings. If ACMs are found to be present, a qualified asbestos abatement consultant shall abate the buildings in compliance with the South Coast Air Quality Management District's Rule 1403 as well as all other State and Federal rules and regulations.
- b. A Lead Based Paint (LBP) survey must be conducted onsite. Any contractor who would disturb lead containing surfaces must be notified of the hazard and their requirement to comply with the applicable city, state, and federal regulations. Any additional LBP identified shall be abated by a qualified abatement consultant in accordance with all applicable city, State, and Federal regulations.
- c. Prior to the issuance of the demolition permit, the applicant must provide a letter to the Department of Building and Safety from a qualified polychlorinated biphenyls (PCB) abatement consultant that no PCBs are present onsite. If PCBs are found to be present, a qualified abatement consultant shall abate the site in compliance with the applicable city, State, and Federal rules and regulations.

16. Noise.

- a. The project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
- 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. Construction and demolition shall not occur on Sundays or any federal holiday.
- c. Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- d. Where feasible, 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. The project developer shall install a temporary noise control barrier in the southern property line of the construction site abutting residential uses. The noise control barrier shall be engineered to reduce construction-related noise levels at the adjacent multi-family residential structures with a goal of a reduction of 10 dBA. The barrier shall be a similar height to the multi-family residential building to the south of the project site. The supporting structure shall be engineered and erected according to applicable codes. The temporary barrier shall remain in place until all windows have been installed in the south façade of the new hotel building and paving activities in the hotel project site are complete.
- g. The project shall comply with the City of Los Angeles Building Regulations Ordinance No. 178,048, 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.
- h. The pool and rooftop decks shall be enclosed on all sides with a six-to-eight foot tall plexiglass perimeter wall and include landscaping (i.e., shrubbery and trees) to minimize noise levels at off-site locations to the maximum extent feasible. Based on a review of the FHWA Noise Barrier Design Handbook, the pool and rooftop deck plexiglass perimeter wall shown in the project plans would achieve approximately 5 to 10 dBA of noise attenuation.
- i. Upon operation of the pool and rooftop decks, the project applicant shall provide the adjacent uses to the north, south, and west, a building manager contact and phone number to report any loud, unnecessary, and unusual noise, which disturbs the peace or quiet for the adjacent uses.
- j. All new construction work shall be performed so as not to adversely affect the structural integrity of the immediately adjacent buildings to the south, north and west of the project site (i.e., Sensitive Receptor Nos. 1, 2, 3 and 4). Preconstruction surveys shall be performed to document conditions of the adjacent structures. A structural monitoring program shall be implemented and recorded during construction.
- k. The performance standards of the structure monitoring plan shall include the following:
 - i. 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 structures from construction-related damage.
 - ii. 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 the structure.

- iii. 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.
- l. Concrete, not metal, shall be used for construction of parking ramps.
- m. The interior ramps shall be textured to prevent tire squeal at turning areas.

17. **Public Services.**

- a. 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 project shall provide fire hydrants to meet LAFD fire flow requirements. The number, sizes and locations of hydrants will be determined in conjunction with the Fire Department, either prior to recordation of the final map or approval of the building permit. The project shall provide an on-site water storage tank. The location and sizing of the tank will be determined in conjunction with the Fire Department. The plot plan shall include the following minimum design features: all structures must be within 300 feet of an approved fire hydrant, entrances to any guest room shall not be more than 150 feet in distance in horizontal travel from the entry/exit or vertical stair, and the stairway shall be within 150 feet from the edge of the roadway of an improved street or approved fire lane. Design of the project site shall provide adequate access for the Fire Department equipment and personnel to the structure. In addition, the project applicant shall install an automatic sprinkler system in accordance with Fire Code Section 57.118.11 and in conformance with LAFD Standard No. 59.
- b. 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 design 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.
- c. Prior to construction of the project, the applicant shall install barriers and/or fencing around the project site to secure construction equipment, to prevent trespassing, vandalism, and attractive nuisances and shall review potential impacts to bus routes with the Los Angeles Unified School District (LAUSD) Transportation Branch.
- d. During construction, the applicant shall provide crossing guards at impacted school crossings so as not to compromise the safety of students during construction related activities, shall not park construction and/or worker transport vehicles adjacent to school sites, shall not haul past affected school sites when school is in session or during school arrival and dismissal times, shall maintain communication with school administration to provide sufficient notice when existing pedestrian and vehicle routes to the school site may be impacted, shall maintain unrestricted access for school buses, and shall comply with provisions of the California Vehicle Code by requiring construction vehicles to stop when encountering school buses using red flashing lights.

- e. The applicant shall maintain safe and convenient pedestrian routes to LAUSD schools and not endanger passenger safety or delay student-drop off or pickup due to traffic patterns, lane-adjustments, altered bus stops, or traffic lights by installing appropriate traffic controls (signs and signals) to ensure vehicular and pedestrian safety.
- f. The applicant shall pay school fees as required by applicable law.

Administrative Conditions of Approval

- 18. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning for placement in the subject file.
- 19. **Code Compliance.** Area, height and use regulations of the (T)(Q)C4-2D zone classification of the subject property shall be complied with, except where herein conditions are more restrictive.
- 20. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assign. The agreement must be submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.
- 21. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public officials, legislation or their successors, designees or amendment to any legislation.
- 22. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
- 23. **Building Plans.** Page 1 of the grants and all the conditions of approval shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety.
- 24. **Corrective Conditions.** The authorized use shall be conducted at all time with due regards to the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director pursuant to Section 12.27.1 of the Municipal Code to impose additional corrective conditions, if in the Commission's or Director's opinion such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
- 25. **Expediting Processing Section.** Prior to the clearance of any conditions, the applicant shall show that all fees have been paid to the Department of City Planning Expedited Processing Section.
- 26. **Indemnification and Reimbursement of Litigation Costs.**

Applicant shall do all of the following:

- a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$25,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).
- d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).
- e. If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

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

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

For purposes of this condition, the following definitions apply:

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

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

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

FINDINGS

General Plan/Character Findings

1. General Plan.

- a. **General Plan Land Use Designation.** The subject property is located within the area Hollywood Community Plan, adopted by the City Council on December 13, 1988. The plan map designates the subject property as Regional Center Commercial with corresponding zones of C2, C4, RAS3, RAS4, P and PB. The proposed Zone and Height District Change to the (T)(Q)C4-2D Zone with a 3:1 FAR and a maximum of 5.5:1 FAR provided that the project is approved by the City Planning Commission is consistent with the current Regional Center Commercial land use designation. The proposed hotel/restaurant project approved herein is permitted under the new "D" Development Limitation with a maximum FAR of 5.4:1 FAR. The Framework Element characterizes Regional Center as including FARs of up to 6:1. Therefore, the project is in substantial conformance with the purposes, intent and provisions of the General Plan as reflected in the adopted Community Plan.

b. **Land Use Element.**

Hollywood Community Plan. The Community Plan text includes the following relevant land use objectives and policies:

Objective 1: To further the development of Hollywood as a major center of population, employment, retail services, and entertainment; and to perpetuate its image as the international center of the motion picture industry.

Objective 4: To promote economic well-being and public convenience through: a) allocating and distributing commercial lands for retail, service, and office facilities in quantities and patterns based on accepted planning principles and standards.

Policy: The focal point of the Community is the Hollywood Center located generally on both sides of Hollywood and Sunset Boulevards between La Brea and Gower Street... This center area shall function 1) as the commercial center for Hollywood and surrounding communities and 2) as an entertainment center for the entire region.

The new "D" Development Limitation with a 3:1 FAR, and a maximum of 5.5:1 FAR provided that the project is approved by the City Planning Commission, allows for the redevelopment of a large parcel of land within Hollywood Center with the proposed residential (a hotel) and commercial (a restaurant) uses and will result in a demand for local workers and local goods and services. The proposed hotel/restaurant project approved herein is permitted under the new "D" Development Limitation with a maximum FAR of 5.4:1 FAR. The project also promotes economic well-being and public convenience by providing short-term, overnight accommodations within proximity to many of Hollywood's entertainment-based tourist attractions as well as the Metro Red Line with access to North Hollywood, Universal Studios, Downtown Los Angeles and beyond.

- c. The **Framework Element** for the General Plan (Framework Element) was adopted by the City of Los Angeles in December 1996 and re-adopted in August 2001. The

Framework Element provides guidance regarding policy issues for the entire City of Los Angeles, including the project site. The Framework Element also sets forth a Citywide comprehensive long-range growth strategy and defines Citywide policies regarding such issues as land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services. The Framework Element includes the following goals, objectives and policies relevant to the instant request:

Goal 3A: A physically balanced distribution of land uses that contributes towards and facilitates the City's long-term fiscal and economic viability, revitalization of economically depressed areas, conservation of existing residential neighborhoods, equitable distribution of public resources, conservation of natural resources, provision of adequate infrastructure and public services, reduction of traffic congestion and improvement of air quality, enhancement of recreation and open space opportunities, assurance of environmental justice and a healthful living environment, and achievement of the vision for a more liveable city.

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

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

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

Policy 3.2.1: Provide a pattern of development consisting of distinct districts, centers, boulevards, and neighborhoods that are differentiated by their functional role, scale, and character. This shall be accomplished by considering factors such as the existing concentrations of use, community-oriented activity centers that currently or potentially service adjacent neighborhoods, and existing or potential public transit corridors and stations.

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

Policy 3.4.1: 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.

The project will contribute toward and facilitate the City's long-term fiscal and economic viability by adding 200 short-term, overnight hotel rooms within Hollywood's commercial and entertainment core for visitors and tourists. The project's proximity to the Metro Red Line, the Metro Rapid 704 Line and other transit connections will reduce vehicular trips

to and from the project, vehicle miles traveled, and improve air pollution; and its location within an existing, high-intensity commercial district and on an Avenue III (Secondary Highway) will enable the city to conserve nearby existing stable residential neighborhoods and lower-intensity commercial districts. Such attributes support the increase in allowable Floor Area Ratio from 2:1 FAR to 3:1 FAR and with a maximum of 5.5:1 FAR provided that the project is approved by the City Planning Commission.

Goal 3F: Mixed-use centers that provide jobs, entertainment, culture, and serve the region.

Objective 3.10: Reinforce existing and encourage the development of new regional centers that accommodate a broad range of uses that serve, provide job opportunities, and are accessible to the region, are compatible with adjacent land uses, and are developed to enhance urban lifestyles.

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

Policy 3.10.3: Promote the development of high-activity areas in appropriate locations that are designed to induce pedestrian activity, in accordance with Pedestrian-Oriented District Policies, and provide adequate transitions with adjacent residential uses at the edges of the centers.

The project is a hotel and restaurant project that will provide jobs within Hollywood's commercial and entertainment core for visitors and tourists. The project's design, including ground floor treatment will encourage pedestrian activity and its location, toward the southern boundary of the Hollywood Center, will provide an appropriate buffer between the more intense uses within the Hollywood Center and the residential neighborhood south of Sunset Boulevard.

Goal 5A: A liveable City for existing and future residents and one that is attractive to future investment. A City of interconnected, diverse neighborhoods that builds on the strengths of those neighborhoods and functions at both the neighborhood and citywide scales.

Objective 5.2: Encourage future development in centers and in nodes along corridors that are served by transit and are already functioning as centers for the surrounding neighborhoods, the community or the region.

Policy 5.2.2: Encourage the development of centers, districts, and selected corridor/boulevard nodes such that the land uses, scale, and built form allowed and/or encouraged within these areas allow them to function as centers and support transit use, both in daytime and nighttime. Additionally, develop these areas so that they are compatible with surrounding neighborhoods.

The project will support Hollywood's commercial and entertainment core for residents by providing additional dining opportunities, as well as enhance the urban environment, encouraging daytime and nighttime pedestrian activity within a highly active commercial

district through pedestrian-friendly design. Furthermore, the project's proximity to the Metro Red Line, the Metro Rapid 704 Line and other transit connections enable it to function at both the local and region scale, and justify an increase in Floor Area Ratio from 2:1 FAR to 3:1 FAR and with a maximum of 5.5:1 FAR provided that the project is approved by the City Planning Commission.

- d. The **Mobility Element** of the General Plan (Mobility Plan 2035) is not likely to be affected by the recommended action herein. Wilcox Avenue is a Modified Avenue III (Secondary Highway) in the Mobility Element of the General Plan and dedicated to a variable width of between 60 and 70 feet and improved with asphalt roadway and concrete curb, gutters and a sidewalk. The project will be required to provide a 5-foot dedication of land for the southern 50 feet of the property and necessary improvements to complete the right-of-way along its entire frontage with Wilcox Avenue. A condition to require the 5-foot dedication of land and necessary improvements to complete the right-of-way has been included in this approval. Additionally, a condition is recommended herein to require a 3-foot sidewalk easement to run with the land in order to achieve the 13-foot standard sidewalk from the Mobility Plan 2035.

Wilcox Avenue is not included in any of Mobility Plan 2035's "Enhanced" Networks (i.e. the Bicycle Enhanced Network, the Transit Enhanced Network, the Neighborhood Enhanced Network and the Vehicle Enhanced Network). Nevertheless, the project as designed and conditioned meets the following goals and objectives of Mobility Plan 2035:

Policy 2.3: Recognize walking as a component of every trip, and ensure high-quality pedestrian access in all site planning and public right-of-way modifications to provide a safe and comfortable walking environment.

Policy 2.10: Facilitate the provision of adequate on and off-street loading areas.

The project's design, including ground floor treatment will encourage daytime and nighttime pedestrian activity within a highly active commercial district through pedestrian-friendly design. Furthermore, the project is required to provide a 3-foot sidewalk easement to run with the land in order to achieve the 13-foot standard sidewalk required by the Mobility Plan 2035.

Policy 3.1: Recognize all modes of travel, including pedestrian, bicycle, transit, and vehicular modes - including goods movement - as integral components of the City's transportation system.

Policy 3.3: Promote equitable land use decisions that result in fewer vehicle trips by providing greater proximity and access to jobs, destinations, and other neighborhood services.

Policy 3.4: Provide all residents, workers and visitors with affordable, efficient, convenient, and attractive transit services.

Policy 3.5: Support "first-mile, last-mile solutions" such as multi-modal transportation services, organizations, and activities in the areas around transit stations and major bus stops (transit stops) to maximize multi-modal connectivity and access for transit riders.

Policy 3.8: Provide bicyclists with convenient, secure and well-maintained bicycle parking facilities.

The project's proximity to the Metro Red Line, the Metro Rapid 704 Line and other transit connections will reduce vehicular trips to and from the project, vehicle miles traveled, and improve air pollution; and its ground floor treatment will encourage daytime and nighttime pedestrian activity within a highly active commercial district through pedestrian-friendly design.

In addition, the project will provide Code required bicycle parking supporting "first-mile, last-mile solutions", enabling workers, hotel guests and patrons of the restaurants' improved access to the project.

Policy 5.4: Continue to encourage the adoption of low and zero emission fuel sources, new mobility technologies, and supporting infrastructure.

As conditioned, a minimum of twenty percent of the parking spaces will be installed with electronic vehicle-ready conduits.

Lastly, the Department of Transportation submitted a Traffic Impact Assessment of the proposed project dated May 9, 2014 that determined the impact of the trips generated from the project will be less than significant.

- e. The **Sewerage Facilities Element** of the General Plan will not be affected by the recommended action. While the sewer system might be able to accommodate the total flows for the proposed project, further detailed gauging and evaluation may be needed as part of the permit process to identify a specific sewer connection point. If the public sewer has insufficient capacity then the developer will be required to build sewer lines to a point in the sewer system with sufficient capacity. A final approval for sewer capacity and connection permit will be made at that time. Ultimately, this sewage flow will be conveyed to the Hyperion Treatment Plant, which has sufficient capacity for the project.

Entitlement Findings

2. Pursuant to Section 12.32-C of the Municipal Code, the zone change is in conformance with the public necessity, convenience, general welfare and good zoning practice.

- a. Public Necessity: In 2013, the Chief Legislative Analyst reported (Council File No. 13-0991) that Hollywood was one of several areas in the City with high demand for hotel rooms, stating that it had approximately 3,000 hotel rooms and that between 2009 and 2014, there was a projected growth in the occupancy rate of over 10% (from 70.1% in 2009 to a projected occupancy rate of 82.9% in 2014). Granting the Zone and Height District Change to the (T)(Q)C4-2D Zone with a 3:1 FAR, and a maximum of 5.5:1 FAR provided that the project is approved by the City Planning Commission, would allow the construction of a 200-room hotel on an under-utilized site, increasing the number of hotels room in Hollywood. The proposed hotel/restaurant project approved herein is permitted under the new "D" Development Limitation with a maximum FAR of 5.4:1 FAR.
- b. Convenience: Hollywood is one of the City's largest tourist attractions where hundreds of thousands of people from around the world visit throughout the year. Hollywood is also one of the most transit-rich areas within the City, serviced by the Los Angeles County Metropolitan Transportation Authority bus system, the Metro Rail Red Line and the City of Los Angeles Department of Transportation DASH service. Two Metro Red Line Rail stations, at Hollywood Boulevard and Highland Avenue and at Hollywood Boulevard and Vine Street, and local and regional bus lines along Sunset Boulevard, Hollywood

Boulevard, Vine Street and Highland Avenue are all approximately one half mile from the project site. Granting the Zone and Height District Change to the (T)(Q)C4-2D Zone would allow the employees and patrons of the hotel and restaurant access and convenience to a variety of modes of transportation.

- c. General Welfare: Granting the Zone and Height District Change to the (T)(Q)C4-2D Zone with a 3:1 FAR, and a maximum of 5.5:1 FAR provided that the project is approved by the City Planning Commission, would allow the redevelopment of an under-utilized site within a Regional Center. The Framework Element defines Regional Centers as areas intended to "provide a significant number of jobs and many non-work destinations" and therefore require access to bus and rail transit and good quality street, area, and pedestrian lighting... to generating feelings of safety, comfort, and well being necessary for ensuring public nighttime use of transit facilities." The proposed 200-room hotel and restaurant will provide a significant number of jobs within approximately one half mile of a variety of modes of public transit. The project will also include a ground floor restaurant with approximately 1,100 square feet open to the sidewalk which would improve pedestrian safety, comfort, and well-being along the street during evening hours.
- d. Good Zoning Practices: Granting the Zone and Height District Change to the (T)(Q)C4-2D Zone with a 3:1 FAR, and a maximum of 5.5:1 provided that the project is approved by the City Planning Commission, would allow the redevelopment of an under-utilized site within a Regional Center. Regional Centers are intended to contain a diversity of uses such as corporate and professional offices, retail commercial malls, government buildings, major health facilities, major entertainment and cultural facilities and supporting service and the development of sites and structures integrating housing with commercial uses is encouraged. The proposed 200-room hotel will provide short-term, overnight accommodations for visitors and tourists to the entertainment and cultural facilities in the Hollywood area and the proposed restaurant will further support workers, residents and visitors to the Hollywood area with additional dining options.

Zoning Administrator's Adjustment Findings

3. **While site characteristics or existing improvements make strict adherence to the zoning regulations impractical or infeasible, the project nonetheless conforms with the intent of those regulations.**

The applicant is requesting relief from Section 12.11-C,2 of the Municipal Code to allow zero-foot side yards for the second floor level in lieu of the required 14 feet. The project is a mixed-use building. In order to maintain the street wall and compatibility with the abutting Hollywood Citizen News (HCN) building, a historic resource for the purposes of CEQA, the applicant decided to extend the second floor level to the adjoining northerly property line. While maintaining the street wall and compatibility with the historic resource is desirable, the second floor level of the hotel is considered a residential use and therefore requires residential side yards consistent with the C4 Zone (and by default the R4 Zone). The side yard requirement is intended to provide light and air as well as privacy between adjacent buildings. There is no development proposed for the HCN building, nor would it be anticipated that any new development would occur on that property given its historic status. Above the second floor level the proposed hotel would comply with the required 14-foot setback.

With that, in an effort to maintain an aesthetic, architectural balance across the front façade of the building, the applicant has also extended the second floor level to the adjoining southerly property line. Therefore, while providing zero side yard setbacks at along the

northern and southern property lines for the second floor level, the project nonetheless conforms to the intent of the side yard regulations that provide suitable guarantees for light and air for the hotel rooms and adjacent properties.

4. **In light of the project as a whole including any mitigation measures imposed, the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.**

The subject property abuts the Hollywood Citizen News (HCN) building at 1545 Wilcox Avenue which is considered a historical resource for the purposes of CEQA. In an effort to respect the scale and massing of the HCN, the proposed hotel building's second floor height and setbacks are designed to maintain the existing street wall established by the HCN (and shared by other buildings along Wilcox Avenue) and thus present a more visually consistent street wall.

Furthermore, above the second floor, and with respect to all other development standards, the proposed project conforms to the requirements of the Municipal Code. In addition, A Mitigated Negative Declaration (ENV-2014-3707-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 there is no substantial evidence that the proposed project will have a significant effect on the environment.

Therefore, the project as a whole as designed, including any mitigation measures imposed will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.

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

There are eleven elements of the General Plan. Each of these Elements establishes policies that provide for the regulatory environment in managing the City and for addressing environmental concerns and problems. The majority of the policies derived from these Elements are in the form of Code Requirements of the Los Angeles Municipal Code. Except for those entitlements described herein, the project does not propose to deviate from any of the requirements of the Los Angeles Municipal Code.

The Land Use Element of the City's General Plan divides the City into 35 Community Plans. The Hollywood Community Plan designates the subject property as Regional Center Commercial with corresponding zones of C2, C4, RAS3, RAS4, P and PB. The Community Plan text is silent with regards to reductions in yard adjustment. In such cases, the City Planning Commission must interpret the intent of the Plan.

The proposed project addresses the following relevant land use objectives and policies of the Hollywood Community Plan:

Objective 1: To further the development of Hollywood as a major center of population, employment, retail services, and entertainment; and to perpetuate its image as the international center of the motion picture industry.

Objective 4: To promote economic well-being and public convenience through: a) allocating and distributing commercial lands for retail, service, and office facilities in quantities and patterns based on accepted planning principles and standards.

Policy: The focal point of the Community is the Hollywood Center located generally on both sides of Hollywood and Sunset Boulevards between La Brea and Gower Street... This center area shall function 1) as the commercial center for Hollywood and surrounding communities and 2) as an entertainment center for the entire region.

The project allows for the redevelopment of a large parcel of land within Hollywood Center with residential and commercial uses while at the same time as maintaining the existing street wall.

Furthermore, there is no development proposed for the HCN building, nor would it be anticipated that any new development would occur on that property given its historic status and above the second floor level the proposed hotel would comply with the required 14-foot setback.

The project is not located within any Specific Plan.

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

Site Plan Review

6. The project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and does not conflict with any applicable regulations, standards, and any applicable specific plan.

a. **General Plan Land Use Designation.** The subject property is located within the area Hollywood Community Plan, adopted by the City Council on December 13, 1988. The plan map designates the subject property as Regional Center Commercial with corresponding zones of C2, C4, RAS3, RAS4, P and PB. The proposed Site Plan Review approval with a 5.4:1 FAR is consistent with the current Regional Center Commercial land use designation. The Framework Element characterizes Regional Center as including FARs of up to 6:1. Therefore, the project is in substantial conformance with the purposes, intent and provisions of the General Plan as reflected in the adopted Community Plan.

b. **Land Use Element.**

Hollywood Community Plan. The Community Plan text includes the following relevant land use objectives and policies:

Objective 1: To further the development of Hollywood as a major center of population, employment, retail services, and entertainment; and to perpetuate its image as the international center of the motion picture industry.

Objective 4: To promote economic well-being and public convenience through: a) allocating and distributing commercial lands for retail, service, and office facilities in quantities and patterns based on accepted planning principles and standards.

Policy: The focal point of the Community is the Hollywood Center located generally on both sides of Hollywood and Sunset Boulevards between La Brea and Gower Street... This center area shall function 1) as the commercial center for Hollywood and surrounding communities and 2) as an entertainment center for the entire region.

The project, at an FAR of 5.4:1, allows for the redevelopment of a large parcel of land within Hollywood Center with residential (a hotel) and commercial (a restaurant) uses and will result in a demand for local workers and local goods and services. The project also promotes economic well-being and public convenience by providing short-term, overnight accommodations within proximity to many of Hollywood's entertainment-based tourist attractions as well as the Metro Red Line with access to North Hollywood, Universal Studios, Downtown Los Angeles and beyond.

- c. The **Framework Element** for the General Plan (Framework Element) was adopted by the City of Los Angeles in December 1996 and re-adopted in August 2001. The Framework Element provides guidance regarding policy issues for the entire City of Los Angeles, including the project site. The Framework Element also sets forth a Citywide comprehensive long-range growth strategy and defines Citywide policies regarding such issues as land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services. The Framework Element includes the following goals, objectives and policies relevant to the instant request:

Goal 3A: A physically balanced distribution of land uses that contributes towards and facilitates the City's long-term fiscal and economic viability, revitalization of economically depressed areas, conservation of existing residential neighborhoods, equitable distribution of public resources, conservation of natural resources, provision of adequate infrastructure and public services, reduction of traffic congestion and improvement of air quality, enhancement of recreation and open space opportunities, assurance of environmental justice and a healthful living environment, and achievement of the vision for a more liveable city.

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

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

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

Policy 3.2.1: Provide a pattern of development consisting of distinct districts, centers, boulevards, and neighborhoods that are differentiated by their functional role, scale, and character. This shall be accomplished by considering factors such as the existing concentrations of use, community-oriented activity centers that currently or potentially service adjacent neighborhoods, and existing or potential public transit corridors and stations.

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

Policy 3.4.1: 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.

The project will contribute toward and facilitate the City's long-term fiscal and economic viability by adding 200 short-term, overnight hotel rooms within Hollywood's commercial and entertainment core for visitors and tourists. The project's proximity to the Metro Red Line, the Metro Rapid 704 Line and other transit connections will reduce vehicular trips to and from the project, vehicle miles traveled, and improve air pollution; and its location within an existing, high-intensity commercial district and on an Avenue III (Secondary Highway) will enable the city to conserve nearby existing stable residential neighborhoods and lower-intensity commercial districts. Such attributes support an FAR to 5.4:1.

Goal 3F: Mixed-use centers that provide jobs, entertainment, culture, and serve the region.

Objective 3.10: Reinforce existing and encourage the development of new regional centers that accommodate a broad range of uses that serve, provide job opportunities, and are accessible to the region, are compatible with adjacent land uses, and are developed to enhance urban lifestyles.

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

Policy 3.10.3: Promote the development of high-activity areas in appropriate locations that are designed to induce pedestrian activity, in accordance with Pedestrian-Oriented District Policies, and provide adequate transitions with adjacent residential uses at the edges of the centers.

The project is a hotel and restaurant project that will provide jobs within Hollywood's commercial and entertainment core for visitors and tourists. The project's design, including ground floor treatment will encourage pedestrian activity and its location, toward the southern boundary of the Hollywood Center, will provide an appropriate buffer between the more intense uses within the Hollywood Center and the residential neighborhood south of Sunset Boulevard.

Goal 5A: A liveable City for existing and future residents and one that is attractive to future investment. A City of interconnected, diverse neighborhoods that builds on the strengths of those neighborhoods and functions at both the neighborhood and citywide scales.

Objective 5.2: Encourage future development in centers and in nodes along corridors that are served by transit and are already functioning as centers for the surrounding neighborhoods, the community or the region.

Policy 5.2.2: Encourage the development of centers, districts, and selected corridor/boulevard nodes such that the land uses, scale, and built form allowed and/or encouraged within these areas allow them to function as centers and support transit use, both in daytime and nighttime. Additionally, develop these areas so that they are compatible with surrounding neighborhoods.

The project will support Hollywood's commercial and entertainment core for residents by providing additional dining opportunities, as well as enhance the urban environment, encouraging daytime and nighttime pedestrian activity within a highly active commercial district through pedestrian-friendly design. Furthermore, the project's proximity to the Metro Red Line, the Metro Rapid 704 Line and other transit connections enable it to function at both the local and region scale, and justify a Floor Area Ratio of 5.4:1.

- d. The **Mobility Element** of the General Plan (Mobility Plan 2035) is not likely to be affected by the recommended action herein. Wilcox Avenue is a Modified Avenue III (Secondary Highway) in the Mobility Element of the General Plan and dedicated to a variable width of between 60 and 70 feet and improved with asphalt roadway and concrete curb, gutters and a sidewalk. The project will be required to provide a 5-foot dedication of land for the southern 50 feet of the property and necessary improvements to complete the right-of-way along its entire frontage with Wilcox Avenue. A condition to require the 5-foot dedication of land and necessary improvements to complete the right-of-way has been included in this approval. Additionally, a condition is recommended herein to require a 3-foot sidewalk easement to run with the land in order to achieve the 13-foot standard sidewalk from the Mobility Plan 2035.

Wilcox Avenue is not included in any of Mobility Plan 2035's "Enhanced" Networks (i.e. the Bicycle Enhanced Network, the Transit Enhanced Network, the Neighborhood Enhanced Network and the Vehicle Enhanced Network). Nevertheless, the project as designed and as conditioned meets the following goals and objectives of Mobility Plan 2035:

Policy 2.3: Recognize walking as a component of every trip, and ensure high-quality pedestrian access in all site planning and public right-of-way modifications to provide a safe and comfortable walking environment.

Policy 2.10: Facilitate the provision of adequate on and off-street loading areas.

The project's design, including ground floor treatment will encourage daytime and nighttime pedestrian activity within a highly active commercial district through pedestrian-friendly design. Furthermore, the project is required to provide a 3-foot sidewalk easement to run with the land in order to achieve the 13-foot standard sidewalk from the Mobility Plan 2035.

Policy 3.1: Recognize all modes of travel, including pedestrian, bicycle, transit, and vehicular modes - including goods movement - as integral components of the City's transportation system.

Policy 3.3: Promote equitable land use decisions that result in fewer vehicle trips by providing greater proximity and access to jobs, destinations, and other neighborhood services.

Policy 3.4: Provide all residents, workers and visitors with affordable, efficient, convenient, and attractive transit services.

Policy 3.5: Support “first-mile, last-mile solutions” such as multi-modal transportation services, organizations, and activities in the areas around transit stations and major bus stops (transit stops) to maximize multi-modal connectivity and access for transit riders.

Policy 3.8: Provide bicyclists with convenient, secure and well-maintained bicycle parking facilities.

The project’s proximity to the Metro Red Line, the Metro Rapid 704 and other transit connections will reduce vehicular trips to and from the project, vehicle miles traveled, and improve air pollution; and its ground floor treatment will encourage daytime and nighttime pedestrian activity within a highly active commercial district through pedestrian-friendly design.

In addition, the project will provide Code required bicycle parking supporting “first-mile, last-mile solutions”, enabling workers, hotel guests and patrons of the restaurants’ improved access to the project.

Policy 5.4: Continue to encourage the adoption of low and zero emission fuel sources, new mobility technologies, and supporting infrastructure.

As conditioned, a minimum of twenty percent of the parking spaces will be installed with electronic vehicle-ready conduits.

The project is not located within any Specific Plan.

The proposed hotel/restaurant project approved herein is permitted under the new “D” Development Limitation with a maximum FAR of 5.4:1 FAR.

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

7. **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 are or will be compatible with existing and future development on adjacent properties and neighboring properties.**

The subject property is flat, interior lot, approximately 20,682 square feet (0.47 acre) in size. The existing project site is currently developed with a 14,208-square-foot warehouse and an associated paved surface parking lot. The property is currently zoned C4-2D.

The project site is located in a developed urban area that includes a mix of residential, commercial, office and parking uses. Directly abutting the property to the north is the Citizen News Building, a converted printing plant building to a recording studio and a historic resource for the purposes of CEQA. Directly to the east, across Wilcox Avenue, is Hornburg Jaguar and Land Rover, an auto repair facility. Directly to the south is two-story apartment building. Directly to the west is two-story office building, a historic resource for the purposes of CEQA a one-story, multi-family dwelling and a surface parking lot.

Within the general vicinity, to the east is an existing three-story hotel and to the north is an existing five-story hotel. To the south, including across Sunset Boulevard, is a nine- and twelve-story office building. To the south and west are two-story multi-family buildings and

to the northwest is a four-story multi-family building. Also, currently under construction is a 10-story hotel located at 6417 Selma Avenue (approximately 375 feet to the northeast of the subject property).

The applicant, in response to community input, reduced and modified the project to the current version to include 200 hotel guest rooms with a ground floor lobby and restaurant/bar, a second floor terrace accessible to guests only, a rooftop deck, pool, fitness center and penthouse restaurant, 28 bicycle parking spaces, and four levels of underground parking with 144 parking spaces for a total of 112,557 square feet (or a 5.4:1 FAR). The maximum building height is 118-foot, 10-inch feet to the top of the penthouse and 11 stories including the penthouse. Lastly, the project only requires a reduced side yard setback for a portion of the second floor and no longer requires any reduction from the required 20-foot rear yard setback.

As originally proposed, the project included 220 hotel guest rooms, a ground floor lobby and restaurant, meeting rooms, a pool and fitness center, a penthouse lounge and a roof deck, and three levels of underground parking with 125 parking spaces for a total of 124,092 square feet (or a 6:1 Floor Area Ratio (FAR)). The maximum building height was 162 feet, 6 inches to the top of the penthouse and 12 stories including the penthouse. As originally designed, the project required ten-foot, one-inch (10'-1") side yard setbacks in lieu of the required 15 feet and a five-foot, one-inch (5'-1") rear yard setback in lieu of the required 20 feet.

The proposed 112,557 square-foot (5.4:1 FAR), 11-story, 118-foot, 10-inch tall hotel, on an approximately 20,682 lot is compatible with the existing and future surrounding developments. The table below includes a list of existing or under construction developments within approximately 1,000 feet of the subject property.

Address	Floor Area	Lot Size	FAR	Height
<i>Proposed Project</i>	109,470	20,682	5.3	11
6500 Selma Avenue ^{1,2}	31,865	6,864	4.6	5
6525 Sunset Boulevard	77,460	32,539	2.4	7
6415-6419 Selma Avenue ^{1,2}	79,409	13,923	5.7	10
6464 Sunset Boulevard	100,772	18,226	5.5	11
6430 Sunset Boulevard	204,920	21,963	9.3	15

¹ Under construction (or renovation/remodel)

² Hotel

Accordingly, the height and FAR of the proposed project is consistent with several existing developments within the surrounding area.

The subject site and surrounding properties which front onto Wilcox Avenue are located within the C4-2D Zone. The Zone and Height District classification has no restriction on the maximum allowable height and permits a maximum FAR of 2:1 and 3:1 (on the west and east side of Wilcox Avenue, respectively), with the ability to get up to 6:1 FAR through CRA and City Planning Commission approval. The proposed project, with CRA and City Planning Commission approval, will be consistent with both the maximum allowable height and FAR for the subject property and neighboring properties.

The project has been limited to a maximum height of 110 feet with the exception that a 3,500 square-foot portion of the rooftop which is proposed for restaurant use and hotel

amenities may reach a maximum height of not more than 120 feet. In addition, the project no longer requires relief from the required rear yard setback or side setback above the second floor and will therefore be compatible with future development on adjacent properties and neighboring properties. The project's environmental review found that it will have no shading impact on adjacent properties.

The hotel and restaurant will provide 144 vehicle parking spaces within a four-level subterranean garage, 28 bicycle parking spaces (14 short-term and 14 long-term) and will comply with all vehicle and bike parking requirements of the Municipal Code.

All lighting has been conditioned to be downward-facing and all trash collection and storage areas to not be visible from the public right-of-way. All landscaping has been designed and conditioned to be integrated with the building and suitable to the functions of the various outdoor spaces.

Given the shallow configuration of the lot (less than 140 feet depth), the project seeks to provide the pick-up/drop-off and valet area within the public right-of-way. While typically use of the public right-of-way for pick-up/drop-off is discouraged, the project has been conditioned to enhance the experience for patrons and guests of the hotel/restaurant and pedestrians who are passing by. Specifically, the project is required to obtain a Valet Permit for the Los Angeles Police Department to allow the pick-up/drop-off area and valet service to be located within the public right-of-way.

Therefore, based on the proposed design of the project and the conditions imposed herein, the project will be compatible with existing and future development on adjacent properties and neighboring properties.

8. That any residential project provides recreational and service amenities to improve habitability for its residents and minimize impacts on neighboring properties.

The proposed 200-room hotel includes 113 Standard King rooms, 54 Standard Queen rooms, 31 Suites and 2 Presidential Suites, each with a full bathroom. In addition, the hotel provides a 1,104 square-foot hotel lobby bar (open to the public), a 3,298 square-foot restaurant (open to the public), a 2,924 square-foot kitchen and a 1,085 square-foot outdoor eating area (open to the public); a second floor comprised of guest rooms, 3,667 square feet of meeting rooms and terraces accessible to hotel guests only; a 4,903 square-foot pool deck on the roof of the 10th floor (open to the public); and a 1,206 square-foot penthouse restaurant (open to the public), for a total of approximately 18,000 square feet of space for dining and hotel guest amenities. Some of the suites on the 3rd to 9th floors have private terraces. Although a Hotel is defined as a residential building per the L.A.M.C. Section 12.03, only residential project containing dwelling units are required to provide open space pursuant to L.A.M.C. Section 12.21-G.

The proposed project provides landscaping at the ground floor, second floor terraces and rooftop deck. Additionally, as the project now conforms to the required rear yard setback and the side yard setbacks above the second floor, impacts on neighboring properties as a result of use of the hotel's second-floor terrace and rooftop deck will be minimized.

Therefore, as conditioned, the project provides recreational and service amenities to improve habitability for its residents and minimize impacts on neighboring properties.

Environmental Findings

9. **Environmental Finding.** A Mitigated Negative Declaration (ENV-2014-3707-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 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.

10. **Flood Insurance.** The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Flood Zone X, areas determined to be outside the 0.2% annual chance floodplain. Currently, there are no flood zone compliance requirements for construction in these zones.



DEPARTMENT OF CITY PLANNING

RECOMMENDATION REPORT



City Planning Commission

Date: September 10, 2015
Time: After 8:30 A.M.
Place: Los Angeles City Hall
200 North Spring Street, Room 1020
Los Angeles, CA 90012

Public Hearing: March 18, 2015
Appeal Status: Zone and Height District Changes are appealable only by the applicant to City Council if disapproved in whole or in part. Zoning Administrator's Adjustment and Site Plan Review are appealable to the City Council by any party.
Expiration Date: September 11, 2015
Multiple Approval: Yes

Case No.: CPC-2014-3706-VZC-HD-ZAA-SPR
CEQA No.: ENV-2014-3707-MND
Incidental Cases: None
Related Cases: None
Council No.: 13
Plan Area: Hollywood
Specific Plan: None
Certified NC: Central Hollywood
GPLU: Regional Center
Commercial
Current Zone: C4-2D
Proposed Zone: (T)(Q)C4-2D
Applicant: 1541 Wilcox Hotel, LLC
Representative: Michael Gonzales,
Gonzales Law Group

PROJECT LOCATION: 1523-1541 North Wilcox Avenue

PROPOSED PROJECT: The project involves the demolition of a one-story, 14,208 square-foot warehouse and the construction, use and maintenance of a 11-story, 118-foot, 10-inch (118'-10") tall, 112,557 square-foot, hotel with 200 rooms, 28 bicycle parking spaces and a subterranean garage with four levels for 144 automobile parking spaces. The hotel includes a lobby bar, a ground floor restaurant, meeting rooms and a rooftop pool, fitness/spa and restaurant.

- REQUESTED ACTIONS:**
- 1) Pursuant to Section 12.32-F of the Los Angeles Municipal Code (L.A.M.C.), a Vesting Zone and Height District Change from C4-2D to C4-2D to allow a Floor Area Ratio (FAR) of up to 5.5 to 1 (5.5:1 FAR);
 - 2) Pursuant to Section 12.28-A of the L.A.M.C., a Zoning Administrator's Adjustment to permit zero-foot side yard setbacks in lieu of the 14 feet required by Section 12.11-C,2 of the L.A.M.C.;
 - 3) Pursuant to Section 16.05 of the L.A.M.C., a Site Plan Review for a development project which creates, or results in an increase of, 50 or more guest rooms; and
 - 4) Pursuant to Section 21082.1(c)(3) of the California Public Resources Code, adopt the Mitigated Negative Declaration (MND) for the above referenced project.

RECOMMENDED ACTIONS:

- 1) **Approve and recommend that the City Council adopt the Vesting Zone Change and Height District** from C4-2D to (T)(Q)C4-2D with a "D" Limitation to allow a maximum FAR of up to 6 to 1 (6:1 FAR) provided that the project is approved by the City Planning Commission pursuant to Section 12.24-U, 14 of the LAMC;

- 2) **Approve** a Zoning Administrator's Adjustment to permit zero-foot side yard setbacks in lieu of the 14 feet required by Section 12.11-C,2 of the L.A.M.C.;
- 3) **Approve** the Site Plan Review for a development project which creates, or results in an increase of, 50 or more guest rooms;
- 4) **Adopt** the attached findings;
- 5) **Adopt** the Mitigated Negative Declaration No. ENV-2014-3707-MND;
- 6) **Adopt** the Mitigation Monitoring Program for Mitigated Negative Declaration No. ENV-2014-3707-MND;
- 7) **Advise** the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring; and,
- 8) **Advise** the applicant that pursuant to State Fish and Game Code Section 711.4, Fish and Game Fee 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

Charles J. Rausch, Jr.
Associate Zoning Administrator

Jae H. Kim
Senior City Planner

Jane Choi, AICP
City Planner

Oliver Netburn, City Planning Associate
Hearing Officer
Telephone: (213) 978-1382

ADVICE TO PUBLIC: *The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda. Written communications may be mailed to the *Commission Secretariat, Room 272, City Hall, 200 North Spring Street, Los Angeles, CA 90012* (Phone No. 213-978-1300). While all written communications are given to the Commission for consideration, the initial packets are sent to the week prior to the Commission's meeting date. If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agendized herein, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability, and upon request, will provide reasonable accommodation to ensure equal access to these programs, services and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services may be provided upon request. To ensure availability of services, please make your request not later than three working days (72 hours) prior to the meeting by calling the Commission Secretariat at (213) 978-1295.

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PROJECT ANALYSIS

Project Summary

The project involves the demolition of an existing building and the construction of a new, 11 story 200-room hotel with a ground floor lobby and restaurant/bar, a second floor terrace accessible to guests only, a rooftop deck, pool, fitness center and penthouse restaurant, 28 bicycle parking spaces, and four levels of underground parking with 144 parking spaces for a total of approximately 113,000 square feet. The project will require the export of approximately 41,140 cubic yards of soil.

The applicant is requesting the following discretionary approvals: (1) a Vesting Zone and Height District Change from C4-2D to C4-2D to allow an FAR of up to 5.5 to 1; (2) Zoning Administrator's Adjustments to permit reduced side yards; and (3) Site Plan Review.

Background

The subject property is flat, interior lot, approximately 20,682 square feet (0.47 acre) in size. The existing project site is currently developed with a 14,208-square-foot warehouse and an associated paved surface parking lot. The property is currently zoned C4-2D.

The property is located within an Adaptive Reuse Incentive Area, the Hollywood Redevelopment Project, the Sunset and Vine Business Improvement District, the Central City Revitalization Zone and the Los Angeles State Enterprise Zone. The property is located within 500 feet of Selma Park. The property is not located within any Specific Plan, Overlay Zone or Supplemental Use District.

As originally filed, the project included 220 hotel guest rooms, two restaurant/bar areas and three levels of underground parking with 125 parking spaces for a total of 124,092 square feet (or a 6:1 FAR).

The applicant, in response to community input, reduced and modified the project which now includes 200 hotel guest rooms, two restaurant/bar areas and four levels of underground parking with approximately 144 parking spaces for a total of 112,557 square feet (or a 5.4:1 FAR).

Specifically, the proposed project includes:

1st Floor	Floor Area (sq. ft)
Hotel entrance	1,547
Restaurant and kitchen (open to the public)	6,222
Lobby and reception area	2,705
Lobby bar/lounge (open to the public)	1,104
Outdoor Plaza	1,547
14 short-term bicycle parking spaces	-
Pick-up/drop-off (within the public right-of-way)	-
2nd Floor	
Terrace (accessible to hotel guests only)	-
Meeting rooms	3,667
Guest rooms	-
3rd through 10th Floor	
Guest rooms	-

11th Floor and Roof Deck	
Restaurant (open to the public)	1,206
Fitness center	954
Pool Bathrooms	433
Pool (open to the public)	-
Open terrace with cabanas (open to the public)	-
Subterranean Garage	
144 automobile parking spaces	-
14 long-term bicycle parking spaces	-
Total Floor Area	112,557

The project, as proposed, would use of the public right-of-way for valet parking and hotel pick-up and drop-off. Landscaping will be provided at the ground floor, second floor terraces and rooftop deck and the rooftop will include a pool and cabanas, as shown in Exhibit C. All lighting, including on the rooftop, will be downward-facing.

The property is subject to Ordinance No. 165,660 which established a "D" Limitation that limits the site's floor area to a 2:1 FAR, but allows an FAR up to 6:1 provided that: a) the Project is approved by the City Planning Commission, or the City Council on appeal, pursuant to the procedures set forth in Municipal Code Section 12.24-B.3. and a Disposition and Development Agreement or Owner Participation Agreement has been executed by the Community Redevelopment Agency Board; and b) the Community Redevelopment Agency Board finds that the project conforms to: (1) the Hollywood Redevelopment Plan, (2) a Transportation Program adopted by the Community Redevelopment Agency Board pursuant to Section 518.1 of the Redevelopment Plan and, if applicable, (3) any Designs for Development adopted pursuant to Section 503 of the Redevelopment Plan.

The applicant has requested a Zone and Height District Change to change the "D" Limitation and to allow a project to be developed at an FAR of 5.5:1. In addition, pursuant to the Hollywood Redevelopment Plan (Section 506.2.3), CRA approval is still required for development at an FAR greater than 4.5:1.

The project is located in a developed urban area that includes a mix of residential, commercial, office and parking uses. Directly abutting the property to the north is the Hollywood Citizen News (HCN), a printing plant building converted to a recording studio and a historic resource for the purposes of CEQA. The project has been sensitively designed to ensure compatibility with the HCN, while distinguishing itself from the building architecturally and stylistically.

The project includes a ground floor restaurant which will bring nighttime activity to the street and help continue the established street wall which runs the entire length of the block, from Selma Avenue to the north to Sunset Boulevard to the South.

Within the general vicinity, to the east is an existing three-story hotel and to the north is an existing five-story hotel. To the south, including across Sunset Boulevard, is a nine- and twelve-story office building. To the south and west are two-story multi-family buildings and to the northwest is a four-story multi-family building. Currently under construction is a 10-story hotel located at 6417 Selma Avenue (approximately 375 feet to the northeast of the subject property); and a seven-story hotel was approved located at 1525 Cahuenga Boulevard (approximately 275 feet to the east).

General Plan Land Use Designation

The Hollywood Community Plan designates the subject property for Regional Center Commercial uses with corresponding zones of C2, C4, P, PB, RAS3 and RAS4. The subject property is zoned C4-2D.

Surrounding Properties

The surrounding land uses consist of Regional Center Commercial and (T)(Q)C4-2D, C4-2D and C4-2D-SN Zones. Surrounding properties are primarily developed with two- to multi-story multi-family dwelling, multi-story commercial buildings, a United States Post Office facility and the Hollywood/Wilshire YMCA.

Street and Circulation

Wilcox Avenue is an Avenue III (Secondary Highway), dedicated to a variable width between 65 and 70 feet and improved with asphalt roadway and concrete curb, gutter and sidewalk.

Site Related Cases and Permits

CPC 2014-0669(CPU): On April 2, 2014, the City Council approved an ordinance to repeal Ordinance No. 182,173, the Hollywood Community Plan Update. (Ordinance No. 182,960; effective April 8, 2014)

CPC 2005-6082(CPU): On June 19, 2012, the City Council approved a Community Plan Update for the Hollywood Community Plan. The subject property was located within subarea 4:1D which changed the existing zoning from C4-2D to C4-2D, per Ordinance No. 182,173; effective August 6, 2012, with a "D" Limitation that included the following:

1. No building or structure shall exceed a height of 75 feet above grade. A project may exceed a height of 75 feet per approval of the Zoning Administrator pursuant to Los Angeles Municipal Code (LAMC) Section 12.24-W.
2. The total floor area of all buildings or structures on a lot shall not exceed a Floor Area Ratio (FAR) of 3:1.
3. Development subject to historic preservation review which exceeds an FAR of 2:1 shall require approval by the Office of Historic Resources.
4. A project may exceed the 3:1 FAR provided that:
 - a. the project is approved by the City Planning Commission, or the City Council on appeal, pursuant to the procedures set forth in LAMC 12.32-D; and,
 - b. the project conforms with Hollywood Community Plan policies.

CPC 86-0835(GPC): On March 21, 1990, the City Council approved a General Plan Consistency for the Hollywood area. The subject property was located within subarea 90, Ordinance No. 165,660; effective May 6, 1990, which established the following "D" Limitation:

The total floor area contained in all buildings on a lot shall not exceed two (2) times the buildable area of the lot. A project may exceed the 2:1 floor area ratio provided that the Community Redevelopment Agency Board finds that the project conforms to: (1) the Hollywood Redevelopment Plan, (2) a Transportation Program adopted by the Community Redevelopment Agency Board pursuant to Section 518.1 of the Redevelopment Plan and, if applicable, (3) any Designs for Development adopted pursuant to Section 503 of the Redevelopment Plan; and the project complies (1) has a Disposition and Development Agreement or Owner Participation Agreement has been executed by the Community Redevelopment Agency Board; and (2) the Project is approved by the City Planning

Commission, or the City Council on appeal, pursuant to the procedures set forth in Municipal Code Section 12.24-B.3.

Surrounding Related Cases

Case No. DIR-2014-4657(SPR) - On August 5, 2015, the Director of City Planning approved a seven-story, maximum 75 feet in height hotel consisting of 64 guestrooms, a 1,200 square-foot ground-floor guest lounge, 3,300 square-foot ground-floor restaurant, 700 square-foot rooftop restaurant, along with 32 bicycle and 48 automobile parking spaces within a one-level subterranean garage, all on a 14,464 square-foot site in the C4-2D-SN Zone, located at 1523-1529 North Cahuenga Boulevard.

Case No. ZA 2006-10260(ZAA)(DB) - On June 9, 2009, the Central Area Planning Commission denied Appeal No. 1 and granted Appeal No. 3 and thereby approved an adjustment from Section 12.09.1-B,3 of the Los Angeles Municipal Code to permit a 5-foot rear yard in lieu of the required 15 feet in the RD1.5 Zone for eleven (11) new condominium units, located at 6527-6531 Leland Way.

Case No. CPC 2007-3931(ZC)(HD)(CUB)(ZV)(SPR) - On July 24, 2008, the City Planning Commission approved and recommended that the City Council adopt a Zone and Height District Change from C4-2-D-SN to (T)(Q)C4-2-SN to remove a "D" limitation of 2:1 and allow a FAR of 5.3:1 and approved a Site Plan Review for a hotel project, located at 6415 West Selma Avenue. (Ordinance No. 180,381; effective January 12, 2009)

Case No. CPC 2007-1607(ZC)(HD)(SPR) - On February 14, 2008, the City Planning Commission approved and recommended that the City Council adopt a Zone and Height District Change from C4-2D to (T)(Q)C4-2D to allow a 3.5:1 FAR and 95-foot height and approved a Site Plan Review for a 50-unit office condominium project, located at 6156-6526 West Selma Avenue. (Ordinance No. 179,923; effective July 13, 2008)

Case No. ZA 2006-0087(ZV)(ZAA) - On May 26, 2006, the Zoning Administrator approved an adjustment from Section 12.09.1-B,1 of the Los Angeles Municipal Code to permit an 8-foot front yard setback in lieu of the required 15 feet; from Section 12.09.1-B,3 of the Los Angeles Municipal Code to permit a 5-foot rear yard setback in lieu of the required 15 feet; and from Section 12.09.1-B,2(a) of the Los Angeles Municipal Code to permit a 3-foot side yard setback along the westerly property line in lieu of the required 6 feet for four (4) new attached townhouses, located at 6543 West Leland Way.

Case No. ZA 2003-4281(CU)(ZV)(ZAA) - On November 20, 2003, the Zoning Administrator approved adjustment from Section 12.13-C,1 of the Los Angeles Municipal Code, to permit a 2-foot front yard setback (after dedications) along Wilcox Avenue in lieu of the required 10 feet for an office building project, located at 1419 North Wilcox Avenue.

Issues

"D" Limitation and Hollywood Redevelopment Plan

In 1986, the City of Los Angeles established the Hollywood Redevelopment Plan (a Redevelopment Plan of the Los Angeles Community Redevelopment Agency (CRA)) which is generally bounded by Serrano Avenue to the east, Santa Monica Boulevard and Fountain Avenue to the south, La Brea Avenue to the west and Franklin Avenue to the north. The Hollywood Redevelopment Plan (HRP) accelerated economic growth in the Hollywood area and helped to regulate and plan for future development.

In 1990, the City Council adopted a General Plan Consistency ordinance for the Hollywood area (Ordinance No. 165,660). The subject property was located within Subarea 90 which established a "D" Limitation requiring any project with an FAR greater than 2:1 to get CPC and CRA approval.

The HRP was subsequently amended in 2003 and established an FAR limit of 4.5:1 for all development with a land use designation of Regional Center in the project area with the ability to get up to a 6:1 FAR provided the CRA Board makes certain findings (Section 506.2.3 of the Redevelopment Plan). No action was taken to remove the "D" Limitation established in 1990.

As it affects the subject property, the applicant must obtain CPC and CRA (or as now known as the Designated Local Authority) approval in order to satisfy the requirements of the Redevelopment Plan and to develop the property at the requested FAR of 5.4:1.

Entitlement for Alcohol

The project description for the proposed project for the environmental review included one additional entitlement which is not a part of this current entitlement application. Specifically, the additional entitlement is a conditional use pursuant to Section 12.24-W,1 of the LAMC for the sale and on-site consumption of alcohol that may be applied for in the future.

Therefore, the Department of City Planning published an Initial Study and proposed Mitigated Negative Declaration which includes analysis and proposes mitigations for the potential impacts that could result from the potential sale and on-site consumption of alcohol for room service, controlled-access liquor cabinets, and the restaurants and bar.

Dedication along Wilcox Avenue

The project is located on Wilcox Avenue which, under the recently adopted Mobility Plan 2035, is a designated Modified Avenue III (Secondary Highway) with a 70-foot right-of-way and a 40-foot roadway width. Accordingly, the project is required a 5-foot dedication for the southern 50 feet of the street frontage in order to complete a 35-foot foot half right-of-way consistent with the Modified Avenue III Street Standards.

Additionally, in order to achieve a 13-foot standard sidewalk, staff has included a condition requiring a 3-foot wide sidewalk easement to run with the land.

Vehicle Access to the Project Site

The project, as proposed, would require the use of the public right-of-way for valet and hotel pick-up and drop-off. While use of the public right-of-way for private purposes is typically discouraged, in the event that the right-of-way is to be used for private purposes, such areas should be thoughtfully designed to facilitate the circulation of both passersby and patrons and guests of the hotel and restaurants. As such, staff has recommended a Condition of Approval (Condition No. 8) which requires the applicant to obtain a Valet Permit for the Los Angeles Police Department to allow the pick-up/drop-off area and valet service to be located within the public right-of-way.

Conclusion

Staff recommends the City Planning Commission's approval of the Zone and Height District Change from C4-2D to (T)(Q)C4-2D to allow an FAR of up to 6:1 provided that the project is approved by the City Planning Commission pursuant to Section 12.24-U,14 of the LAMC,

approval of the Zoning Administrator Adjustment for the side yard and approval of the Site Plan Review for the proposed 200-room hotel and restaurant with a maximum FAR of 5.4:1.

Staff also recommends the adoption of Mitigated Negative Declaration No. ENV-2014-3707-MND and the associated Mitigation Monitoring Program.

CONDITIONS FOR EFFECTUATING (T) TENTATIVE CLASSIFICATION REMOVAL

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

Dedication(s) and Improvement(s). Prior to the issuance of any building permits, the following public improvements and dedications for streets and other rights of way adjoining the subject property shall be guaranteed to the satisfaction of the Bureau of Engineering, Department of Transportation, Fire Department (and other responsible City, regional and federal government agencies, as may be necessary):

Responsibilities/Guarantees.

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

Wilcox Avenue (Avenue III, Secondary Highway) - A 5-foot wide strip of land along Block PT 2 (Arb 2) of Blocks 1, 2, 15 and 16 Hollywood Tract to complete a 35-foot foot half right-of-way in accordance with Avenue III Street standards.
 - b. **Sidewalk Easement.** Record a 3-foot wide public sidewalk easement along Wilcox Avenue adjoining property for public sidewalk purposes.
 - c. Improvements -
 - i. **Wilcox Avenue** - The improvements shall be to the satisfaction of the Bureau of Engineering and in accordance with Modified Avenue III Street Standards, including asphalt pavement, integral concrete curb, gutter and concrete sidewalk. These improvements should suitably transition to join the existing improvements.

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 should contact the Urban Forestry Division for further information (213) 847-3077.

Trees: That Board of Public Works approval shall be obtained, prior to the issuance of the Certificate of Occupancy of the development project, for the removal of any tree in the existing or proposed public right-of-way. The Bureau of Street Services, Urban Forestry Division is the lead agency for obtaining Board of Public Works approval for the removal of such trees.

Notes: Street lighting and street lights relocation will be required satisfactory to the Bureau of Street Lighting (213) 847-1551.

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

Refer to the Department of Transportation regarding traffic equipment, signs and parking meters (213) 482-7024.

Refer to the Department of Water and Power regarding power pole (213) 367-2715.

Refer to the Fire Department regarding fire hydrants (213) 482-6543.

- d. Roof drainage and surface run-off from the project shall be collected and treated at the site and directed to the streets via drain system constructed under the sidewalk and through the curb drains connected to the catch basins.
- e. Sewer lines exist in Wilcox Avenue. Extension of the 6-inch house connection laterals to the new property line will be required. All Sewerage Facilities Charges and Bonded Sewer Fees are to be paid prior to obtaining a building permit.
- f. 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 at (213) 482-7050.
- g. Submit parking area and driveway plan to the Central District Office of the Bureau of Engineering for review and approval.

3. Department of Transportation.

- a. A minimum 20-foot reservoir shall be provided between any security gate(s) and the property line.
- b. A parking area and driveway plan shall be submitted to the Citywide Planning Coordination Section of the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 201 N. Figueroa Street, Suite 400, Station 3.

(Q) QUALIFIED CLASSIFICATIONS

Pursuant to Section 12.32-G of the Municipal Code, the following limitations are hereby imposed upon the use of the subject property, subject to the "Q" Qualified classification.

1. **Use.** The use and area regulations for the new development on-site shall be developed for commercial and residential uses as permitted in the C4 Zone as defined in LAMC Section 12.16, except as modified by the conditions herein or subsequent action.
2. **Site Plan.** The use and development of the subject property shall be in substantial conformance with the site plan labeled Exhibit "C". Prior to the issuance of building permits, detailed development plans including a site plan illustrating elevations, facades, and architectural treatment, and a landscape/irrigation plan shall be submitted for review and approval by the Department of City Planning. The plans shall comply with provisions of the Municipal Code, the subject conditions, and the intent of the subject permit authorization.
3. **Commercial Use.** Commercial uses that are open to the public, such as retail and restaurant uses, shall occupy the ground floor space(s) facing Wilcox Avenue.
4. **Hollywood Citizen News Building.** Any structure along the front property line shall have a height consistent with the building height of the Citizen News Building (a historic resource for the purpose of CEQA to the north of the subject property).

“D” DEVELOPMENT LIMITATIONS

Pursuant to Section 12.32 G of the Municipal Code, the following limitations are hereby imposed upon the use of the subject property, subject to the “D” Development Limitations.

1. The total floor area of all buildings or structures on a lot shall not exceed a Floor Area Ratio (FAR) of 3:1.
2. A project may exceed the 3:1 FAR to a maximum of 6:1 provided that the project is approved by the City Planning Commission pursuant to Section 12.24-U,14 of the LAMC. No exemption as provided for under Section 12.24-U,14(c) shall apply.

CONDITIONS OF APPROVAL

Pursuant to Section 16.05 of the Los Angeles Municipal Code, the following conditions are hereby imposed upon the use of the subject property:

Entitlement Conditions

1. The use and development of the property shall be in substantial conformance with the plot plan submitted with the application and marked Exhibit "C", except as may be revised as a result of this action.
2. Authorized herein are the operation of a 200-room hotel and a maximum of 9,000 square-feet of restaurant/bar uses.
3. **Floor Area.** The approved hotel/restaurant project shall be limited to a Floor Area Ratio of 5.4:1 (5.4:1 FAR). A new project shall be required to obtain a new approval pursuant to the "D" Development Limitation.
4. **Height.** The building height shall not exceed 110 feet with the exception that 3,500 square feet of floor area at the pool deck shall not exceed 120 feet, as shown on Exhibit "C".
5. **Parking.**
 - a. Vehicle parking shall be provided in conformance with L.A.M.C. Section 12.21-A,4. Electronic vehicle-ready conduits shall be installed for a minimum of twenty percent of the parking spaces.
 - b. Bicycle parking shall be provide in conformance with L.A.M.C. Section 12.21-A,16.
6. **Site Planning.**
 - a. All restaurant/bar uses shall not exceed 9,000 square feet.
 - b. The second floor shall include a minimum of 3,500 square feet of meeting room space.
 - c. The rooftop (the 11th floor) shall include not more than the following:
 - i. 2,000 square feet square feet of restaurant area;
 - ii. 1,500 square feet of gym/spa and pool bathrooms and shower area, and
 - iii. 5,000 square feet outdoor area, including pool.

Note: The square footage used for the gym/spa and pool bathrooms and shower area, and the outdoor area shall not be counted toward the maximum permitted 9,000 square feet of restaurant/bar uses.
7. **Rooftop operations.** The rooftop restaurant area shall close at 12 a.m., daily.
8. **Pick-up/Drop-off.** The applicant shall obtain a Valet Permit for the Los Angeles Police Department to allow the pick-up/drop-off area and valet service to be located within the public right-of-way.

9. **Landscaping.** The private terraces for the guest rooms on the second floor level shall be separated by permanent planters.
10. **Trash collection and storage.** All trash collection and storage areas shall be located on-site and not visible from the public right-of-way.

Environmental Conditions

11. Cultural Resources.

- a. In the event that buried cultural resources are discovered during project development, construction activities shall stop within 50 feet of the find and a qualified archaeologist shall be consulted to determine whether the resource requires further study:
 - i. The archaeologist shall make recommendations to the Lead Agency on the measures that shall be implemented to protect the discovered resources, including but not limited to, excavation of and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines. Potentially significant cultural resources consist of, but are not limited to, stone, bone, fossils, wood, or shell artifacts or features, including hearths, structural remains, or historic dumpsites. Any previously undiscovered resources found during construction within the project area should be recorded on appropriate Department of Parks and Recreation (DPR) forms, and evaluated for significance in terms of CEQA criteria.
 - ii. If the discovered resource is determined to be a unique historic resource as defined under Section 15064.5 of the CEQA Guidelines, additional measures shall be identified by the archaeologist and recommended to the Lead Agency. Appropriate measures for significant resources could include avoidance or capping; incorporation of the location of the find as undisturbed green or open space; and/or data recovery excavations of the find.
 - iii. No further ground-disturbing activities shall occur in the vicinity of the find until the Lead Agency approves the measures to protect these resources. Any archaeological artifacts recovered as a result of mitigation shall be donated to a qualified scientific institution approved by the Lead Agency, where they would be afforded long-term preservation to allow future scientific study.
- b. In the event that paleontological resources are encountered during the course of grading and/or excavation, all development shall temporarily cease in these areas until a qualified paleontologist is brought onto the project site to properly assess the resources and make recommendations for their disposition. Excavation or disturbance may continue in other areas of the project site that are not reasonably suspected to overlie adjacent paleontological resources.
- c. In the event that human remains are discovered during excavation activities, the following procedure shall be observed:
 - i. 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)

- ii. 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.
- iii. The Native American Heritage Commission will immediately notify the person it believes to be the most likely descendent of the deceased Native American.
- iv. 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.
- v. 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;
- vi. If the owner does not accept the descendant's recommendations, the owner or the descendent may request mediation by the Native American Heritage Commission.

12. Geology and Soils.

- a. The project shall be supported on foundations embedded into alluvium.
- b. The soils chemistry results shall be considered in the design of the project, subject to the approval of the Department of Building and Safety.
- c. The property owner shall maintain the site as outlined in the Preliminary Geotechnical Engineering Investigation document, Drainage and Maintenance section prepared by GeoConcepts and dated May 16, 2014.
- d. Excavation and grading activities shall be scheduled during dry weather periods as feasible. If grading occurs during the rainy season (October 15 through April 1), diversion dikes shall be constructed to channel runoff around the project site. Channels shall be lined with grass or roughened pavement to reduce runoff velocity.
- e. Implementation of appropriate erosion control and drainage devices to the satisfaction of the Building and Safety Department shall be incorporated such as: sand bags and inlet and outlet structures, as specified by Section 91.7013 of the Building Code, and planting fast-growing annual and perennial grasses in areas where construction is not immediately planned.
- f. Stockpiles and excavated soil shall be covered with secured tarps or plastic sheeting.
- g. All excavation and shoring systems shall meet, at a minimum, the requirements given in the State of California Occupational Safety and Health Standards.
- h. When rain is forecast, all fill shall be properly compacted prior to stopping work for the day. Once compacted, these fills shall have the surface sloped and use temporary drainage devices to transfer excess water to the street. Drainage shall not be allowed to pond anywhere on the site.

13. Hazards and Hazardous Materials.

- a. An Operations and Maintenance (O&M) Program shall be implemented in order to safely manage the suspect asbestos containing materials (ACMs). The identified suspect

ACMs would need to be sampled to confirm the presence or absence of asbestos prior to any demolition activities to prevent potential exposure to workers and/or building occupants. Prior to the issuance of the demolition permit, the applicant must provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant that no ACMs are present in the buildings. If ACMs are found to be present, a qualified asbestos abatement consultant shall abate the buildings in compliance with the South Coast Air Quality Management District's Rule 1403 as well as all other State and Federal rules and regulations.

- b. A Lead Based Paint (LBP) survey must be conducted onsite. Any contractor who would disturb lead containing surfaces must be notified of the hazard and their requirement to comply with the applicable city, state, and federal regulations. Any additional LBP identified shall be abated by a qualified abatement consultant in accordance with all applicable city, State, and Federal regulations.
- c. Prior to the issuance of the demolition permit, the applicant must provide a letter to the Department of Building and Safety from a qualified polychlorinated biphenyls (PCB) abatement consultant that no PCBs are present onsite. If PCBs are found to be present, a qualified abatement consultant shall abate the site in compliance with the applicable city, State, and Federal rules and regulations.

14. Noise.

- a. The project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
- 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. Construction and demolition shall not occur on Sundays or any federal holiday.
- c. Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- d. Where feasible, 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. The project developer shall install a temporary noise control barrier in the southern property line of the construction site abutting residential uses. The noise control barrier shall be engineered to reduce construction-related noise levels at the adjacent multi-family residential structures with a goal of a reduction of 10 dBA. The barrier shall be a similar height to the multi-family residential building to the south of the project site. The supporting structure shall be engineered and erected according to applicable codes. The temporary barrier shall remain in place until all windows have been installed in the south façade of the new hotel building and paving activities in the hotel project site are complete.

- g. The project shall comply with the City of Los Angeles Building Regulations Ordinance No. 178,048, 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.
- h. The pool and rooftop decks shall be enclosed on all sides with a six-to-eight foot tall plexiglass perimeter wall and include landscaping (i.e., shrubbery and trees) to minimize noise levels at off-site locations to the maximum extent feasible. Based on a review of the FHWA Noise Barrier Design Handbook, the pool and rooftop deck plexiglass perimeter wall shown in the project plans would achieve approximately 5 to 10 dBA of noise attenuation.
- i. Upon operation of the pool and rooftop decks, the project applicant shall provide the adjacent uses to the north, south, and west, a building manager contact and phone number to report any loud, unnecessary, and unusual noise, which disturbs the peace or quiet for the adjacent uses.
- j. All new construction work shall be performed so as not to adversely affect the structural integrity of the immediately adjacent buildings to the south, north and west of the project site (i.e., Sensitive Receptor Nos. 1, 2, 3 and 4). Preconstruction surveys shall be performed to document conditions of the adjacent structures. A structural monitoring program shall be implemented and recorded during construction.
- k. The performance standards of the structure monitoring plan shall include the following:
 - i. 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 structures from construction-related damage.
 - ii. 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 the structure.
 - iii. 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.
- l. Concrete, not metal, shall be used for construction of parking ramps.
- m. The interior ramps shall be textured to prevent tire squeal at turning areas.

15. **Public Services.**

- a. 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 project shall provide fire hydrants to meet LAFD fire flow requirements. The number, sizes and locations of hydrants will be determined in conjunction with the Fire Department, either prior to recordation of the final map or approval of the building permit. The project shall provide an on-site water storage tank. The location and sizing of the tank will be determined in conjunction with the Fire Department. The plot plan shall include the following minimum design features: all structures must be within 300 feet of an approved fire hydrant, entrances to any guest room shall not be more than 150 feet in distance in horizontal travel from the entry/exit or vertical stair, and the stairway shall be within 150 feet from the edge of the roadway of an improved street or approved fire lane. Design of the project site shall provide adequate access for the Fire Department equipment and personnel to the structure. In addition, the project applicant shall install an automatic sprinkler system in accordance with Fire Code Section 57.118.11 and in conformance with LAFD Standard No. 59.

- b. 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 design 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.
- c. Prior to construction of the project, the applicant shall install barriers and/or fencing around the project site to secure construction equipment, to prevent trespassing, vandalism, and attractive nuisances and shall review potential impacts to bus routes with the Los Angeles Unified School District (LAUSD) Transportation Branch.
- d. During construction, the applicant shall provide crossing guards at impacted school crossings so as not to compromise the safety of students during construction related activities, shall not park construction and/or worker transport vehicles adjacent to school sites, shall not haul past affected school sites when school is in session or during school arrival and dismissal times, shall maintain communication with school administration to provide sufficient notice when existing pedestrian and vehicle routes to the school site may be impacted, shall maintain unrestricted access for school buses, and shall comply with provisions of the California Vehicle Code by requiring construction vehicles to stop when encountering school buses using red flashing lights.
- e. The applicant shall maintain safe and convenient pedestrian routes to LAUSD schools and not endanger passenger safety or delay student-drop off or pickup due to traffic patterns, lane-adjustments, altered bus stops, or traffic lights by installing appropriate traffic controls (signs and signals) to ensure vehicular and pedestrian safety.
- f. The applicant shall pay school fees as required by applicable law.

Administrative Conditions of Approval

16. Approval, Verification and Submittals. Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject

conditions, shall be provided to the Department of City Planning for placement in the subject file.

17. **Code Compliance.** Area, height and use regulations of the (T)(Q)C4-2D zone classification of the subject property shall be complied with, except where herein conditions are more restrictive.
18. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assign. The agreement must be submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.
19. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public officials, legislation or their successors, designees or amendment to any legislation.
20. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
21. **Building Plans.** Page 1 of the grants and all the conditions of approval shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety.
22. **Corrective Conditions.** The authorized use shall be conducted at all time with due regards to the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director pursuant to Section 12.27.1 of the Municipal Code to impose additional corrective conditions, if in the Commission's or Director's opinion such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
23. **Expediting Processing Section.** Prior to the clearance of any conditions, the applicant shall show that all fees have been paid to the Department of City Planning Expedited Processing Section.
24. **Indemnification and Reimbursement of Litigation Costs.**

Applicant shall do all of the following:

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

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

- c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$25,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- e. If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

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

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

For purposes of this condition, the following definitions apply:

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

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

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

FINDINGS

General Plan/Character Findings

1. General Plan.

- a. **General Plan Land Use Designation.** The subject property is located within the area Hollywood Community Plan, adopted by the City Council on December 13, 1988. The plan map designates the subject property as Regional Center Commercial with corresponding zones of C2, C4, RAS3, RAS4, P and PB. The proposed Zone and Height District Change to the (T)(Q)C4-2D Zone with a 3:1 FAR and a maximum of 6:1 FAR provided that the project is approved by the City Planning Commission is consistent with the current Regional Center Commercial land use designation. The Framework Element characterizes Regional Center as including FARs of up to 6:1. Therefore, the project is in substantial conformance with the purposes, intent and provisions of the General Plan as reflected in the adopted Community Plan.

- b. **Land Use Element.**

Hollywood Community Plan. The Community Plan text includes the following relevant land use objectives and policies:

Objective 1: To further the development of Hollywood as a major center of population, employment, retail services, and entertainment; and to perpetuate its image as the international center of the motion picture industry.

Objective 4: To promote economic well-being and public convenience through: a) allocating and distributing commercial lands for retail, service, and office facilities in quantities and patterns based on accepted planning principles and standards.

Policy: The focal point of the Community is the Hollywood Center located generally on both sides of Hollywood and Sunset Boulevards between La Brea and Gower Street... This center area shall function 1) as the commercial center for Hollywood and surrounding communities and 2) as an entertainment center for the entire region.

The new "D" Development Limitation with a 3:1 FAR, and a maximum of 6:1 FAR provided that the project is approved by the City Planning Commission, allows for the redevelopment of a large parcel of land within Hollywood Center with the proposed residential (a hotel) and commercial (a restaurant) uses and will result in a demand for local workers and local goods and services. The project also promotes economic well-being and public convenience by providing short-term, overnight accommodations within proximity to many of Hollywood's entertainment-based tourist attractions as well as the Metro Red Line with access to North Hollywood, Universal Studios, Downtown Los Angeles and beyond.

- c. The **Framework Element** for the General Plan (Framework Element) was adopted by the City of Los Angeles in December 1996 and re-adopted in August 2001. The Framework Element provides guidance regarding policy issues for the entire City of Los Angeles, including the project site. The Framework Element also sets forth a Citywide comprehensive long-range growth strategy and defines Citywide policies regarding such issues as land use, housing, urban form, neighborhood design, open space, economic

development, transportation, infrastructure, and public services. The Framework Element includes the following goals, objectives and policies relevant to the instant request:

Goal 3A: A physically balanced distribution of land uses that contributes towards and facilitates the City's long-term fiscal and economic viability, revitalization of economically depressed areas, conservation of existing residential neighborhoods, equitable distribution of public resources, conservation of natural resources, provision of adequate infrastructure and public services, reduction of traffic congestion and improvement of air quality, enhancement of recreation and open space opportunities, assurance of environmental justice and a healthful living environment, and achievement of the vision for a more liveable city.

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

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

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

Policy 3.2.1: Provide a pattern of development consisting of distinct districts, centers, boulevards, and neighborhoods that are differentiated by their functional role, scale, and character. This shall be accomplished by considering factors such as the existing concentrations of use, community-oriented activity centers that currently or potentially service adjacent neighborhoods, and existing or potential public transit corridors and stations.

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

Policy 3.4.1: 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.

The project will contribute toward and facilitate the City's long-term fiscal and economic viability by adding 200 short-term, overnight hotel rooms within Hollywood's commercial and entertainment core for visitors and tourists. The project's proximity to the Metro Red Line, the Metro Rapid 704 Line and other transit connections will reduce vehicular trips to and from the project, vehicle miles traveled, and improve air pollution; and its location within an existing, high-intensity commercial district and on an Avenue III (Secondary Highway) will enable the city to conserve nearby existing stable residential neighborhoods and lower-intensity commercial districts. Such attributes support the

increase in allowable Floor Area Ratio from 2:1 FAR to 3:1 FAR and with a maximum of 6:1 FAR provided that the project is approved by the City Planning Commission.

Goal 3F: Mixed-use centers that provide jobs, entertainment, culture, and serve the region.

Objective 3.10: Reinforce existing and encourage the development of new regional centers that accommodate a broad range of uses that serve, provide job opportunities, and are accessible to the region, are compatible with adjacent land uses, and are developed to enhance urban lifestyles.

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

Policy 3.10.3: Promote the development of high-activity areas in appropriate locations that are designed to induce pedestrian activity, in accordance with Pedestrian-Oriented District Policies, and provide adequate transitions with adjacent residential uses at the edges of the centers.

The project is a hotel and restaurant project that will provide jobs within Hollywood's commercial and entertainment core for visitors and tourists. The project's design, including ground floor treatment will encourage pedestrian activity and its location, toward the southern boundary of the Hollywood Center, will provide an appropriate buffer between the more intense uses within the Hollywood Center and the residential neighborhood south of Sunset Boulevard.

Goal 5A: A liveable City for existing and future residents and one that is attractive to future investment. A City of interconnected, diverse neighborhoods that builds on the strengths of those neighborhoods and functions at both the neighborhood and citywide scales.

Objective 5.2: Encourage future development in centers and in nodes along corridors that are served by transit and are already functioning as centers for the surrounding neighborhoods, the community or the region.

Policy 5.2.2: Encourage the development of centers, districts, and selected corridor/boulevard nodes such that the land uses, scale, and built form allowed and/or encouraged within these areas allow them to function as centers and support transit use, both in daytime and nighttime. Additionally, develop these areas so that they are compatible with surrounding neighborhoods.

The project will support Hollywood's commercial and entertainment core for residents by providing additional dining opportunities, as well as enhance the urban environment, encouraging daytime and nighttime pedestrian activity within a highly active commercial district through pedestrian-friendly design. Furthermore, the project's proximity to the Metro Red Line, the Metro Rapid 704 Line and other transit connections enable it to function at both the local and region scale, and justify an increase in Floor Area Ratio

from 2:1 FAR to 3:1 FAR and with a maximum of 6:1 FAR provided that the project is approved by the City Planning Commission.

- d. The **Mobility Element** of the General Plan (Mobility Plan 2035) is not likely to be affected by the recommended action herein. Wilcox Avenue is a Modified Avenue III (Secondary Highway) in the Mobility Element of the General Plan and dedicated to a variable width of between 60 and 70 feet and improved with asphalt roadway and concrete curb, gutters and a sidewalk. The project will be required to provide a 5-foot dedication of land for the southern 50 feet of the property and necessary improvements to complete the right-of-way along its entire frontage with Wilcox Avenue. A condition to require the 5-foot dedication of land and necessary improvements to complete the right-of-way has been included in this approval. Additionally, a condition is recommended herein to require a 3-foot sidewalk easement to run with the land in order to achieve the 13-foot standard sidewalk from the Mobility Plan 2035.

Wilcox Avenue is not included in any of Mobility Plan 2035's "Enhanced" Networks (i.e. the Bicycle Enhanced Network, the Transit Enhanced Network, the Neighborhood Enhanced Network and the Vehicle Enhanced Network). Nevertheless, the project as designed and conditioned meets the following goals and objectives of Mobility Plan 2035:

Policy 2.3: Recognize walking as a component of every trip, and ensure high-quality pedestrian access in all site planning and public right-of-way modifications to provide a safe and comfortable walking environment.

Policy 2.10: Facilitate the provision of adequate on and off-street loading areas.

The project's design, including ground floor treatment will encourage daytime and nighttime pedestrian activity within a highly active commercial district through pedestrian-friendly design. Furthermore, the project is required to provide a 3-foot sidewalk easement to run with the land in order to achieve the 13-foot standard sidewalk required by the Mobility Plan 2035.

Policy 3.1: Recognize all modes of travel, including pedestrian, bicycle, transit, and vehicular modes - including goods movement - as integral components of the City's transportation system.

Policy 3.3: Promote equitable land use decisions that result in fewer vehicle trips by providing greater proximity and access to jobs, destinations, and other neighborhood services.

Policy 3.4: Provide all residents, workers and visitors with affordable, efficient, convenient, and attractive transit services.

Policy 3.5: Support "first-mile, last-mile solutions" such as multi-modal transportation services, organizations, and activities in the areas around transit stations and major bus stops (transit stops) to maximize multi-modal connectivity and access for transit riders.

Policy 3.8: Provide bicyclists with convenient, secure and well-maintained bicycle parking facilities.

The project's proximity to the Metro Red Line, the Metro Rapid 704 Line and other transit connections will reduce vehicular trips to and from the project, vehicle miles traveled,

and improve air pollution; and its ground floor treatment will encourage daytime and nighttime pedestrian activity within a highly active commercial district through pedestrian-friendly design.

In addition, the project will provide Code required bicycle parking supporting “first-mile, last-mile solutions”, enabling workers, hotel guests and patrons of the restaurants’ improved access to the project.

Policy 5.4: Continue to encourage the adoption of low and zero emission fuel sources, new mobility technologies, and supporting infrastructure.

As conditioned, a minimum of twenty percent of the parking spaces will be installed with electronic vehicle-ready conduits.

Lastly, the Department of Transportation submitted a Traffic Impact Assessment of the proposed project dated May 9, 2014 that determined the impact of the trips generated from the project will be less than significant.

- e. The **Sewerage Facilities Element** of the General Plan will not be affected by the recommended action. While the sewer system might be able to accommodate the total flows for the proposed project, further detailed gauging and evaluation may be needed as part of the permit process to identify a specific sewer connection point. If the public sewer has insufficient capacity then the developer will be required to build sewer lines to a point in the sewer system with sufficient capacity. A final approval for sewer capacity and connection permit will be made at that time. Ultimately, this sewage flow will be conveyed to the Hyperion Treatment Plant, which has sufficient capacity for the project.

Entitlement Findings

2. **Pursuant to Section 12.32-C of the Municipal Code, the zone change is in conformance with the public necessity, convenience, general welfare and good zoning practice.**
 - a. Public Necessity: In 2013, the Chief Legislative Analyst reported (Council File No. 13-0991) that Hollywood was one of several areas in the City with high demand for hotel rooms, stating that it had approximately 3,000 hotel rooms and that between 2009 and 2014, there was a projected growth in the occupancy rate of over 10% (from 70.1% in 2009 to a projected occupancy rate of 82.9% in 2014). Granting the Zone and Height District Change to the (T)(Q)C4-2D Zone with a 3:1 FAR, and a maximum of 6:1 FAR provided that the project is approved by the City Planning Commission, would allow the construction of a 200-room hotel on an under-utilized site, increasing the number of hotels room in Hollywood.
 - b. Convenience: Hollywood is one of the City’s largest tourist attractions where hundreds of thousands of people from around the world visit throughout the year. Hollywood is also one of the most transit-rich areas within the City, serviced by the Los Angeles County Metropolitan Transportation Authority bus system, the Metro Rail Red Line and the City of Los Angeles Department of Transportation DASH service. Two Metro Red Line Rail stations, at Hollywood Boulevard and Highland Avenue and at Hollywood Boulevard and Vine Street, and local and regional bus lines along Sunset Boulevard, Hollywood Boulevard, Vine Street and Highland Avenue are all approximately one half mile from the project site. Granting the Zone and Height District Change to the (T)(Q)C4-2D Zone would allow the employees and patrons of the hotel and restaurant access and convenience to a variety of modes of transportation.

- c. General Welfare: Granting the Zone and Height District Change to the (T)(Q)C4-2D Zone with a 3:1 FAR, and a maximum of 6:1 FAR provided that the project is approved by the City Planning Commission, would allow the redevelopment of an under-utilized site within a Regional Center. The Framework Element defines Regional Centers as areas intended to “provide a significant number of jobs and many non-work destinations” and therefore require access to bus and rail transit and good quality street, area, and pedestrian lighting... to generating feelings of safety, comfort, and well being necessary for ensuring public nighttime use of transit facilities.” The proposed 200-room hotel and restaurant will provide a significant number of jobs within approximately one half mile of a variety of modes of public transit. The project will also include a ground floor restaurant with approximately 1,100 square feet open to the sidewalk which would improve pedestrian safety, comfort, and well-being along the street during evening hours.
- d. Good Zoning Practices: Granting the Zone and Height District Change to the (T)(Q)C4-2D Zone with a 3:1 FAR, and a maximum of 6:1 provided that the project is approved by the City Planning Commission, would allow the redevelopment of an under-utilized site within a Regional Center. Regional Centers are intended to contain a diversity of uses such as corporate and professional offices, retail commercial malls, government buildings, major health facilities, major entertainment and cultural facilities and supporting service and the development of sites and structures integrating housing with commercial uses is encouraged. The proposed 200-room hotel will provide short-term, overnight accommodations for visitors and tourists to the entertainment and cultural facilities in the Hollywood area and the proposed restaurant will further support workers, residents and visitors to the Hollywood area with additional dining options.

Zoning Administrator’s Adjustment Findings

3. **While site characteristics or existing improvements make strict adherence to the zoning regulations impractical or infeasible, the project nonetheless conforms with the intent of those regulations.**

The applicant is requesting relief from Section 12.11-C,2 of the Municipal Code to allow zero-foot side yards for the second floor level in lieu of the required 14 feet. The project is a mixed-use building. In order to maintain the street wall and compatibility with the abutting Hollywood Citizen News (HCN) building, a historic resource for the purposes of CEQA, the applicant decided to extend the second floor level to the adjoining northerly property line. While maintaining the street wall and compatibility with the historic resource is desirable, the second floor level of the hotel is considered a residential use and therefore requires residential side yards consistent with the C4 Zone (and by default the R4 Zone). The side yard requirement is intended to provide light and air as well as privacy between adjacent buildings. There is no development proposed for the HCN building, nor would it be anticipated that any new development would occur on that property given its historic status. Above the second floor level the proposed hotel would comply with the required 14-foot setback.

With that, in an effort to maintain an aesthetic, architectural balance across the front façade of the building, the applicant has also extended the second floor level to the adjoining southerly property line. Therefore, while providing zero side yard setbacks at along the northern and southern property lines for the second floor level, the project nonetheless conforms to the intent of the side yard regulations that provide suitable guarantees for light and air for the hotel rooms and adjacent properties.

4. **In light of the project as a whole including any mitigation measures imposed, the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.**

The subject property abuts the Hollywood Citizen News (HCN) building at 1545 Wilcox Avenue which is considered a historical resource for the purposes of CEQA. In an effort to respect the scale and massing of the HCN, the proposed hotel building's second floor height and setbacks are designed to maintain the existing street wall established by the HCN (and shared by other buildings along Wilcox Avenue) and thus present a more visually consistent street wall.

Furthermore, above the second floor, and with respect to all other development standards, the proposed project conforms to the requirements of the Municipal Code. In addition, A Mitigated Negative Declaration (ENV-2014-3707-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 there is no substantial evidence that the proposed project will have a significant effect on the environment.

Therefore, the project as a whole as designed, including any mitigation measures imposed will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.

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

There are eleven elements of the General Plan. Each of these Elements establishes policies that provide for the regulatory environment in managing the City and for addressing environmental concerns and problems. The majority of the policies derived from these Elements are in the form of Code Requirements of the Los Angeles Municipal Code. Except for those entitlements described herein, the project does not propose to deviate from any of the requirements of the Los Angeles Municipal Code.

The Land Use Element of the City's General Plan divides the City into 35 Community Plans. The Hollywood Community Plan designates the subject property as Regional Center Commercial with corresponding zones of C2, C4, RAS3, RAS4, P and PB. The Community Plan text is silent with regards to reductions in yard adjustment. In such cases, the City Planning Commission must interpret the intent of the Plan.

The proposed project addresses the following relevant land use objectives and policies of the Hollywood Community Plan:

Objective 1: To further the development of Hollywood as a major center of population, employment, retail services, and entertainment; and to perpetuate its image as the international center of the motion picture industry.

Objective 4: To promote economic well-being and public convenience through: a) allocating and distributing commercial lands for retail, service, and office facilities in quantities and patterns based on accepted planning principles and standards.

Policy: The focal point of the Community is the Hollywood Center located generally on both sides of Hollywood and Sunset Boulevards between La Brea and Gower

Street... This center area shall function 1) as the commercial center for Hollywood and surrounding communities and 2) as an entertainment center for the entire region.

The project allows for the redevelopment of a large parcel of land within Hollywood Center with residential and commercial uses while at the same time as maintaining the existing street wall.

Furthermore, there is no development proposed for the HCN building, nor would it be anticipated that any new development would occur on that property given its historic status and above the second floor level the proposed hotel would comply with the required 14-foot setback.

The project is not located within any Specific Plan.

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

Site Plan Review

6. The project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and does not conflict with any applicable regulations, standards, and any applicable specific plan.

a. **General Plan Land Use Designation.** The subject property is located within the area Hollywood Community Plan, adopted by the City Council on December 13, 1988. The plan map designates the subject property as Regional Center Commercial with corresponding zones of C2, C4, RAS3, RAS4, P and PB. The proposed Site Plan Review approval with a 5.4:1 FAR is consistent with the current Regional Center Commercial land use designation. The Framework Element characterizes Regional Center as including FARs of up to 6:1. Therefore, the project is in substantial conformance with the purposes, intent and provisions of the General Plan as reflected in the adopted Community Plan.

b. **Land Use Element.**

Hollywood Community Plan. The Community Plan text includes the following relevant land use objectives and policies:

Objective 1: To further the development of Hollywood as a major center of population, employment, retail services, and entertainment; and to perpetuate its image as the international center of the motion picture industry.

Objective 4: To promote economic well-being and public convenience through: a) allocating and distributing commercial lands for retail, service, and office facilities in quantities and patterns based on accepted planning principles and standards.

Policy: The focal point of the Community is the Hollywood Center located generally on both sides of Hollywood and Sunset Boulevards between La Brea and Gower Street... This center area shall function 1) as the commercial center for Hollywood and surrounding communities and 2) as an entertainment center for the entire region.

The project, at an FAR of 5.4:1, allows for the redevelopment of a large parcel of land within Hollywood Center with residential (a hotel) and commercial (a restaurant) uses

and will result in a demand for local workers and local goods and services. The project also promotes economic well-being and public convenience by providing short-term, overnight accommodations within proximity to many of Hollywood's entertainment-based tourist attractions as well as the Metro Red Line with access to North Hollywood, Universal Studios, Downtown Los Angeles and beyond.

- c. The **Framework Element** for the General Plan (Framework Element) was adopted by the City of Los Angeles in December 1996 and re-adopted in August 2001. The Framework Element provides guidance regarding policy issues for the entire City of Los Angeles, including the project site. The Framework Element also sets forth a Citywide comprehensive long-range growth strategy and defines Citywide policies regarding such issues as land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services. The Framework Element includes the following goals, objectives and policies relevant to the instant request:

Goal 3A: A physically balanced distribution of land uses that contributes towards and facilitates the City's long-term fiscal and economic viability, revitalization of economically depressed areas, conservation of existing residential neighborhoods, equitable distribution of public resources, conservation of natural resources, provision of adequate infrastructure and public services, reduction of traffic congestion and improvement of air quality, enhancement of recreation and open space opportunities, assurance of environmental justice and a healthful living environment, and achievement of the vision for a more liveable city.

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

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

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

Policy 3.2.1: Provide a pattern of development consisting of distinct districts, centers, boulevards, and neighborhoods that are differentiated by their functional role, scale, and character. This shall be accomplished by considering factors such as the existing concentrations of use, community-oriented activity centers that currently or potentially service adjacent neighborhoods, and existing or potential public transit corridors and stations.

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

Policy 3.4.1: 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.

The project will contribute toward and facilitate the City's long-term fiscal and economic viability by adding 200 short-term, overnight hotel rooms within Hollywood's commercial and entertainment core for visitors and tourists. The project's proximity to the Metro Red Line, the Metro Rapid 704 Line and other transit connections will reduce vehicular trips to and from the project, vehicle miles traveled, and improve air pollution; and its location within an existing, high-intensity commercial district and on an Avenue III (Secondary Highway) will enable the city to conserve nearby existing stable residential neighborhoods and lower-intensity commercial districts. Such attributes support an FAR to 5.4:1.

Goal 3F: Mixed-use centers that provide jobs, entertainment, culture, and serve the region.

Objective 3.10: Reinforce existing and encourage the development of new regional centers that accommodate a broad range of uses that serve, provide job opportunities, and are accessible to the region, are compatible with adjacent land uses, and are developed to enhance urban lifestyles.

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

Policy 3.10.3: Promote the development of high-activity areas in appropriate locations that are designed to induce pedestrian activity, in accordance with Pedestrian-Oriented District Policies, and provide adequate transitions with adjacent residential uses at the edges of the centers.

The project is a hotel and restaurant project that will provide jobs within Hollywood's commercial and entertainment core for visitors and tourists. The project's design, including ground floor treatment will encourage pedestrian activity and its location, toward the southern boundary of the Hollywood Center, will provide an appropriate buffer between the more intense uses within the Hollywood Center and the residential neighborhood south of Sunset Boulevard.

Goal 5A: A liveable City for existing and future residents and one that is attractive to future investment. A City of interconnected, diverse neighborhoods that builds on the strengths of those neighborhoods and functions at both the neighborhood and citywide scales.

Objective 5.2: Encourage future development in centers and in nodes along corridors that are served by transit and are already functioning as centers for the surrounding neighborhoods, the community or the region.

Policy 5.2.2: Encourage the development of centers, districts, and selected corridor/boulevard nodes such that the land uses, scale, and built form allowed and/or encouraged within these areas allow them to function as

centers and support transit use, both in daytime and nighttime. Additionally, develop these areas so that they are compatible with surrounding neighborhoods.

The project will support Hollywood's commercial and entertainment core for residents by providing additional dining opportunities, as well as enhance the urban environment, encouraging daytime and nighttime pedestrian activity within a highly active commercial district through pedestrian-friendly design. Furthermore, the project's proximity to the Metro Red Line, the Metro Rapid 704 Line and other transit connections enable it to function at both the local and region scale, and justify a Floor Area Ratio of 5.4:1.

- d. The **Mobility Element** of the General Plan (Mobility Plan 2035) is not likely to be affected by the recommended action herein. Wilcox Avenue is a Modified Avenue III (Secondary Highway) in the Mobility Element of the General Plan and dedicated to a variable width of between 60 and 70 feet and improved with asphalt roadway and concrete curb, gutters and a sidewalk. The project will be required to provide a 5-foot dedication of land for the southern 50 feet of the property and necessary improvements to complete the right-of-way along its entire frontage with Wilcox Avenue. A condition to require the 5-foot dedication of land and necessary improvements to complete the right-of-way has been included in this approval. Additionally, a condition is recommended herein to require a 3-foot sidewalk easement to run with the land in order to achieve the 13-foot standard sidewalk from the Mobility Plan 2035.

Wilcox Avenue is not included in any of Mobility Plan 2035's "Enhanced" Networks (i.e. the Bicycle Enhanced Network, the Transit Enhanced Network, the Neighborhood Enhanced Network and the Vehicle Enhanced Network). Nevertheless, the project as designed and as conditioned meets the following goals and objectives of Mobility Plan 2035:

Policy 2.3: Recognize walking as a component of every trip, and ensure high-quality pedestrian access in all site planning and public right-of-way modifications to provide a safe and comfortable walking environment.

Policy 2.10: Facilitate the provision of adequate on and off-street loading areas.

The project's design, including ground floor treatment will encourage daytime and nighttime pedestrian activity within a highly active commercial district through pedestrian-friendly design. Furthermore, the project is required to provide a 3-foot sidewalk easement to run with the land in order to achieve the 13-foot standard sidewalk from the Mobility Plan 2035.

Policy 3.1: Recognize all modes of travel, including pedestrian, bicycle, transit, and vehicular modes - including goods movement - as integral components of the City's transportation system.

Policy 3.3: Promote equitable land use decisions that result in fewer vehicle trips by providing greater proximity and access to jobs, destinations, and other neighborhood services.

Policy 3.4: Provide all residents, workers and visitors with affordable, efficient, convenient, and attractive transit services.

Policy 3.5: Support "first-mile, last-mile solutions" such as multi-modal transportation services, organizations, and activities in the areas around transit stations and major

bus stops (transit stops) to maximize multi-modal connectivity and access for transit riders.

Policy 3.8: Provide bicyclists with convenient, secure and well-maintained bicycle parking facilities.

The project's proximity to the Metro Red Line, the Metro Rapid 704 and other transit connections will reduce vehicular trips to and from the project, vehicle miles traveled, and improve air pollution; and its ground floor treatment will encourage daytime and nighttime pedestrian activity within a highly active commercial district through pedestrian-friendly design.

In addition, the project will provide Code required bicycle parking supporting "first-mile, last-mile solutions", enabling workers, hotel guests and patrons of the restaurants' improved access to the project.

Policy 5.4: Continue to encourage the adoption of low and zero emission fuel sources, new mobility technologies, and supporting infrastructure.

As conditioned, a minimum of twenty percent of the parking spaces will be installed with electronic vehicle-ready conduits.

The project is not located within any Specific Plan.

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

- 7. 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 are or will be compatible with existing and future development on adjacent properties and neighboring properties.**

The subject property is flat, interior lot, approximately 20,682 square feet (0.47 acre) in size. The existing project site is currently developed with a 14,208-square-foot warehouse and an associated paved surface parking lot. The property is currently zoned C4-2D.

The project site is located in a developed urban area that includes a mix of residential, commercial, office and parking uses. Directly abutting the property to the north is the Citizen News Building, a converted printing plant building to a recording studio and a historic resource for the purposes of CEQA. Directly to the east, across Wilcox Avenue, is Hornburg Jaguar and Land Rover, an auto repair facility. Directly to the south is two-story apartment building. Directly to the west is two-story office building, a historic resource for the purposes of CEQA a one-story, multi-family dwelling and a surface parking lot.

Within the general vicinity, to the east is an existing three-story hotel and to the north is an existing five-story hotel. To the south, including across Sunset Boulevard, is a nine- and twelve-story office building. To the south and west are two-story multi-family buildings and to the northwest is a four-story multi-family building. Also, currently under construction is a 10-story hotel located at 6417 Selma Avenue (approximately 375 feet to the northeast of the subject property).

The applicant, in response to community input, reduced and modified the project to the current version to include 200 hotel guest rooms with a ground floor lobby and

restaurant/bar, a second floor terrace accessible to guests only, a rooftop deck, pool, fitness center and penthouse restaurant, 28 bicycle parking spaces, and four levels of underground parking with 144 parking spaces for a total of 112,557 square feet (or a 5.4:1 FAR). The maximum building height is 118-foot, 10-inch feet to the top of the penthouse and 11 stories including the penthouse. Lastly, the project only requires a reduced side yard setback for a portion of the second floor and no longer requires any reduction from the required 20-foot rear yard setback.

As originally proposed, the project included 220 hotel guest rooms, a ground floor lobby and restaurant, meeting rooms, a pool and fitness center, a penthouse lounge and a roof deck, and three levels of underground parking with 125 parking spaces for a total of 124,092 square feet (or a 6:1 Floor Area Ratio (FAR)). The maximum building height was 162 feet, 6 inches to the top of the penthouse and 12 stories including the penthouse. As originally designed, the project required ten-foot, one-inch (10'-1") side yard setbacks in lieu of the required 15 feet and a five-foot, one-inch (5'-1") rear yard setback in lieu of the required 20 feet.

The proposed 112,557 square-foot (5.4:1 FAR), 11-story, 118-foot, 10-inch tall hotel, on an approximately 20,682 lot is compatible with the existing and future surrounding developments. The table below includes a list of existing or under construction developments within approximately 1,000 feet of the subject property.

Address	Floor Area	Lot Size	FAR	Height
<i>Proposed Project</i>	109,470	20,682	5.3	11
6500 Selma Avenue ^{1,2}	31,865	6,864	4.6	5
6525 Sunset Boulevard	77,460	32,539	2.4	7
6415-6419 Selma Avenue ^{1,2}	79,409	13,923	5.7	10
6464 Sunset Boulevard	100,772	18,226	5.5	11
6430 Sunset Boulevard	204,920	21,963	9.3	15

¹ Under construction (or renovation/remodel)

² Hotel

Accordingly, the height and FAR of the proposed project is consistent with several existing developments within the surrounding area.

The subject site and surrounding properties which front onto Wilcox Avenue are located within the C4-2D Zone. The Zone and Height District classification has no restriction on the maximum allowable height and permits a maximum FAR of 2:1 and 3:1 (on the west and east side of Wilcox Avenue, respectively), with the ability to get up to 6:1 FAR through CRA and City Planning Commission approval. The proposed project, with CRA and City Planning Commission approval, will be consistent with both the maximum allowable height and FAR for the subject property and neighboring properties.

The project has been limited to a maximum height of 110 feet with the exception that a 3,500 square-foot portion of the rooftop which is proposed for restaurant use and hotel amenities may reach a maximum height of not more than 120 feet. In addition, the project no longer requires relief from the required side and rear yard setbacks and will therefore be compatible with future development on adjacent properties and neighboring properties. The project's environmental review ¹ found that it will have no shading impact on adjacent properties.

The hotel and restaurant will provide 144 vehicle parking spaces within a four-level subterranean garage, 28 bicycle parking spaces (14 short-term and 14 long-term) and will comply with all vehicle and bike parking requirements of the Municipal Code.

All lighting has been conditioned to be downward-facing and all trash collection and storage areas to not be visible from the public right-of-way. All landscaping has been designed and conditioned to be integrated with the building and suitable to the functions of the various outdoor spaces.

Given the shallow configuration of the lot (less than 140 feet depth), the project seeks to provide the pick-up/drop-off and valet area within the public right-of-way. While typically use of the public right-of-way is discouraged, the project has been conditioned to enhance the experience for patrons and guests of the hotel/restaurant and pedestrians who are passing by. Specifically, the project is required to obtain a Valet Permit for the Los Angeles Police Department to allow the pick-up/drop-off area and valet service to be located within the public right-of-way.

Therefore, based on the proposed design of the project and the conditions imposed herein, the project will be compatible with existing and future development on adjacent properties and neighboring properties.

8. That any residential project provides recreational and service amenities to improve habitability for its residents and minimize impacts on neighboring properties.

The proposed 200-room hotel includes 113 Standard King rooms, 54 Standard Queen rooms, 31 Suites and 2 Presidential Suites, each with a full bathroom. In addition, the hotel provides a 1,104 square-foot hotel lobby bar (open to the public), a 3,298 square-foot restaurant (open to the public), a 2,924 square-foot kitchen and a 1,085 square-foot outdoor eating area (open to the public); a second floor comprised of guest rooms, 3,667 square feet of meeting rooms and terraces accessible to hotel guests only; a 4,903 square-foot pool deck on the roof of the 10th floor (open to the public); and a 1,206 square-foot penthouse restaurant (open to the public), for a total of approximately 18,000 square feet of space for dining and hotel guest amenities. Some of the suites on the 3rd to 9th floors have private terraces. Although a Hotel is defined as a residential building per the L.A.M.C. Section 12.03, only residential project containing dwelling units are required to provide open space pursuant to L.A.M.C. Section 12.21-G.

The proposed project provides landscaping at the ground floor, second floor terraces and rooftop deck. Additionally, as the project now conforms to the required rear yard setback and the side yard setbacks above the second floor, impacts on neighboring properties as a result of use of the hotel's second-floor terrace and rooftop deck will be minimized.

Therefore, as conditioned, the project provides recreational and service amenities to improve habitability for its residents and minimize impacts on neighboring properties.

Environmental Findings

9. **Environmental Finding.** A Mitigated Negative Declaration (ENV-2014-3707-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 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.

10. **Flood Insurance.** The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Flood Zone X, areas determined to be outside the 0.2% annual chance floodplain. Currently, there are no flood zone compliance requirements for construction in these zones.

PUBLIC HEARING AND COMMUNICATIONS

A public hearing was conducted on March 18, 2015, at 2:00 p.m., at City Hall in Downtown, Los Angeles

1. Attendees

The hearing was attended by approximately 40 people, including the applicant, the applicant's representatives, members from the public and the Planning Deputy for Council District 13.

An informal poll was taken of the audience members and found 9 in support, 28 in opposition and 2 neutral. A petition with 34 signatures was submitted in opposition to the project.

2. Testimony - Oral

- a. Michael Gonzales, the applicant's representative, presented the project as it was originally proposed which was a 220-room hotel with a 5-foot rear setback, 10-foot side yard setbacks and a rooftop (open-air) event space. In response to community input the project was revised to provide the code-required setback for the rear yard and partial code-required setback for the northerly side yard.

The revised project resulted in a room count of 202 rooms with the restaurant and parking remaining the same as was originally proposed. The project no longer seeks live entertainment or dancing or outdoor dining above the ground floor.

The project requires a Vesting Height District Change to allow a 6:1 FAR, slight adjustments for the required side yards and Site Plan Review. The project meets the vehicle and bike parking requirements of the Code. The height of the building is approximately 160 feet and 13 stories.

The applicant may at a future date request a Conditional Use Permit for the sale of alcohol for the restaurant and guest rooms.

- b. 4 members of the public spoke in support of the project for the following reasons:

- The project will provide night-life and additional safety and security.
- The project is necessary to help Hollywood continue its growth and development.
- FAR and height is consistent with surrounding buildings such as 6464 Sunset Boulevard and 6425 Sunset Boulevard.
- The project will provide an economic boost for this part of Hollywood.
- The applicant has addressed the community's concerns by removing the requested rear yard setbacks and eliminating the rooftop activities.

- c. 17 members of the public spoke in opposition of the project for the following reasons:

- The property will be over-built.
- The project will not aesthetically fit in with the surrounding neighborhood.
- A 200-room hotel is not a boutique hotel.
- The height of the building will contribute to noise migration.
- The density is too great.
- The MND doesn't acknowledge all related projects.

- The Central Hollywood Neighborhood Council voted to oppose the project.
 - The streets in Hollywood cannot accommodate the additional growth.
 - The development needs to be in-scale, serviced by existing infrastructure and serve the community, not outside visitors.
 - The rooftop noise is a problem for Hollywood.
 - The project is ill-defined as areas within the hotel are not described.
 - The project should be conditioned and mitigated in consideration of the potential future entitlement requests (i.e. Conditional Uses for Beverage and Dancing, and Zone Variance for above ground floor dining).
 - The project does not provide adequate parking.
 - The residential uses surrounding the project will be impacted.
 - Wilcox Avenue cannot handle the increased traffic.
 - The development will not benefit the entertainment industry.
 - There is only one high-rise building within 500 feet and built during a different era.
 - Wilcox Avenue has only one lane of travel in each direction and cannot accommodate the increase traffic demand.
 - It is unclear if there is really a demand for new hotel rooms.
 - The project will result in too much noise.
 - There should be no rooftop use.
 - The project will eliminate a small business.
 - The project is too tall.
 - The rooftop nightclub deviates from the quality of Hollywood.
 - The project does not comply with Hollywood Redevelopment Plan.
 - The MND does not adequately acknowledge the land use impact.
 - No community benefits package.
 - An FAR of 6:1 is too big for this area.
 - An EIR is required due to incompatibility with Land Use Planning.
 - Throughout the Community Plan Update, the city said it would retain the urban character west of Cahuenga Boulevard.
 - 6:1 FAR would be appropriate for Vine Street and east of Vine Street.
 - The Community Plan Update limited the FAR to 3:1 and a height of 75 feet to maintain compatibility with scale of historic resources.
 - The project would be a spot zoning.
 - The environmental project description needs to be revised.
 - The good zoning practice finding cannot be made for the Height District.
 - The compatibility finding for a Site Plan Review cannot be made.
 - Request recirculation of environmental once new project is defined.
- d. Gary Benjamin, Planning Deputy for Council District 13, stated the project will improve an under-developed lot and create jobs, and was encouraged by the changes made by the applicant in response to the community. Nevertheless, the Council Office requested additional time for review of the revised project, including addressing rooftop noise issues and the CRA.
- e. In follow up testimony, Michael Gonzales, stated that the MND adequately analyzed project-related impacts, including those related to traffic, noise, shade/shadow and land use.

3. Testimony - Written

- a. On March 12, 2015, the David Carrera, submitted a letter stating opposition to the project based on noise related impacts resulting from the rooftop dancing and restaurant/bar.
- b. On March 17, 2015, the Mark Torres, a sound engineer for a music venue in downtown wrote an email stating a rooftop venue for live events would create a noise problem for the neighborhood.
- c. On March 17, 2015, the Hollywood Network Coalition submitted a letter stating support for the project, including the revisions to the side and rear yards, enclosed rooftop similar to SoHo House, no live entertainment and no dancing.
- d. On March 17 and March 18, 2015, Hollywood Heritage submitted letters stating opposition for the project based on inconsistency with the requirements of the Hollywood Redevelopment Plan. Also, the MND failed to disclose the requirements of the CRA.
- e. On March 19, 2015, Acentech, an acoustics, audiovisual, and vibration consulting firm, submitted a letter, stating that the MND did not adequately analyze or mitigation the potential noise impacts for the construction and rooftop dancing and restaurant uses.
- f. On March 29, 2015, Allen Shamooilian, a neighborhood, wrote an email stating opposition to the project but recommended if approved that it include a traffic/parking/valet plan to ensure that the two ballrooms don't cause backed up traffic on Wilcox with strict penalties for non-compliance; a commitment to build LEED Platinum standards at least as it pertains to water conservation; ground floor uses that activate the street; the height capped at 75 feet; conformance with all setbacks; acknowledgment that it cannot object to future surrounding developments on the basis of impacts to its project. One of several potential examples: they build three times what is currently allowed and then hypocritically complain that views and light are obstructed when a neighboring project is proposed; and, noise mitigation both in the construction and operation of the premises.
- g. On April 17, 2015, Saeed Nourmand, a neighborhood, wrote an email stating opposition to the project based on incompatibility with the development of surrounding properties.