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January 12, 2016

Honorable Council Members  
Planning and Land Use Management Committee  
City of Los Angeles  
City Hall, Room 350  
Los Angeles, CA 90012

Date: 01/12/2016  
Submitted in PLUM Committee  
Council File No: 9  
Item No. 15-1441  
Deputy: Comm from Planning

Item No. 9 – CF 15-1441 (CPC-2013-521-DB-SPR; ENV-2013-522-EIR; VTT-72491-CN)  
1718-1722-1730 North Las Palmas, 1719-1719 ½ and 1727 ½ Cherokee

Appellant: Fran Offenhauser, Hollywood Heritage

On behalf of the Department of City Planning, including the City Planning Commission's approval on the aforementioned item, Planning staff respectfully requests that the PLUM Committee consider the following clarifications and responses to the issues raised by the appellant.

Appellant erroneously appealed Case No. VTT-72491-CN.

Vesting Tentative Tract Map No. 72491-CN was approved by the Advisory Agency on July 17, 2015 with a 10-day appeal period. Per LAMC Code Section 17.06, an appeal of the Advisory Agency's decision shall be filed within 10 days of the date of mailing of the written decision. The final date to file an appeal was July 27, 2015. No appeal was filed.

Appellant Point No. 1: Calculation of permissible units and density not accurate.

The appellant argues that the exception under LAMC Code Section 12.22-A,18 applies to uses and should not include density.

Staff Response: Code Section 12.22-A,18 permits developments which combine both residential and commercial uses, and which are located in a Regional Commercial or Regional Center land use designation and zoned CR, C1, C1.5, C2, C4 or C5 Zone, any use in the R5 Zone. The R5 Zone, per LAMC Section 12.12, permits multiple dwellings with a minimum lot area of 200 square feet per dwelling unit. The project's parcels 1, 2, and 4 are zoned C4-2D-SN and have a Regional Center Commercial land use designation in the Hollywood Community Plan.

While the appellant argues that the code section applies to uses, not densities, the R5 Zone is a "Multiple Dwelling Zone", which clearly specifies the allowable density for multiple dwellings. It is inaccurate for the appellant to suggest that a residential use is permissible yet not acknowledge the applicable development requirements that correspond to that use, such as area and yard requirements. The code is explicit in the application of this

exception, providing the project with a total allowable density of 195 dwelling units for parcels 1, 2, and 4 (zoned C4-2D-SN) and 26 dwelling units for parcel 3 (zoned [Q]R5-2). For a total allowable base density of 221 dwelling units (before the application of Density Bonus).

Appellant Point No. 2: Findings inaccurate – Not consistent with adopted Redevelopment Plan.

The appellant asserts that the “Case findings state that the project is consistent with the Redevelopment Plan, citing ‘a mechanism was established whereby the land use designations of the Hollywood Redevelopment Plan would automatically conform to any future changes in the Hollywood Community Plan.’ In fact, there have been no changes in the Hollywood Community Plan (other than an amendment not affecting this property).” Appellant believes that since the Redevelopment Plan has a maximum of 80 du/acre or 114 du after the SB 1818 density bonus, that the project is not consistent with the Redevelopment plan.

Staff Response: As stated in the Draft EIR, while the proposed density on Parcel 3 would exceed the maximum density allowed on that parcel under the Redevelopment Plan, Section 502 of the Redevelopment Plan provides that “the land uses permitted in the [Redevelopment] Project Area shall be those permitted by the General Plan, the applicable Community Plan, and any **applicable City zoning ordinance**, all as they now exist or are hereafter amended and/or supplemented from time to time.” In this case, the applicable city zoning ordinance is LAMC 12.22-A,18.

Appellant Point No. 3: Findings inaccurate: Not consistent with adopted Redevelopment Plan

The appellant argues that the Planning Department is not in a position to make CRA findings without consulting the CRA without first consulting with the CRA and without the enforcement of a DDA.

Staff Response: Pursuant to a Memorandum dated June 21, 2012, the Governing Board of the CRA/LA, a Designated Local Authority for the CRA, adopted a resolution that “for the purposes of the DRA/LA Review of City development applications, the land use designation on the Redevelopment Plan Map defer to and are superseded by the underlying City of Los Angeles Community Plan and Zoning Ordinance designations” within the Hollywood Redevelopment Project Area, and Section 502 states that the City Community Plan and Zoning ordinance land use designations prevail over Redevelopment Plan map designations.

For projects exceeding a 4.5:1 FAR, applicants will need to effectuate an owner participation agreement with the CRA/LA. This project has a total FAR of 3.66:1 averaged across the site, thereby not necessitating an owner participation agreement.

Appellant Point No. 4: On-menu density increase appealed.

Appellant claims that the on-menu density increase is applied inaccurately since the height district 2D in 3 of the 4 lots restricts density by a calculation of 400 sf/du.

Staff Response: The appellant is incorrect in stating that the D-limitation restricts the density to a lot area of 400 square feet per dwelling unit. The D-limitation, in fact, restricts the parcels to a 2:1 FAR and a 45 foot height limit. Moreover, the C4 zone allows for a lot area of 400 square feet per dwelling unit and further, section 12.22-A,18 allows for a lot

area of 200 square feet per dwelling unit for projects that combine residential and commercial uses in the C4 zone, which was applied in this case.

Appellant Point No. 5: Lot coverage appealed.

Staff Response: The appellant did not provide points of contention or substantive statements as to why lot coverage has been appealed. However, the project is not subject to lot coverage requirements. Moreover, the project is subject to the yard and lot area regulations of the underlying zone.

Appellant Point No. 6: Findings inaccurate: Not consistent with Hollywood Community Plan:

The appellant states that project is not consistent with the Hollywood Community Plan because it contradicts the goal stated on page 1 "To encourage preservation and enhance of the varied and distinctive residential character of the Community".

Staff Response: The EIR did analyze the project's impacts on the residential character of the Community. The appellant refers to the reduced setbacks of the project and the design of the project breaking the historic patterning of the area. As demonstrated in the Draft EIR, however, all of the adjacent historic resources would retain their eligibility for listing in national, state, and local registers despite alteration of their surroundings by the proposed new development. Furthermore, the zero yard setbacks along the project's frontages is consistent with existing development in the area and is in conformance with the city's Walkability Checklist.

In addition, although the project would increase the density, scale, and height of development on the Project Site, these changes would not be out of character with the surrounding area, which is a highly urbanized neighborhood that is characterized by a varied mix of land uses at various scales of development. Generally, dense commercial development comprised of low- to high-rise structures is focused along the major arterials of Hollywood Boulevard and Highland Avenue, while lower density mixed-use areas interspersed with residential uses are located along the adjacent collector streets. The project's height and massing would be similar to the six-story Rubix Hollywood and Jefferson at Hollywood Luxury Apartments located on the same block (Las Palmas Boulevard) and a block away from the project site, respectively. As such, the project would serve as an appropriate visual transition between the commercial uses lining Hollywood Boulevard and the lower density residential areas to the north of the project site.

Appellant Point No. 7: Findings inaccurate: Not consistent with Franklin Avenue Design District of Hollywood Redevelopment Plan.

Appellant states that the Franklin Avenue Design District has not been finalized and therefore no findings of compliance can be made.

Staff Response: The appellant is correct in stating that these Urban Design Standards and Guidelines are currently in draft form and have not been formally adopted. As such, they are not applicable to the project and until finalized, cannot be enforced. Nevertheless, the Draft EIR did analyze the project's consistency with the draft Urban Design Standards and Guidelines in Section IV.A.1, Aesthetics/Visual Quality and Views. As concluded therein, the project would be consistent with the five goals that define "compatibility" and which form the basis for the Urban Design Standards and Guidelines.

Appellant Point No. 8: Effect of large scale of project on historic resources.

The appellant is aggrieved by the decision because of its effect on nearby historic resources and concludes that the design has a potential adverse effect on surrounding historic buildings and districts due to its modern design, citing the project's exoskeleton, the 71 foot height, which

dwarfs the historic buildings and is above the 45 foot height limit, the building's massing with reduced rear and side yard setbacks and being a single structure, the neighboring historic building having view light and air blocked and the reduced setbacks violating historic setbacks.

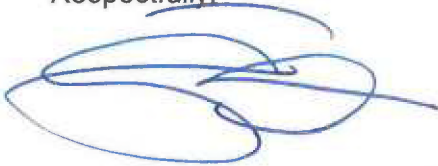
Staff Response:

The appellant is incorrect in her assertions for the following reasons.

- The Appellant states that the scale and design of the project would alter the immediate surroundings of adjacent historic resources in a manner that would adversely alter the characteristics that convey the historic significance of the adjacent historic resources. As demonstrated in the Draft EIR, however, all of the adjacent historic resources would retain their eligibility for listing in national, state, and local registers despite alteration of their surroundings by the proposed new development.
- The project incorporates design elements to protect the historic buildings along Hollywood Boulevard. Specifically, the Applicant proposes to construct the taller portions of the building in the northern parcels of the project site (Parcels 3 and 4) and the shorter portions in the southern parcels (Parcels 1 and 2), thereby using varied heights to create a gradual tiered effect to frame the low-rise historic district. Overall, the tallest portion of the project (Level 6) would be set back over 40 feet from the southern property line. Rather than block or obscure the low-rise historic buildings, the varied height, as well as the stepped back rooftop level would create horizontal and vertical articulation, providing visual interest, and reducing the building scale. The Project also includes a 7-foot setback along the southern property line (that will serve as a pedestrian paseo that provides a mid-block connection) to provide a visual separation between the project and the historic uses to the south. A 9 foot setback would be provided along the northern property line of the project adjacent to a historic resource that would also provide a visual separation between the project and the historic resource. Therefore, setbacks would be provided wherever the project site abuts an adjacent building (i.e., to the north and south). Although no setbacks are provided along the front of the project along Cherokee Avenue or Las Palmas boulevard, having a zero-foot front yard setback is consistent with the existing character along the area, including the adjacent structures to the south of the project along Las Palmas Avenue and Cherokee Boulevard. Providing no setbacks for the street frontage of a mixed-use development is also consistent with the city's Walkability Checklist.
- In terms of not having any setbacks along the front of the building, this design feature would be consistent and compatible with other development in the project vicinity, including the low-rise commercial uses adjacent to the project site to the south which front Las Palmas Avenue, the low-rise commercial uses fronting Hollywood Boulevard, the low-rise commercial uses just south of the parking lot that abuts the southern boundary of Parcel 2, which face Cherokee Avenue, and Rubix Hollywood directly west of the project site. Building to the lot line is a design strategy promoted by numerous City planning documents, including the Walkability Checklist and the Citywide Design Guidelines, as a method of enhancing walkability in an area. Therefore, the Draft EIR appropriately concluded that the proposed setbacks would not result in adverse impacts to aesthetics/visual quality.
- The comment that the project "restricts light and air" is unclear. To the extent that this comment suggests that the project would result in significant shading impacts on surrounding properties, such impacts are analyzed in Section IV.A.2, Aesthetics—Light, Glare, and Shading, of the Draft EIR. As analyzed therein, shadow-sensitive uses (which include the adjacent Cherokee Studios building) would not be

continuously shaded by the Project for more than three hours between the hours of 9:00 a.m. and 3:00 p.m. Pacific Standard Time (between early November and early March), or more than four hours between the hours of 9:00 a.m. and 5:00 p.m. Pacific Daylight Time (between early March and early November). As a result shading would be less than the City's thresholds of significant for shading impacts. Therefore, impacts related to shading would be less than significant. Furthermore, the project would in no way restrict any other property's access to air.

Respectfully,



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