

# PLANNING DEPARTMENT TRANSMITTAL TO THE CITY CLERK'S OFFICE

CITY PLANNING CASE:	ENVIRONMENTAL DOCUMENT:	COUNCIL DISTRICT:
CPC-2013-3262-ZC-HD-PUB-ZV-ZAA -SPR	ENV-2013-3263-MND	13 - O'Farrell
PROJECT ADDRESS:		
6000 West Santa Monica Boulevard		
APPLICANT/REPRESENTATIVE:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Hollywood Forever, Inc. 6000 W. Santa Monica Blvd. Los Angeles, CA 90038 Rep.: Donna Tripp, Craig Lawson	(310) 838-2400 x113	donna@craiglawson.com
<input type="checkbox"/> <b>New/Changed</b>		
APPELLANT/REPRESENTATIVE:	TELEPHONE NUMBER:	EMAIL ADDRESS:
N/A	N/A	N/A
PLANNER CONTACT INFORMATION:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Mindy Nguyen	(213) 978-1241	mindy.nguyen@lacity.org
APPROVED PROJECT DESCRIPTION:		
<p>The proposed project includes the construction of two (2) new mausoleums, a maintenance facility and yard, and a surface parking lot as part of an expansion to the Hollywood Forever Cemetery. The Crescent Mausoleum includes a one-story addition to an existing mausoleum located along the Van Ness Avenue frontage, and will accommodate approximately 832 crypt spaces with a maximum height of 18 feet 9 inches. The Gower Mausoleum includes the construction of a new five-story mausoleum located along an undeveloped portion of the Gower Street frontage, and will accommodate approximately 29,752 crypt spaces with a maximum height of 97 feet 6 inches. The two structures have a combined floor area of approximately 87,688 square feet. The surface parking lot will be developed adjacent to the Crescent Mausoleum, and contains 107 parking spaces. The development is proposed to be phased over a 10-15 year period.</p>		

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

1. **Adopted** the Mitigated Negative Declaration No. ENV-2013-3263-MND and the revised **Mitigation Monitoring Program** (MMP) as adequate environmental clearance.
2. **Approved** and **Recommended** the City Council to **Approve** a **Zone Change** and **Height District Change** from A1-1XL to (T)(Q)A1-2D.
3. **Approved Alternative Compliance for a Public Benefit Project** to permit the expansion of an existing Cemetery Use in the A1 Zone, with the following alternatives from the Performance Standards of Section 14.00 A.1 of the LAMC: a) to allow buildings on the site that are set back between 9 feet 6 inches to 210 feet from adjoining streets, R zoned properties and residential uses; b) to permit a front yard setback of 9 feet 6 inches; c) to permit a variable landscape buffer of 9 to 9 feet 6 inches along the Gower Street frontage; and d) to **Dismiss** as **Not Necessary** Alternative Compliance to permit 107 parking spaces.
4. **Approved a Zoning Administrator's Adjustment** to allow a 9-foot 6-inch front yard and 9-foot side yard setbacks in lieu of the otherwise required 25-foot front and side yard setbacks in the A1 Zone.
5. **Dismissed** as **Not Necessary** a **Zoning Variance** to allow 107 parking spaces in lieu of the otherwise required 148 parking spaces for the addition of 87,688 square feet to an existing Cemetery Use.
6. **Approved a Site Plan Review** to allow the addition of 87,688 square feet of gross non-residential floor area.
7. **Adopted** the revised Findings.
8. **Modified Condition of Approval** Nos. 3 and 33, as attached.

**ENTITLEMENTS FOR CITY COUNCIL CONSIDERATION:**

**Zone Change** and **Height District Change** from A1-1XL to (T)(Q)A1-2D.

**FINAL ENTITLEMENTS NOT ADVANCING:**

**Alternative Compliance for a Public Benefit Project** to permit the expansion of an existing Cemetery Use in the A1 Zone, with alternatives from the Performance Standards of Section 14.00 A.1 of the LAMC; **Zoning Administrator's Adjustment** to allow a 9-foot 6-inch front yard and 9-foot side yard setbacks in the A1 Zone; **Site Plan Review** to allow the addition of 87,688 square feet of gross non-residential floor area.

**ITEMS APPEALED:**

N/A

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



**NOTES / INSTRUCTION(S):****FISCAL IMPACT STATEMENT:**☒ **Yes**☐ **No**

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

**PLANNING COMMISSION:**

- ☒ **City Planning Commission (CPC)**  
☐ **Cultural Heritage Commission (CHC)**  
☐ **Central Area Planning Commission**  
☐ **East LA Area Planning Commission**  
☐ **Harbor Area Planning Commission**

- ☐ **North Valley Area Planning Commission**  
☐ **South LA Area Planning Commission**  
☐ **South Valley Area Planning Commission**  
☐ **West LA Area Planning Commission**

**PLANNING COMMISSION HEARING DATE:**

October 13, 2016

**COMMISSION VOTE:**

6 - 0

**LAST DAY TO APPEAL:**

December 7, 2016

**APPEALED:**

no

**TRANSMITTED BY:**

James K. Williams

**TRANSMITTAL DATE:**

January 5, 2017



# LOS ANGELES CITY PLANNING COMMISSION

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

## LETTER OF DETERMINATION

**Mailing Date:** NOV 14 2016

**CASE NO.:** CPC-2013-3262-ZC-HD-PUB-  
ZV-ZAA-SPR

**CEQA:** ENV-2013-3263-MND

**Location:** 6000 West Santa Monica Boulevard

**Council District:** 13 – O'Farrell

**Plan Area:** Hollywood

**Requests:** Zone Change, Height District,  
Public Benefit Project, Zone Variance,  
Zoning Administrator's Adjustment, Site  
Plan Review

**Applicant:** Jon Pecoraro, Hollywood Forever Cemetery

Representative: Donna Tripp, Craig Lawson & Company, LLC

**At its meeting of October 13, 2016, the Los Angeles City Planning Commission took the following action:**

1. **Adopted** the Mitigated Negative Declaration No. ENV-2013-3263-MND and the revised Mitigation Monitoring Program (MMP) as the adequate environmental clearance.
2. **Approved** a Zone Change and Height District Change from A1-1XL to (T)(Q)A1-2D.
3. **Approved** Alternative Compliance for a Public Benefit Project to permit the expansion of an existing Cemetery Use in the A1 Zone, with the following alternatives from the Performance Standards of Section 14.00 A.1 of the LAMC:
  - a. Allow buildings on the site that are set back between 9-feet 6-inches to 210-feet from adjoining streets, R zoned properties and residential uses.
  - b. Permit a front yard setback of 9-feet 6-inches.
  - c. Permit a variable landscape buffer of 9-feet to 9-feet 6-inches along the Gower Street frontage.
  - d. To dismiss as Not Necessary Alternative Compliance to permit 107 parking spaces.
4. **Approved** a Zoning Administrator's Adjustment to allow a 9-foot 6-inch front yard and 9-foot side yard setbacks in lieu of the otherwise required 25-foot front and side yard setbacks in the A1 Zone.
5. **Dismissed** as Not Necessary a Zoning Variance to allow 107 parking spaces in lieu of the otherwise required 148 parking spaces for the addition of 87,688 square feet to an existing Cemetery Use.
6. **Approved** a Site Plan Review to allow the addition of 87,688 square feet of gross non-residential floor area.
7. **Adopted** the attached modified Conditions of Approval.
8. **Adopted** the attached amended Findings.

### RECOMMENDATION TO CITY COUNCIL:

1. **Recommend** that the City Council adopt the Mitigated Negative Declaration No. ENV-2013-3263-MND and the revised Mitigation Monitoring Program (MMP) as the adequate environmental clearance.
2. **Recommend** that the City Council adopt a Zone Change and Height District Change from A1-1XL to (T)(Q)A1-2D.
3. **Recommend** that the City Council adopt the attached Findings.

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

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

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

**Vote:** 6 - 0



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

**Effective Date/Appeals:** The Los Angeles City Planning Commission's decision is appealable to the Los Angeles City Council 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 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:** DEC 07 2016

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

Attachment: Ordinance, Map, Modified Conditions of Approval, amended Findings  
Senior City Planner: Blake Lamb  
Project Planner: Mindy Nguyen



## (Q) QUALIFIED CONDITIONS

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. **Site Development.** Except as modified herein, the project shall be in substantial conformance with the plans and materials stamped "Exhibit A", attached to the subject case file. No change to the plans will be made without prior review by the Department of City Planning, Central Project Planning Division, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Municipal Code, the subject conditions, or the intent of the subject permit authorization.
2. **Use.** The Project shall be limited to the construction of two (2) mausoleums to the existing Hollywood Forever Cemetery as follows:
  - a. The Crescent Mausoleum shall be comprised of a one-story, 350 square foot addition to an existing mausoleum located along the Van Ness Avenue frontage, and will accommodate approximately 832 crypt spaces, as shown in the attached Exhibit A.
  - b. The Gower Mausoleum shall be comprised of a new five-story, 87,338 square foot mausoleum located along the Gower Street frontage, and will accommodate approximately 29,752 crypt spaces, as shown in the attached Exhibit A.
  - c. The Maintenance Facility shall be comprised of one-story, 2,500 square foot building, and the Maintenance Yard shall be comprised of a 4,500 square foot paved area, both located to the north of the Crescent Mausoleum.
  - d. A surface parking lot shall be located to the west of the Crescent Mausoleum.

## CONDITIONS FOR EFFECTUATING (T) TENTATIVE CLASSIFICATION REMOVAL

Pursuant to Section 12.32 G of the Municipal Code, the (T) or [T] Tentative Classification shall be removed by the 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.

**Dedications and Improvements.** Prior to the issuance of any building permits, public improvements and dedications for streets and other rights-of-way adjoining the subject property shall be guaranteed to the satisfaction of the Bureau of Engineering, Department of Transportation, Fire Department (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 the 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 the project design required by a public agency shall be documented in writing and submitted for review by the Department of City Planning.

#### a. Dedication Required:

**Santa Monica Boulevard** (Modified Avenue I) – Accept the 12-foot and variable width future street easement along the property frontage (except for the 5.20-foot future street easement along the Cemetery Office) to complete a 52-foot half right-of-way in accordance with Modified Avenue I Street standards of Mobility Plan 2035 except at the location of existing cemetery office building to remain.

**Gower Street** (Modified Avenue III) – Accept 11 feet of the 20-foot future street easement along the proposed project frontage northerly of the alley southerly of Romaine Street to complete a 36-foot half right-of-way in accordance with Modified Avenue III Street standards of Mobility 2035, except where existing buildings are to remain.

**Van Ness Avenue** (Collector Street) – None at this time.

#### b. Improvements Required:

**Santa Monica Boulevard** – Construct additional surfacing to join the existing improvements to provide a 37-foot half roadway in accordance with Modified Avenue I Street standards, including asphalt pavement, integral concrete curb, 2-foot gutter and 15-foot and variable width concrete sidewalk. These improvements should suitably transition to join the existing improvements.



**Gower Street** – Construct new full width concrete sidewalk within the newly dedicated area along the proposed project frontage northerly of the alley southerly of Romaine Street, and repair any broken, off-grade or bad order concrete curb, gutter and sidewalk along the remaining project frontage of Gower Street.

**Van Ness Avenue** – Repair any broken, off-grade or bad order concrete curb, gutter and sidewalk. Closed all unused driveways with full height curb and gutter and concrete sidewalk.

c. Street Trees:

The Applicant shall install tree wells with root barriers, and plant 22 street trees along the Gower Street frontage and five (5) street trees along the Van Ness Avenue frontage, 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.

Removal of street trees is required in conjunction with the street widening for this project. Please include the tree removal issue in your public hearing notice for this application.

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

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

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

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

3. Catch basin exists along Santa Monica Boulevard. Relocate catch basin per B-Permit plan check requirements. Roof drainage and surface run-off from the property shall be collected and treated at the site and drained to the streets through drain pipes constructed under the sidewalk and through curb drains or connections to the catch basins.
4. Sewer lines exist in Santa Monica Boulevard and Van Ness Avenue. No sewer lines exist in Gower Street. Extension of the 6-inch house connection laterals to the new property line along Gower Street will required a sewer permit from the Sewer Counter of the Bureau of Engineering. Facilities Charges and Bonded Sewer Fees are to be paid prior to obtaining a building permit at (213) 482-7050.
5. Caltrans encroachment permit may be required for work in Santa Monica Boulevard.
6. Submit a parking area and driveway plan to the Central District Office of the Bureau of Engineering and to the Department of Transportation for review and approval.

## (D) DEVELOPMENT LIMITATIONS

1. **Height.** The Project shall be limited to the construction of two (2) mausoleums to the existing Hollywood Forever Cemetery, as follows, and as shown in the attached Exhibit A:
  - a. The Crescent Mausoleum shall be limited to a maximum height of 18 feet 9 inches.
  - b. The Gower Mausoleum shall be limited to a maximum height of 97 feet 6 inches.
2. **Floor Area.** The Project shall be limited in floor area, as follows, and as shown in the attached Exhibit A:
  - a. The Crescent Mausoleum shall be limited to a maximum floor area of 350 square feet.
  - b. The Gower Mausoleum shall be limited to a maximum floor area of 37,520 square feet for Phase I and 49,818 square feet for Phase II, for a total of 87,338 square feet.

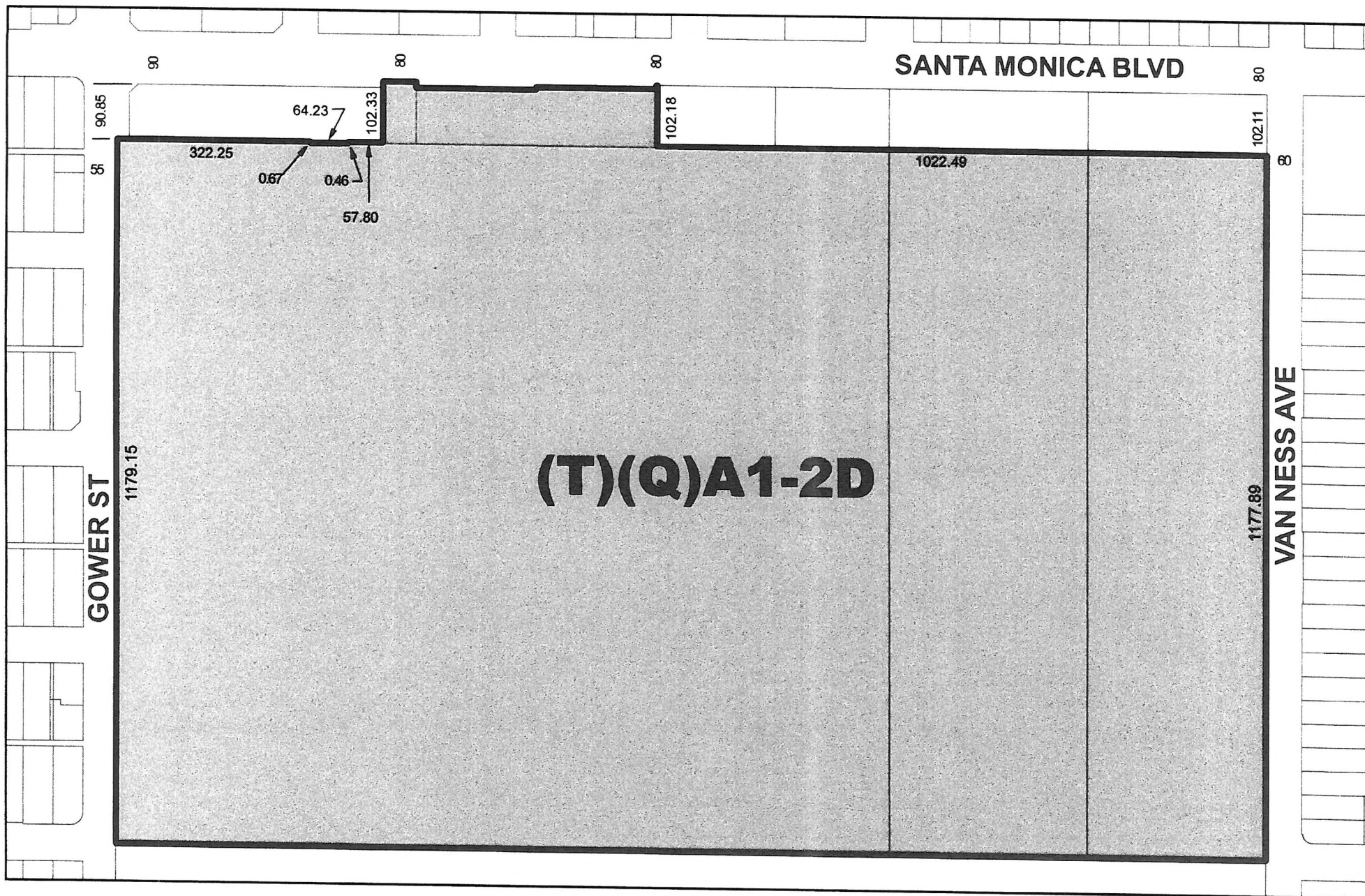
**ORDINANCE NO. \_\_\_\_\_**

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

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

**Section 1.** Section 12.04 of the Los Angeles Municipal Code is hereby amended by changing the zone classifications of properties 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.





## CONDITIONS OF APPROVAL

Pursuant to Section 14.00, 12.28, and 16.05 of the Los Angeles Municipal Code, the following conditions are hereby imposed upon the use of the subject property:

### Public Benefit Compliance Conditions

1. **Security Night Lighting.** Any proposed lighting shall be shielded and directed onto the site. No floodlighting shall be located so as to shine directly onto adjacent residential properties. This condition shall not preclude the installation of low-level security lighting.
2. **Perimeter Wall.** A minimum eight-foot tall solid, decorative, masonry or wrought iron wall or fence shall be maintained, but shall not extend into the required front yard setback, except for the Gower Street frontage.
3. **Gower Street Perimeter Fence.** A maximum six-foot tall wrought iron fence shall be constructed and maintained, and may extend into the required front yard setback by a variable distance of 4 feet to 16 feet along the Gower Street frontage.
  - a. The fence shall jog in at a depth of 12 feet and for a length of 28 feet 6 inches to create six alcoves that will be open to the public during hours of operation, as shown on Sheet identified as "Gower Setbacks". These areas shall be secured by a rolling wrought iron gate outside of hours of operation.
4. **Landscape Buffer.** Where setbacks between the proposed new mausoleum structures and the abutting property lines are provided, a landscaped buffer along the periphery of the property shall be maintained and equipped with an automatic irrigation system, in accordance with a landscape plan prepared by a licensed landscape architect to the satisfaction of the Department of City Planning.
  - a. All construction equipment engines shall be properly tuned and muffled according to manufacturers' specifications. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices and shall include the use of plug-in electrical or solar-powered generators to the extent feasible.
5. **Signage.** The site shall be limited to one double-faced monument sign with a maximum of 20 square feet per side.
6. **Graffiti.** All graffiti on the site is removed or painted over in the same color as the surface to which it is applied within 24 hours of its occurrence.
7. **Street Requirements.** All streets, alleys or sidewalks adjoining the property shall meet standard street dimensions.
8. **Parking.** The Project shall provide parking per LAMC Section 12.21 A.4.(c)(1), as determined by the Department of Building and Safety. A minimum of 20 percent of the total provided parking spaces shall be capable of supporting future electric vehicle supply equipment (EVSE). A minimum of 25% of EV parking shall be equipped with charging stations. EVSE, infrastructure, and all devices related to EV charging shall be installed in accordance with California Electrical Code and to the satisfaction of the Department of Building and Safety.



9. **Bicycle Parking.** A minimum of 50 short-term and nine (9) long-term bicycle parking spaces shall be provided on-site. Bicycle parking shall comply with all siting requirements of LAMC Section 12.21.
10. **Assembly Areas.** The property shall have sufficient areas for assembly.
  - a. **Special Events.** For events requiring Temporary Special Event (TSE) permits, digital projections on and amplified music from within the proposed buildings approved herein shall be prohibited.

#### **Zoning Administrator's Adjustment Conditions**

11. **Setbacks.** The Project shall maintain a minimum 9-foot 6-inch front yard setback along Gower Street, and a 9-foot northerly side yard setback abutting the property located at 6024-6062 Santa Monica Boulevard.

#### **Site Plan Review Conditions**

12. **Landscaping.** All landscaping proposed for the Gower Mausoleum shall be planted in a mature state.
13. **Trash.** All trash shall be enclosed and screened.

#### **Environmental Conditions**

##### **14. Aesthetics (Surface Parking)**

- a. A minimum of one 24-inch box tree (minimum trunk diameter of two inches and a height of eight feet at the time of planting) shall be planted for every four new surface parking spaces.
- b. The trees shall be dispersed within the parking area so as to shade the surface parking area and shall be protected by a minimum 6-inch high curb, and landscape. An automatic irrigation plan shall be approved by the Department of City Planning.
- c. Palm trees shall not be considered in meeting this requirement.
- c. The genus or genera of the tree(s) shall provide a minimum crown of 30'- 50'. Please refer to City of Los Angeles Landscape Ordinance (Ord. No.170,978), Guidelines K - Vehicular Use Areas.

14. **Aesthetics (Light).** Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties or the right-of-way, nor from above.
15. **Aesthetics (Glare).** The exterior of the proposed structure shall be constructed of materials such as, but not limited to, high-performance and/or non-reflective tinted glass (no mirror-like tints or films) and pre-cast concrete or fabricated wall surfaces to minimize glare and reflected heat.
16. **Objectionable Odors (Commercial Trash Receptacles)**

- a. Open trash receptacles shall be located a minimum of 50 feet from the property line of any residential zone or use.
- b. Trash receptacles located within an enclosed building or structure shall not be required to observe this minimum buffer.

**17. Habitat Modification (Nesting Native Birds, Non-Hillside or Urban Areas)**

- a. The project will result in the removal of vegetation and disturbances to the ground and therefore may result in take of nesting native bird species. Migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R Section 10.13). Sections 3503, 3503.5 and 3513 of the California Fish and Wildlife Code prohibit take of all birds and their active nests including raptors and other migratory nongame birds (as listed under the Federal MBTA).
- b. Proposed project activities (including disturbances to native and non-native vegetation, structures and substrates) should take place outside of the breeding bird season which generally runs from March 1- August 31 (as early as February 1 for raptors) to avoid take (including disturbances which would cause abandonment of active nests containing eggs and/or young). Take means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill (Fish and Wildlife Code Section 86).
- c. If project activities cannot feasibly avoid the breeding bird season, beginning thirty days prior to the disturbance of suitable nesting habitat, the Applicant shall:
- d. Arrange for weekly bird surveys to detect any protected native birds in the habitat to be removed and any other such habitat within properties adjacent to the project site, as access to adjacent areas allows. The surveys shall be conducted by a qualified biologist with experience in conducting breeding bird surveys. The surveys shall continue on a weekly basis with the last survey being conducted no more than 3 days prior to the initiation of clearance/construction work.
- e. If a protected native bird is found, the Applicant shall delay all clearance/construction disturbance activities within 300 feet of suitable nesting habitat for the observed protected bird species until August 31.
- f. Alternatively, the Qualified Biologist could continue the surveys in order to locate any nests. If an active nest is located, clearing and construction within 300 feet of the nest or as determined by a qualified biological monitor, shall be postponed until the nest is vacated and juveniles have fledged and when there is no evidence of a second attempt at nesting. The buffer zone from the nest shall be established in the field with flagging and stakes. Construction personnel shall be instructed on the sensitivity of the area.
- g. The Applicant shall record the results of the recommended protective measures described above to document compliance with applicable State and Federal laws pertaining to the protection of native birds. Such record shall be submitted and received into the case file for the associated discretionary action permitting the project.

**18. Tree Preservation (Grading Activities).** "Orange fencing" or other similarly highly visible barrier shall be installed outside of the drip line of locally protected and significant (truck

diameter of 8 inches or greater) non-protected trees, or as may be recommended by a Tree Expert. The barrier shall be maintained throughout the grading phase, and shall not be removed until the completion and cessation of all grading activities.

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

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

**20. Green House Gas Emissions.** Low- and non-VOC containing paints, sealants, adhesives, solvents, asphalt primer, and architectural coatings (where used), or pre-fabricated architectural panels shall be used in the construction of the Project to reduce VOC emissions to the maximum extent practicable.

**21. Emergency Evacuation Plan (Building over 75 feet in height).** Prior to the issuance of a building permit, the applicant shall develop an emergency response plan in consultation with the Fire Department. The emergency response plan shall include but not be limited to the following: mapping of emergency exits, evacuation routes for vehicles and pedestrians, location of nearest hospitals, and fire departments.

**22. Hazardous Substances.** Prior to the issuance of a use of land or building permit, or a change in the existing occupancy/use permit, the applicant shall provide a letter from the Fire Department stating that it has permitted the facility's use, storage, and creation of hazardous substances.

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

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

**24. Coordination of Construction Schedules.** The Hollywood Forever Cemetery shall coordinate with Paramount Pictures to share the Mausoleum Project's construction schedule for implementation of Paramount's Construction Traffic Management. This agreement shall be executed via a notarized letter stating that the Hollywood Forever Cemetery will coordinate with Paramount Pictures on their respective construction schedules to minimize any overlap or conflicts.



**25. Safety Hazards**

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

**26. Transportation/Traffic**

- a. Applicant shall plan construction and construction staging as to maintain pedestrian access on adjacent sidewalks throughout all construction phases. This requires the applicant to maintain adequate and safe pedestrian protection, including physical separation (including utilization of barriers such as K-Rails or scaffolding, etc.) from work space and vehicular traffic and overhead protection, due to sidewalk closure or blockage, at all times.
- b. Temporary pedestrian facilities should be adjacent to the project site and provide safe, accessible routes that replicate as nearly as practical the most desirable characteristics of the existing facility.
- c. Covered walkways shall be provided where pedestrians are exposed to potential injury from falling objects.
- d. Applicant shall keep sidewalk open during construction until only when it is absolutely required to close or block sidewalk for construction staging. Sidewalk shall be reopened as soon as reasonably feasible taking construction and construction staging into account.

**Administrative Conditions of Approval**

27. **Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building and Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building and Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building and Safety shall be stamped by Department of City Planning staff "Plans Approved." A copy of the Plans Approved, supplied by the applicant, shall be retained in the subject case file.
28. **Notations on Plans.** Plans submitted to the Department of Building and Safety, for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet, and shall include any modifications or notations required herein.
29. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.
30. **Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.

31. **Department of Building and Safety.** The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building and Safety Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Department of Building and Safety for Building Code compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
32. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
33. **Expiration.** In the event that this grant is not utilized within six years of its effective date (the day following the last day that an appeal may be filed), the grant shall be considered null and void. Issuance of a building permit, and the initiation of, and diligent continuation of, construction activity shall constitute utilization for the purposes of this grant.
34. **Covenant.** Prior to the issuance of any permits relative to this matter, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Development Services Center at the time of Condition Clearance for attachment to the subject case file.
35. **Indemnification and Reimbursement of Litigation Costs.** Applicant shall do all of the following:
  - a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
  - b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
  - c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$25,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (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/Charter Findings

1. **General Plan Land Use Designation.** The subject property is located within the Hollywood Community Plan, which was adopted by the Los Angeles City Council on December 13, 1988. The Project Site is comprised of five (5) contiguous lots totaling 65 acres in size, and bound by approximately 455 feet of frontage along Santa Monica Boulevard to the north, approximately 1,178 feet of frontage along Van Ness Avenue to the east, and approximately 1,178 feet of frontage along Gower Street to the west. The Community Plan designates the site for Open Space land uses with corresponding zones of OS (Open Space) and A1 (Agricultural); and Height District of 1XL (Extra Limited Height District), which limits all building or structure to two stories or 30-feet in height, and a Floor Area Ratio (FAR) to 3:1. The Project Site has an existing lot area of 2,304,444 square feet, with 205,846 square feet of existing building floor area, resulting in an FAR of 0.089:1. The Project requests a Zone and Height District Change to (T)(Q)A1-2D to allow the construction of two (2) new mausoleums with respective heights of 18 feet 9 inches and 97 feet 6 inches, and a combined floor area of 87,688 square feet, resulting in a total FAR of 0.13:1. The new zone, (T)(Q)A1-2D, will continue to be consistent with the Open Space General Plan Land Use designation.
2. **General Plan Text.**

### Framework Element

The Citywide General Plan Framework Element is a guide for communities to implement growth and development policies by providing a comprehensive long-range view of the City as a whole. The Element establishes categories of land use - Neighborhood District, Community Center, Regional Center, Downtown Center, and Mixed-Use Boulevard - that are broadly described by ranges of intensity/density, heights, and lists of typical uses. The definitions reflect a range of land use possibilities found in the City's already diverse urban, suburban, and rural land use patterns.

The Citywide General Plan Framework text defines policies related to growth and includes policies for land use, housing, urban form/neighborhood design, open space/conservation, economic development, transportation, and infrastructure/public services. The Proposed Project would be in conformance with several goals of the Framework as described below.

### Chapter 3: Land Use

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

### Chapter 5: Urban Form and Neighborhood Design

***Objective 5.5. Enhance the livability of all neighborhoods by upgrading the quality of development and improving the quality of the public realm.***



### Chapter 6: Open Space and Conservation

**Objective 6.4.** Ensure that the City's open spaces contribute positively to the stability and identity of the communities and neighborhoods in which they are located or through which they pass.

**Policy 6.4.4.** Consider open space as an integral ingredient of neighborhood character, especially in targeted growth areas, in order that open space resources contribute positively to the City's neighborhoods and urban centers as highly desirable places to live.

### Chapter 7. Economic Development

**Objective 7.3: Maintain and enhance the existing businesses in the City.**

The Hollywood Forever Cemetery has long been a fixture in the cultural history of the City, developed as the first cemetery in Hollywood in 1899, and continues to provide a service to the local and regional community at large. It is one of few cemeteries in the Los Angeles region. Other cemeteries within the City and County include Forest Lawn Griffith Park, Forest Lawn Glendale, Inglewood Park Cemetery, Angelus Rosedale Cemetery, Resurrection Cemetery and Valhalla Cemetery. However, per the Applicant, most of these cemeteries, including the Hollywood Forever Cemetery, are reaching their capacity. According to the Applicant, approximately 500-700 burial spaces are required each year to meet demand and maintain business functions at the site, thereby requiring approximately 10,000 spaces over the next 20 years, and 25,000 spaces for the next 50 years. At present, approximately 8,000 crypts, niches and grave are available, and among them less than 5,000 are unclaimed. The current supply will only be able to accommodate the demand for the next five (5) years. The requested Zone and Height District change to (T)(Q)A1-2D will allow for the project site to continue to meet the demand for burial spaces within the City of Los Angeles, and provide a service for the existing and growing population. As existing land for new cemetery uses is limited, in order to meet capacity needs, allowing the Hollywood Forever Cemetery to expand their crypt and niche inventory within the existing Project Site is necessary. Under the existing zoning designation, the Project would be limited to a building height of 30-feet. The proposed Zone Change and Height District Change will rezone the subject property from A1-1XL to (T)(Q)A1-2D in order to allow the construction of two (2) new mausoleums, a maintenance facility and yard, and a surface parking lot as part of the expansion of the Hollywood Forever Cemetery. The new regulations of the (T)(Q)A1-2D Zone will allow an existing regional serving use to continue to meet the operational needs of a growing population.

The Hollywood Forever Cemetery is located in a dense urban environment and is considered an integral part of the Los Angeles open space network, consisting of an historic landscape of trees, gardens, fountains and lakes. While there are a number of other cemeteries within the City and County limits as listed above, the Hollywood Forever Cemetery is considered an exceptional example of the Lawn-Park Landscape Design resembling a serene urban park. To further the positive impact of having an historic open space contribute to the identity of existing and surrounding community, as part of the Project work scope, the Applicant has volunteered to improve the public realm along Gower Street by providing ample landscaping on the building façade, and as a buffer between the building and the public right-of-way, as well as by planting street trees within the public right-of-way. In addition to the landscaping, a new perimeter fence that will create alcoves that will function as public gathering spaces during operation hours is also proposed along the Gower Street frontage.

The Project is also well served by public transit which connects to the large Metro Rail transportation network, thereby providing service throughout the region. Similarly, by



expanding a historic use that has been operating at the site for over a century, the Hollywood Forever Cemetery will continue to provide a convenient service to those in the central geography, thereby reducing the need to travel further distances which will consequently reduce vehicle miles traveled (VMT). The Project also proposes nine (9) long-term and 50 short-term bicycle parking spaces located at the main entrance of the cemetery along Santa Monica Boulevard, where only nine (9) long- and nine (9) short-term bicycle parking spaces are required; and includes 20 percent Electric Vehicle (EV) parking spaces of those included in the new surface parking lot.

The proposed Zone and Height District Change will allow an existing business in the city to continue to operate under enhanced conditions by expanding their capacity to serve a diverse community residing in and around one of the densest urban areas of the City. By allowing the expansion of the Hollywood Forever Cemetery, as proposed, the use will not only improve the public realm, but also contribute positively to the identity of the neighborhood and the community while being able to continue operating within a central location that is convenient to many residents within the proximate area.

### **Open Space Element**

The Open Space Element was adopted by the City Council in June 1973 and includes the following relevant goals, objectives, policies and programs:

**Goals.** To conserve unique natural features, scenic areas, cultural and appropriate historical monuments for the benefit and enjoyment of the public.

**Goals.** To provide an open space system which provides identity, form and a visual framework to the City.

**Objective.** To develop programs and techniques to encourage private land owners to create and/or preserve open space areas and/or linear strips of land connecting open space areas.

**Objective.** To identify, preserve and/or conserve those lands necessary as open space land in order to protect the public health and safety.

**Objective.** To emphasize the importance of, and to preserve open space and natural features in private and public development.

**General Policy.** Cultural and historical monuments located on Open Space Lands shall be preserved.

**General Policy.** Multiple use of open space is considered especially important in proposed or existing areas of high density and/or intensity of development.

**General Policy.** The primary function of open space in existing or proposed areas of high density and/or intensity of development shall be to provide psychological relief from urban development.

**Program.** *Privately Owned Open Space Lands and Desirable Open Space.* Private development should be encouraged to provide ample landscaped spaces, malls, fountains, rooftop green areas and other aesthetic features which emphasize open space values through incentive zoning practices or other practicable means.

### **Conservation Element**

The Conservation Element was adopted by the City Council in September 26, 2001 and includes the following relevant objectives, policies and programs:

**Objective:** Protect important cultural and historical sites and resources for historical, cultural, research, and community educational purposes.

**Policy:** Continue to protect historic and cultural sites and/or resources potentially affected by proposed land development, demolition or property modification activities.

**Program 1:** Development permit processing, monitoring, enforcement and periodic revision of regulations and procedures.

### **Land Use Element – Hollywood Community Plan**

The Hollywood Community Plan was adopted by the City Council on December 13, 1988 and includes the following relevant land use objectives:

**Objective 5:** To encourage open space and parks in both local neighborhoods and in high-density areas.

**Objective 7:** To encourage the preservation of open space consistent with property rights when privately owned and promote the preservation of views, natural character, topography of mountainous parts of the community for the enjoyment of both local residents and persons throughout the Los Angeles region.

The Hollywood Forever Cemetery was founded in 1899, as the first cemetery in Hollywood. It has been listed on the National Register of Historic Places as a historic district since 1999, with an established period of significance spanning from 1899 to 1939. Structures built during this period, including the Lawn-Park Landscape Design of the cemetery, are identified as Contributing Resources. As one of the most notable features of the Project Site, the Lawn-Park Landscape Design of the cemetery features formal landscapes with lakes, fountains, abundant shade, and classically inspired architecture and monuments. The Proposed Project has taken great care to preserve the bucolic setting as it is integral to the historic significance of the cemetery. The Project Site continues to be one an integral part of the Los Angeles open space network in one of the most centrally located and dense neighborhoods in City, at 65 acres in size. As mentioned above, the cemetery is and continues to be a historic and cultural fixture in the Hollywood and Los Angeles landscape. In order to avoid disturbing existing ground burial spaces, and to preserve the historic integrity of this bucolic setting in addition to other Contributing Resources which consist of individual buildings, structures and objects, available surface area to build new structures is limited. Granting the Zone and Height District Change will allow an historic use to expand in order to continue providing essential services to the local and regional community while ensuring that visitors have a serene and idyllic experience, all while preserving the historic lawn-style design of the existing cemetery.

### **Mobility Element**

In response to the State's Complete Street mandate, the City's Mobility Plan 2035 established new street designations, re-classified each of the City's arterial streets and laid out a "complete street" policy framework. Whereas previous street designations and their corresponding dimensions, approved as part of the City's 1999 Transportation Element, reflected the former primary focus on moving automobiles, the new expanded list of classifications now acknowledges the multi-modal role and objectives of complete streets.



The new street standards are intended to reflect the variety of street dimensions that exist in today's actual physical street cross-sections. Revised standards are intended to lead to an overall preservation of existing roadway widths and widening of sidewalk widths.

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

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

**3.3 - Land Use Access and Mix:** *Promote equitable land use decisions that result in fewer vehicle trips by providing greater proximity and access to jobs, destinations, and other neighborhood services.*

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

### **Health and Wellness Element**

Adopted in March 2015, the Plan for a Healthy Los Angeles lays the foundation to create healthier communities for all Angelenos. As the Health and Wellness Element of the General Plan, it provides high-level policy vision, along with measurable objectives and implementation programs, to elevate health as a priority for the City's future growth and development. Through a new focus on public health from the perspective of the built environment and City services, the City of Los Angeles will strive to achieve better health and social equity through its programs, policies, plans, budgeting, and community engagement. The Proposed Project is consistent with the following policies:

### ***Chapter 2: A City Built for Health***

***Policy 2.2. Healthy building design and construction.*** *Promote a healthy built environment by encouraging the design and rehabilitation of buildings and sites for healthy living and working conditions, including promoting enhanced pedestrian-oriented circulation, lighting, attractive and open stairs, healthy building materials and universal accessibility using existing tools, practices, and programs.*

The Proposed Project includes the construction of two (2) new mausoleums, a maintenance facility and yard and a surface parking lot on a 65 acre site that is currently developed with a cemetery use that has been in operation since 1899. The Crescent Mausoleum is comprised of a one-story addition to an existing mausoleum located along the Van Ness Avenue frontage, will accommodate approximately 832 crypt spaces with a maximum height of 18 feet 9 inches. The Gower Mausoleum includes the construction of a new five-story mausoleum located along an undeveloped portion of the Gower Street frontage, and will accommodate approximately 29,752 crypt spaces with a maximum height of 97 feet 6 inches.

The Proposed Project includes several components which will increase the pedestrian experience on and around the Project Site, supports a healthy building design that provides access to natural light and air and provides a service that is convenient and accessible to the residents on a local and regional level. The portion of the site on which the Gower Mausoleum will be constructed is currently improved with a surface parking lot and maintenance yard, immediately west of the Abbey of the Psalms Mausoleum. The new structure will include a stepped topographical landscape, with views from the east and west through the

mausoleum. The design of this building encourages movement, fresh air, and natural light and is intended to create a vertical garden icon by mirroring the landscape features for which the cemetery is historically characterized. In addition, the Project includes improvements to the public realm, such as landscaping and planting of trees on the Project Site as well as within the public right-of-way along the Gower Street frontage. The Project will also include a perimeter fence that will provide alcoves within which public gathering spaces will be created along the cemetery perimeter during hours of operation, as proposed and conditioned. These proposed improvements will turn what is now an unadorned street frontage into a pedestrian friendly, tree-lined thoroughfare.

The Project is also well served by public transit including Metro Local and Rapid bus stops which connect to the large Metro Rail transportation network, thereby providing service throughout the region. Similarly, by expanding a historic use that has been operating at the site for over a century, the Hollywood Forever Cemetery will continue to provide a service convenient to those in the central geography, reducing the need to travel further distances which will consequently reduce vehicle miles traveled (VMT). The Project also includes nine (9) long-term and 50 short-term bicycle parking spaces located at the main entrance of the cemetery along Santa Monica Boulevard, where only nine (9) long- and nine (9) short-term bicycle parking spaces are required; and includes 20 percent Electric Vehicle (EV) parking spaces of those included in the new surface parking lot.

### **Entitlement Findings**

#### **3. Zone and Height District Change Findings; “T” and “Q” Classification Findings**

Following is a delineation of the findings and the application of the relevant facts as related to the request to rezone the Project Site from A1-1XL to (T)(Q)A1-2D.

- a) Pursuant to Section 12.32 C of the Municipal Code, and based on these findings, the recommended action is deemed consistent with public necessity, convenience, general welfare and good zoning practice.**

The Project Site is comprised of five (5) contiguous A1-1XL zoned lots, bounded by 455 feet of frontage along Santa Monica Boulevard to the north, approximately 1,178 feet of frontage along Van Ness Avenue to the east, and approximately 1,178 feet of frontage along Gower Street to the west, totaling 65 acres in size. The site has been operating as a cemetery since 1899, as the first cemetery in Hollywood. The current owner acquired the property in 1998, and rehabilitated the site following several years of operational decline from previous owners. The Applicant has requested a Zone Change and Height District Change from A1-1XL to (T)(Q)A1-2D to allow the construction of two new mausoleums: the Gower Mausoleum, along the Gower frontage, measuring 97 feet 6 inches in height; and the Crescent Mausoleum along the Van Ness Avenue frontage, measuring 19 feet 6 inches in height; and a new maintenance facility and yard and surface parking. The proposed Zone and Height District Change will allow the Gower Mausoleum to reach a maximum height of 97 feet 6 inches in lieu of the otherwise permitted 30 feet maximum height within the A1-1XL height district.

Public Necessity. The requested Zone and Height District change to (T)(Q)A1-2D will allow for the project site to continue to meet the demand for burial spaces within the City of Los Angeles and provide a service for the existing and growing population. It is one of few cemeteries in the Los Angeles region and an integral part of the City's open space network. Other cemeteries within the City and County include Forest Lawn Griffith Park, Forest Lawn Glendale, Inglewood Park Cemetery, Angelus Rosedale Cemetery, Resurrection Cemetery and Valhalla Cemetery. However, per the Applicant, most of these cemeteries, including the Hollywood Forever Cemetery, are reaching their capacity.



According to the Applicant, approximately 500-700 burial spaces are required each year to meet demand and maintain business functions at the site, thereby requiring approximately 10,000 spaces over the next 20 years, and 25,000 spaces for the next 50 years. At present, approximately 8,000 crypts, niches and grave are available, and among them less than 5,000 are unclaimed. The current supply will only be able to accommodate the demand for the next five (5) years. As existing land for new cemetery uses is limited, in order to meet capacity needs, allowing the Hollywood Forever Cemetery to expand their crypt and niche inventory within the existing Project Site is necessary. While the Project Site is 65 acres in size, only 10 percent of the site is developed with structures comprised of individual buildings, structures and objects. This is due to the fact that the Project Site is listed on the National Register of Historic Places as a historic district known for its Lawn-Park Landscape Design which considers the overall composition of buildings, structure, and site and landscape features in addition to spaciousness of the pastoral landscapes with lakes, fountains, abundant shade, and classically inspired architecture and monuments. In order to continue to preserve the character of the historic pastoral landscape design, and existing locations of ground burial sites, areas for development are limited. By granting the Zone and Height District Change, the existing site will be able to expand their inventory while preserving the existing historic bucolic setting for which the site is considered historic.

#### Convenience

As mentioned above, the Hollywood Forever Cemetery is one of few cemeteries in the Los Angeles region and an integral part of the City's open space network. Located within a dense urban core, the Project Site is proximate to a large portion of the City's residents and communities. Providing a much needed service within the boundaries of the City will reduce the need to seek the same services outside of the City boundaries. Similarly, by expanding a historic use that has been operating at the site for over a century, the Hollywood Forever Cemetery will continue to provide a convenient service to those in the central geography, thereby reducing the need to travel further distances which will consequently reduce vehicle miles traveled (VMT). In addition, the Project Site is accessible via public transportation which connects to the large Metro Rail transportation network with service throughout the region.

#### General Welfare

The property under the ownership of the Applicant has a long history as a cemetery use on the site. This will not change as a result of the recommended zone change. The impacts of the existing uses of the site have been long realized and fully absorbed by adjacent uses. The long term goal of the Applicant is to continue to provide services that will continue to attend the needs of the community. Any and all future improvements resulting from the requested entitlements will activate and enhance the aesthetic character of the site, particularly that of the Gower Mausoleum, which will improve the public realm by providing street trees and an interactive public gathering place during hours of operation.

#### Good Zoning Practice

Purposes of the Hollywood Community Plan include the need to preserve open space, and to promote an arrangement of land use and services that encourage convenience and guide development to meet existing anticipated needs. As it exists today, the Plan has designated the project area for Open Space uses that directly abut heavily trafficked commercial corridors along Santa Monica Boulevard, Gower Street and Van Ness Avenue. It should be noted that the cemetery, founded in 1899, predates the development of the immediately surrounding area, which currently contains an array of uses and



building types, ranging from low density commercial uses, medium density residential and light manufacturing uses, within buildings ranging from one- to five-stories in height. There are currently 10 other structures on the existing property which already exceed the 30-foot height limit imposed by the A1-1XL Zone, as listed below:

Structure	Year Built	Height
Administrative Building*	1932	38 feet
Administration Building Tower*	1932	59 feet
Bell Tower*	1925	35 feet
Columbarium*	1928	42 feet
Courtyard Mausoleum	2009	50 feet
Clock Tower*	1930	40 feet
Abbey of the Psalms Mausoleum*	1930	38 feet
Hall of Solomon	1950-1970s	58 feet
Clark Mausoleum*	1920	31 feet
Cathedral Mausoleum*	1919-1922	39 feet

\* *Considered a Contributing Resource*

The proposed structure will be located just south of three of these buildings, and immediately north of the Hall of Solomon, which is currently the second tallest structure on the site at 58 feet, after the Tower located near the cemetery entrance, at 59 feet. While the Gower Mausoleum will be the tallest structure on the Project Site, it is designed appropriately to reduce the bulk and mass by breaking up the façade, and stepping back each level by a greater distance as the structure gets taller, in order to offset the scale of the structure. It should be noted that the Paramount Master Plan Project was also recently approved for the abutting property to the south, which will permit building heights of up to 75- to 95-feet within certain areas of the site.

While the Hollywood Community Plan does not speak specifically to the existing and proposed uses on the subject site, the rezoning of the subject site will allow for provision of services that will serve the needs of the Plan's aging population. Furthermore, the applicant is proposing a project that would be consistent with all applicable zoning regulations other than the yard requirements of the zone, for which justifications are provided below.

- b) **“T” and “Q” Classification Findings.** The current action, as recommended, has been made contingent upon compliance with new “T” and “Q” conditions of approval imposed herein for the proposed project. Such limitations are necessary to ensure the identified dedications, improvements, and actions are undertaken to meet the public's needs, convenience, and general welfare served by the required actions. The conditions that limit the scale and scope of future development on the site are also necessary to protect the best interests of and to assure a development more compatible with surrounding properties and the overall pattern of development in the community, to secure an appropriate development in harmony with the General Plan, and to prevent or mitigate the potential adverse environmental effects of the subject recommended action.

#### 4. Findings for Public Benefit and Alternative Compliance, LAMC Section 14.00 A & B.5

Pursuant to Section 14.00 A of the Municipal Code, cemeteries are a Public Benefit Use permitted in any zone contingent upon meeting the performance standards established by LAMC Section 14.00 A.1, or alternative compliance measures pursuant to LAMC Section 14.00 B. The proposed project does not meet all of the performance standards and therefore must comply with LAMC Section 14.00 B, Alternative Compliance Procedures. Code Section



14.00 B.5 requires that findings be made to show how the project substantially meets the goals of the performance standards established in Section 14.00 A.1. Those findings are listed below:

- a) **All buildings on the site are at least 300 feet from any adjoining street or any A or R zoned property or residential use.**

**Alternative Compliance Measure.** Per Section 14.00 A.1.(b), the purpose of this performance standard to ensure that open space is provided for the building, similar to those in the adjacent properties in the neighborhood. The Project has been operating as a cemetery use since it was originally founded in 1899, predating all development within the surrounding area. The closest A1 Zoned lot include the Wilshire Country Club, located approximately three-quarters of a mile to the west; and Elysian Park, just under four (4) miles to the east. The few cemetery uses within Los Angeles City and County include Forest Lawn Griffith Park, Forest Lawn Glendale, Inglewood Park Cemetery, Angelus Rosedale Cemetery, Resurrection Cemetery and Valhalla Cemetery. If the Project were to meet this 300-foot setback requirement, it would have to encroach onto the Fairbanks Lawn and Fairbanks Gardens portion of the site. As it stands, there are several existing buildings that were legally constructed which do not comply with this requirement; among those are mausoleum structures adjacent to the southern property line shared with Paramount Pictures Studios, along the western property line on Gower Street and adjacent to the northern property line shared with the retail strip mall at Gower and Santa Monica Boulevard; and an administrative building a funeral home within 300-feet of the front property line along Santa Monica Boulevard. The proposed locations of the mausoleums would therefore be consistent with the placement of other structures along the site perimeter.

In 1999, the Project Site was listed in the National Register of Historic Places as a historic district for several reasons including the Lawn-Park Landscape Design which considers the overall composition of buildings, structure, and site and landscape features in addition to spaciousness of the pastoral landscapes with lakes, fountains, abundant shade, and classically inspired architecture and monuments, all of which is considered a Contributing Resource. In order to keep the existing pastoral landscape features and layout of the Lawn-Park Landscape Design of the cemetery intact, available locations that are at least 300 feet from any adjoining street or any A or R zoned property or residential uses is limited. The Project includes the construction of two new mausoleums: the Gower Mausoleum, which is located 9 feet 6 inches from Gower Street and approximately 85 feet from Santa Monica Boulevard; and the Crescent Mausoleum, which is located 64 feet 6 inches from Van Ness Avenue. While the Proposed Project does not meet the minimum setbacks required, the Gower Mausoleum is buffered from Santa Monica Boulevard by a commercial strip mall, and from the residential uses beyond by the Santa Monica Boulevard public right-of way, and auto repair and commercial uses, totaling over 300-feet of distance. Further, while there is not a physical buffer between the Gower Mausoleum and Gower Street, the residential uses are separated by Gower Street, auto repair uses and over 200-feet of distance. Similarly, the Crescent Mausoleum is buffered from Van Ness Avenue by ample landscaping, and from the residential uses beyond by the Van Ness Avenue public right-of-way and a parking structure for Paramount Studios, totaling over 200-feet of distance. Therefore, considering the unique location, size and type of use, the preservation of the historic layout of the property and the ample distance and separation between the Proposed Project and any adjoining street, R zone or residential use, it can be found that the project meets the intent of this Performance Standard.

- b) **Security night lighting is shielded so that the light source cannot be seen from adjacent residential properties.**

**Compliant.** Per LAMC Section 14.00 A.1.(b), lighting on the site should be located so as to not reflect on adjoining residential uses. The Project Site contains existing security lights which meet this requirement. In addition, a Condition of Approval has been included to ensure continued compliance with this requirement. Therefore, as proposed and conditioned, the Project complies with this Performance Standard.

- c) **There is a solid, decorative, masonry or wrought iron wall or fence at least eight feet in height, or the maximum height permitted by the zone, whichever is less. The wall or fence encircles the periphery of the property and does not extend into the required front yard setback.**

**Alternative Compliance Measure.** Per LAMC Section 14.00 A.1.(b), the purpose of a decorative wall or fence in this specific location is to ensure protection for the site and adjacent uses. There is an existing wall which surrounds the property, as approved by Case No. YC2631 on September 11, 1946. The portions of the wall which front along Gower Street is 12 feet in height and consists of a 9-foot 6-inch CMU wall with a 2-foot 6-inch wrought iron above; the wall along the Van Ness frontage is 11 feet tall and consists of a 8.5-foot CMU wall with 2 feet 6 inches of wrought iron above. No changes are proposed to the existing wall, except that the portion along Gower Street will be removed to accommodate the construction of the Gower Mausoleum, and will be replaced with a new fence measuring six-feet in height, which is the maximum permitted by-right in the A1 Zone. The fence will be constructed of decorative painted wrought iron and located 4 feet from the property line. Portions of the fence will be accessible via a rolling wrought iron gate that will open three designated areas that measure 28 feet 6 inches wide by 12 feet deep, for a total area of 342 square feet to be used as a public gathering spaces during operating hours, and which will close after operating hours. The perimeter will still be secure at all times by an interior fence that jogs in by 12 feet. The Project Site is located in the A1 Zone, which requires a 25-foot front yard setback. While the proposed fence is located within the required front yard setback, it will still provide protection for the site and adjacent uses, while also fostering public spaces that will provide eyes on the street for added safety. Therefore, as proposed and conditioned, it can be found that the new fence in its proposed location meets the intent of this Performance Standard.

- d) **The front yard setback is as least as deep as the setback required by the zone.**

**Alternative Compliance Measure.** Per LAMC Section 14.00 A.1.(b), the purpose of this performance standard to ensure that setbacks are provided similar to those in the adjacent properties in the neighborhood. The Project Site is located in the A1 Zone, which requires a 25-foot front yard setback. Per the Department of Building and Safety, any portion of the lot which has frontage along a street is considered a front yard setback. The portions of the Project which front a public street include the westerly elevation of the Gower Mausoleum, which is located 9 feet 6 inches from Gower Street, and the easterly elevation of the Crescent Mausoleum, which is located 64 feet 6 inches from Van Ness Avenue. As described in Finding 4.a. above, in order to preserve the contributing pastoral features of the site, available location of new buildings is limited. Furthermore, the Project Site already has an existing pattern of buildings and structures being built to the property line on all other frontages. Therefore, considering the unique location, size and type of use, and the preservation of the historic layout of the property, it can be found that the project meets the intent of this Performance Standard.

- e) **The property is improved with a ten foot landscaped buffer along the periphery of the property which is maintained and is equipped with an automatic irrigation system.**



**Alternative Compliance Measure.** Per LAMC Section 14.00 A.1.(b), the purpose of the landscaped buffer along the periphery is to ensure that open space and landscaping are similar to those in the adjacent neighborhood and ambient noise levels are not increased on adjoining or abutting properties after completion of the project. The Gower Mausoleum provides a 9-foot 6-inch setback along the westerly elevation, and a 9-foot setback along the northerly elevation. The Crescent Mausoleum provides a variable setback of 64 feet 6 inches to approximately 112 feet from the easterly property line, and 17 feet from the southerly property line. The entire property is currently landscaped in areas where there are not driveway or paved areas. While the proposed Gower Mausoleum cannot provide the 10 foot landscape buffer, as it does not provide the full 10-foot setback from the westerly and northerly property lines, as conditioned, where setbacks between the proposed new mausoleum structures and the abutting property lines are provided, said setback areas will be attractively landscaped and maintained in accordance with a landscape plan prepared by a licensed landscape architect to the satisfaction of the Department of City Planning. In addition, the Gower Mausoleum provides ample landscaping along the varying facades fronting along Gower Street. Therefore, as proposed and conditioned, it can be found that the project meets the intent of this Performance Standard.

- f) The site has only one double-faced monument sign, with a maximum of 20 square feet per side.**

**Compliant.** Per Section 14.00 A.1.(b), signage, where permitted by City regulations, should not exceed in size or number those located on the same block or across the street from the site. The Project Site has an existing monument sign located at the entrance of the cemetery along Santa Monica Boulevard, as early as the 1930's. While there are no building permits for the sign, the dimensions measure approximately 20 square feet in size. No other signs are proposed as part of this project work scope. In addition, a Condition of Approval has been included to ensure continued compliance with this requirement. Therefore, as proposed and conditioned, the Project complies with this Performance Standard.

- g) All graffiti on the site is removed or painted over in the same color as the surface to which it is applied within 24 hours of its occurrence.**

**Compliant.** Per Section 14.00 A.1.(b), graffiti should be prevented and eliminated when it is found on the site. The Applicant has stated that the Project Site will remove or paint graffiti within 24 hours of occurrence. In addition, a Condition of Approval has been included to ensure continued compliance with this requirement. Therefore, as proposed and conditioned, the Project complies with this Performance Standard.

- h) All streets, alleys or sidewalks adjoining the property meet standard street dimensions.**

**Compliant.** Per Section 14.00 A.1.(b), City streets should meet City standards in order to ensure safe vehicular ingress and egress to the site and to ensure that traffic does not exceed the current level of service. Vehicular ingress and egress to the Project Site from Santa Monica Boulevard is sufficient to accommodate the expected usage by the public and/or employees of the facility, and to meet City requirements. Furthermore, the proposed use is not typical of other type of uses which have regular foot traffic and operations, or where a predictable pattern of foot traffic can be anticipated at any given time. Therefore, the level of safety for vehicular ingress and egress would not significantly change as a result of the Project. In addition, the Department of Transportation indicated

that the trip rate for cemeteries is low as it is per acre. Given that the improvement could be classified as an approximately two acre addition, only less than two peak hour trips would be generated and there is no need for a traffic analysis. The Proposed Project will meet all public requirements including dedications and improvements as required by the Bureau of Engineering, which must be fulfilled as "T" Conditions for the approval of the Project. Therefore, as proposed and conditioned, the Project complies with this Performance Standard.

**i) The use meets the parking requirements of Section [12.21 A](#).**

**Compliant.** Per Section 14.00 A.1.(b), sufficient off-street parking should be provided so as to preclude the need for utilization of on-street parking by the use allowed on the site. According to the Department of Building and Safety, the parking rate for a mausoleum is dictated by LAMC Section 12.21 A.4.(c)(1) for Warehouses, which requires one parking space for every 500 square feet of floor area for the first 10,000 square feet of floor area, and one parking space for every 5,000 square feet thereafter. The maintenance facility does not meet the definition of a building per LAMC Section 12.03, and therefore does not constitute as square footage and is not required to provide any parking. The Proposed Project therefore includes a combined floor area of 87,688 square feet, requiring a total of 36 parking spaces for the construction of the two new mausoleums. The Project proposes 107 parking spaces within a surface parking lot adjacent to the Crescent Mausoleum. Therefore, as proposed, the Project complies with this Performance Standard.

**j) The property has sufficient areas for assembly.**

**Compliant.** Per Section 14.00 A.1.(b), assembly areas for funeral services should be located so as not to block the City streets. The Hollywood Forever Cemetery occupies 65 acres of land, within which both indoor and outdoor assembly areas are available for visitors, employees and funeral attendees are fully contained on the Project Site. In addition, a Condition of Approval has been included to ensure continued compliance with this requirement. Therefore, as proposed and conditioned, the Project complies with this Performance Standard.

**5. Findings for Zone Variance, LAMC Section 12.28 is Dismissed as Not Necessary**

According to the Department of Building and Safety, the parking rate for a mausoleum is per LAMC Section 12.21 A.4.(c)(1) for Warehouses, which requires one parking space for every 500 square feet of floor area for the first 10,000 square feet of floor area, and one parking space for every 5,000 square feet thereafter. The maintenance facility does not meet the definition of a building per LAMC Section 12.03, and therefore does not constitute as square footage or is required to provide any parking. The Proposed Project therefore includes a combined floor area of 87,688 square feet, thereby requiring a total of 36 parking spaces for the construction of the two new mausoleums. In requesting a Zone Variance, the Applicant had applied the parking rate per LAMC Section 12.21 A.4.(d) for Institutions, which requires one parking space for every 500 square feet of floor area, resulting in 175 parking spaces. The Zone Variance was requested was to allow 107 parking spaces in lieu of the otherwise required 175 parking spaces. However, as the Project only requires 36 parking spaces where 107 parking spaces is provided, the Project complies with this parking requirement. Therefore, the request to allow reduced parking is dismissed as not necessary.



## 6. Findings for a Zoning Administrator's Adjustment, LAMC Section 12.28

Following is a delineation of the findings and the application of the relevant facts as related to the request to permit a 9-foot 6-inch front yard and 9-foot side yard setbacks for the Gower Mausoleum, where 25-foot front and side yard setbacks would otherwise be required in the A1 Zone.

- a) **That 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.**

In order to preserve the contributing pastoral features of the historic Lawn-Park Landscape Design, and to avoid disturbance of existing ground burial sites throughout the cemetery, the available location of new buildings and structures is limited to the property edges, thereby making strict adherence to meeting a 25-foot setback regulation impractical and infeasible. In fact, due to these existing conditions, the Project Site already has an existing pattern of buildings and structures built to the property lines on all other frontages, either having predated the setback requirements, obtained similar discretionary approvals.

The intent of a setback requirement is to ensure all properties enjoy adequate light, air and privacy. Commercial nor industrial uses are generally not required to provide setbacks. The A1 Zone is an agricultural zone that is intended for the development of residential and open space uses; and the setback requirements are generally intended to maintain light, air and privacy between residential uses. While a cemetery use is not considered a residential use, is permitted in the A1 Zone as a Public Benefit Project. Pursuant to LAMC Section 12.05 C, a lot of this size in the A1 Zone would be required to provide 25-foot setbacks from all property lines.

The Proposed Project includes the construction of two new mausoleums on a 65 acre site. The Crescent Mausoleum is comprised of a one-story addition to an existing mausoleum located along the Van Ness Avenue frontage, with a maximum height of 18 feet 9 inches, and observes the required setbacks per the A1 Zone. The Gower Mausoleum includes the construction of a new five-story mausoleum located along the Gower Street frontage, with a maximum height of 97 feet 6 inches. The Gower Mausoleum does not meet the required setbacks per the A1 Zone but rather, proposes a 9-foot 6-inch westerly yard setback from the Gower Street frontage and a 9-foot northerly yard setback along the property line abutting the commercially zoned properties fronting along Santa Monica Boulevard. It should be noted that the nearest residential uses to the west of the Gower Mausoleum are located over 250-feet away, and separated by Gower Street, a 48-foot width roadway, and auto body, light manufacturing and office uses. The nearest residential uses to the north of the Gower Mausoleum are over 300-feet away, and separated by commercially zoned lots, Santa Monica Boulevard, a 74-foot width roadway, and auto repair, motion picture studio and commercial uses. In addition, while the Gower Mausoleum will not be observing the required 25-foot setback along the Gower Street frontage, the building is designed to reduce the bulk and mass by breaking up the façade, and stepping back each level by a greater distance as the structure gets taller, in order to offset the scale of the structure. Therefore, the structure will not be the full height of 97 feet 6 inches at the reduced setback line. The first floor of the Gower Mausoleum at 19 feet 6 inches in height, is set back 19 feet 6 inches from the Gower Street frontage; the second floor, at 39 feet in height, is set back a variable distance of 9 feet 6 inches to 29 feet; the third floor, at 58 feet 6 inches in height, is set back a variable distance of 19 feet 6 inches to 29 feet; and the fourth floor, at 78 feet in height, is set back a variable distance of 19 feet 6 inches to 37 feet. The only portion of the building that will measure the full 97 feet 6 inches in height is the fifth floor, which is set back a variable distance of 19 feet 6 inches to 57 feet from the property line.



Given the distance between the proposed use and the nearest residential uses in each respective direction in which the yards are being reduced, in conjunction with the stepped modular design of structure, it can be found that the Proposed Project will continue to meet the intent of the setback regulation to maintain light, air and privacy between residential uses. In addition, the Project Site is listed in the National Register as a historic district for which the Lawn-Park Landscape Design of the cemetery is considered a Contributing Resource. In order to preserve the historic Lawn-Park Landscape Design, and the location of existing ground burial sites, the addition of new buildings would be limited to the property edges, thereby making strict adherence to the zoning regulations impractical and infeasible.

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

The Project Site is a flat, rectangular shaped property that consists of five (5) contiguously owned parcels totaling approximately 2.5 million square feet (65 acres) with 205,846 square feet of existing building area. It is bounded by Santa Monica Boulevard to the north, Van Ness Avenue to the east, Paramount Pictures Studios to the south and Gower Street to the west. The Project Site is zoned A1-1XL with a General Plan Land Use designation of Open Space. It is currently developed with what is known as the Hollywood Forever Cemetery and associated funerary and accessory building such as chapels, administration buildings, crematories and mausoleums.

The Crescent Mausoleum includes a one-story addition to an existing mausoleum located along the Van Ness Avenue frontage, and will accommodate approximately 832 crypt spaces with a maximum height of 18 feet 9 inches. The Gower Mausoleum includes the construction of a new five-story mausoleum located along an undeveloped portion of the Gower Street frontage, and will accommodate approximately 29,752 crypt spaces with a maximum height of 97 feet 6 inches. The two structures have a combined floor area of approximately 87,688 square feet. A 2,500 square foot maintenance facility, a 4,500 square foot maintenance yard and surface parking lot containing 107 parking spaces will be developed adjacent to the Crescent Mausoleum.

Properties adjoining the Site to the north are developed with low-density retail. Properties across Santa Monica Boulevard are developed with a variety of commercial and media/studio-related uses. Properties to the east across Van Ness Avenue developed with Charter Elementary School and single- and multifamily residential and parking, respectively. Properties to the south are developed with Paramount Pictures Studios. Properties to the west across Gower Street are developed with a low density commercial, auto body and multifamily residential uses. The existing cemetery has been in operation since 1899, predating all of the above described development. It clearly has a long history as a cemetery use on the site. Any impacts of the existing uses of the site have been long realized and fully absorbed by adjacent uses. The long term goal of the applicant is to continue to provide services that will serve the needs of the community, and future improvements resulting from the requested entitlements will activate and enhance the aesthetic character of the site. While the height of the Gower Mausoleum will be the tallest on the site, it is situated next to the Hall of Solomon, the second tallest structure on the site at 58-feet. Further south along Gower Street is the Paramount Pictures Master Plan Project, recently approved by the City Planning Commission, which will allow up to 75- and 95-feet in height for certain structures.

Therefore, given the unique size, location and existing historic use of the Proposed Project, it can be found that the Project will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.

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

The Project includes the construction of two new mausoleums, a maintenance facility and yard, and a surface parking lot on a Project Site that is comprised of five (5) contiguously owned parcels totaling approximately 2.5 million square feet (65 acres) The Project Site is zoned A1-1XL with a General Plan Land Use designation of Open Space. It is currently developed with what is known as the Hollywood Forever Cemetery and associated funerary and accessory building such as chapels, administration buildings, crematories and mausoleums. As discussed in previous findings, the Project is consistent with the General Plan Framework, Open Space, Conservation, Land Use, Mobility and the Health and Wellness Elements of the General Plan. The Project, as a cemetery use with an historic Lawn-Park Landscape Style Design, advances a number of objectives and policies contained in the Hollywood Community Plan. These include:

**Objective 5:** To encourage open space and parks in both local neighborhoods and in high-density areas.

**Objective 7:** To encourage the preservation of open space consistent with property rights when privately owned and promote the preservation of views, natural character, topography of mountainous parts of the community for the enjoyment of both local residents and persons throughout the Los Angeles region.

The Hollywood Forever Cemetery was founded in 1899, as the first cemetery in Hollywood. It has been listed on the National Register of Historic Places as a historic district since 1999, with an established period of significance spanning from 1899 to 1939. Structures built during this period, including the Lawn-Park Landscape Design of the cemetery, are identified as Contributing Resources. As one of the most notable features of the Project Site, the Lawn-Park Landscape Design of the cemetery features formal landscapes with lakes, fountains, abundant shade, and classically inspired architecture and monuments. The Proposed Project has taken great care to preserve the bucolic setting as it is integral to the historic significance of the cemetery. The Project Site continues to be an integral part of the Los Angeles open space network in one of the most centrally located and dense neighborhoods in the City, at 65 acres in size. As mentioned above, the cemetery is and continues to be a historic and cultural fixture in the Hollywood and Los Angeles landscape. In order to avoid disturbing existing ground burial spaces, and to preserve the historic integrity of this bucolic setting in addition to other Contributing Resources which consist of individual buildings, structures and objects, available surface area to build new structures is limited. Granting the Zone and Height District Change will allow an historic use to expand in order to continue providing essential services to the local and regional community while ensuring that visitors have a serene and idyllic experience, all while preserving the historic lawn-style design of the existing cemetery.

## **7. Findings for Site Plan Review, LAMC Section 16.05**

Following is a delineation of the findings and the application of the relevant facts as related to the request to allow an addition of 87,688 square feet of non-residential floor area.



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

The Los Angeles General Plan sets forth goals, objectives and programs that guide both Citywide and community specific land use policies. The General Plan is comprised of a range of State-mandated elements, including, Land Use, Transportation, Noise, Safety, Housing and Conservation. The City's Land Use Element is divided into 35 community plans that establish parameters for land use decisions within those sub-areas of the City.

The subject property is located within the Hollywood Community Plan, which was adopted by the Los Angeles City Council on December 13, 1988. The Project Site is comprised of five (5) contiguous lots totaling 65 acres in size. The Community Plan designates the site for Open Space land uses with corresponding zones of OS (Open Space) and A1 (Agricultural); and Height District of 1XL (Extra Limited Height District), which limits all building or structure to two stories or 30-feet in height, and a Floor Area Ratio (FAR) to 3:1. The Project Site has an existing lot area of 2,304,444 square feet, with 205,846 square feet of existing building floor area, resulting in an FAR of 0.089:1. The Project requests a Zone and Height District Change to (T)(Q)A1-2D to allow the construction of two (2) new mausoleums with respective heights of 18 feet 9 inches and 97 feet 6 inches, and a combined floor area of 87,688 square feet, resulting in a total FAR of 0.13:1. The new zone, (T)(Q)A1-2D, will continue to be consistent with the Open Space General Plan Land Use designation.

As discussed in previous findings, the Project is consistent with the General Plan Framework, Open Space, Conservation, Land Use, Mobility and the Health and Wellness Elements of the General Plan. The Hollywood Community Plan was adopted by the City Council on December 13, 1988. The Project, as a cemetery use with an historic Lawn-Park Landscape Style Design, advances a number of objectives and policies contained in the Hollywood Community Plan. These include:

**Objective 5:** To encourage open space and parks in both local neighborhoods and in high-density areas.

**Objective 7:** To encourage the preservation of open space consistent with property rights when privately owned and promote the preservation of views, natural character, topography of mountainous parts of the community for the enjoyment of both local residents and persons throughout the Los Angeles region.

The Hollywood Forever Cemetery was founded in 1899, as the first cemetery in Hollywood. It has been listed on the National Register of Historic Places as a historic district since 1999, with an established period of significance spanning from 1899 to 1939. Structures built during this period, including the Lawn-Park Landscape Design of the cemetery, are identified as Contributing Resources. As one of the most notable features of the Project Site, the Lawn-Park Landscape Design of the cemetery features formal landscapes with lakes, fountains, abundant shade, and classically inspired architecture and monuments. The Proposed Project has taken great care to preserve the bucolic setting as it is integral to the historic significance of the cemetery. The Project Site continues to be an integral part of the Los Angeles open space network in one of the most centrally located and dense neighborhoods in the City, at 65 acres in size. As mentioned above, the cemetery is and continues to be a historic and cultural fixture in the Hollywood and Los Angeles landscape. In order to avoid disturbing existing ground burial spaces, and to preserve the historic integrity of this bucolic setting in addition to other Contributing Resources which consist of individual buildings, structures and objects, available surface area to build new structures is limited. Granting the Zone and Height District Change will



allow an historic use to expand in order to continue providing essential services to the local and regional community while ensuring that visitors have a serene and idyllic experience, all while preserving the historic lawn-style design of the existing cemetery.

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

The Project Site has been operating as a cemetery since 1899 and is listed on the National Register of Historic Places as a historic district, which identifies the Lawn-Park style and pastoral landscape setting as a Contributing Resource. The cemetery predates the development of the immediately surrounding area, which currently contains an array of uses and building types, ranging from low density commercial uses, medium density residential and light manufacturing uses, within buildings ranging from one- to five-stories in height. The Paramount Master Plan Project was also recently approved for the abutting property to the south, which will permit building heights of up to 75- to 95-feet within certain areas of the site.

#### Building Arrangement (Height, Bulk, Setbacks)

The Project consists of three new structures. The Gower Mausoleum will be five-stories tall, with a total height of 97 feet 6 inches. It will be set back from Gower Street by 9 feet 6 inches, and is required to provide a landscape buffer where possible between the proposed building and the westerly property line. The Crescent Mausoleum will be one-story tall with a total height of 19 feet 6 inches. It will be set back from Van Ness Street by 64 feet 6 inches, and is also required to provide a 10-foot landscape buffer between the proposed building and the easterly southerly line. The site has a main entrance along Santa Monica Boulevard, and is linked to the rest of the site by internal driveways and walkways.

The subject site is zoned A1, and is located within Height District 1XL, which has a height limit of 30-feet, and allows a maximum Floor Area Ratio (FAR) of 3:1. The Project proposes a Zone and Height District Change from property from A1-1XL to (T)(Q)A1-2D, which allows an unlimited height limit, and a maximum FAR of 6:1. The Crescent Mausoleum and maintenance building are single-story buildings that are located adjacent to an existing mausoleum of similar size and height. The Project proposes a particularly attractive design for the Gower Mausoleum that will complement and help preserve the existing pastoral design of the cemetery by placing all buildings toward the property edges so as not to interrupt the resemblance to a serene urban park. Given its size and height, the Gower Mausoleum is purposefully designed with increased transparency and minimal large blank facades that are typical of mausoleums. The proposed building is articulated through changes in plane by staggering the layout and positioning of each floor in a modular fashion. The first floor of the Gower Mausoleum, for instance, is set back 19 feet 6 inches from the Gower Street frontage, while the second floor is set back a variable distance of 9 feet 6 inches to 29 feet, the third floor a variable distance of 19 feet 6 inches to 29 feet, the fourth floor a variable distance of 19 feet 6 inches to 37 feet and the fifth floor a variable distance of 19 feet 6 inches to 57 feet. In addition, the building design is comprised of columnar elements containing the crypts, which alternate with openings that allow circulation and access to exposure to natural light and air. The Gower Mausoleum also provides light wells, water features and ample landscaping. The building is broken up into two sections, to be built in separate phases and connected by a pedestrian bridge set back approximately 87 feet from the Gower Street frontage.

While the Gower Mausoleum will be the tallest structure on the Project Site, it is designed appropriately to reduce the bulk and mass by breaking up the façade, and stepping back each level by a greater distance as the structure gets taller, in order to offset the scale of the structure. Furthermore, while the Gower Mausoleum is observing smaller setbacks than would otherwise be required in the A1 Zone, based on the Findings provided above, the Project is appropriately placed given the historic nature of the Project Site, and the fact that the intent of the setback requirement continues to be met.

#### Off-Street Parking Facilities and Loading Areas

The proposed addition of 87,688 square feet of floor area is required to provide 36 vehicle parking spaces, nine (9) long-term and nine (9) short-term bicycle parking spaces. The Project proposes to provide 107 vehicle parking spaces within a new surface parking lot located on the westerly side of the proposed Crescent Mausoleum addition; and nine (9) long-term and 50 short-term bicycle parking spaces along the main entrance to the cemetery along Santa Monica Boulevard. Parking for visitors, employees and funeral attendees continues to be provided on-site along internal roadways, which can accommodate over 500 vehicles. The Proposed Project is not anticipated to need parking in excess of the total number parking spaces available on-site at any given time.

#### Lighting

The Project Site contains existing security lights which meet this requirement of LAMC Section 14.00 A.1.(a)(2) for Public Benefit Projects, and requires lighting on the site be located so as to not reflect on adjoining residential uses. In addition, the project has been conditioned to continue to comply with the lighting regulations of this section.

#### Landscaping

The Gower Mausoleum proposes ample landscaping along the varying facades which front along Gower Street, as well as the rear elevation which faces existing buildings within the existing cemetery. The Planting Plan includes various tree species, such as Incense Cedar, Mediterranean Fan Palmito, Italian Cypress, Hollywood Juniper, Tollerson's Blue Weeping Juniper, Olive Trees, Desert Museum Palo Verde and Mexican Fan Palms; in addition to a variety of shrubs and ground cover. In coordination with the Office of Historic Resources and Hollywood Heritage, the Applicant has agreed that all landscaping proposed for the Gower Mausoleum shall be planted in a mature state. In addition, as conditioned, the Gower Mausoleum will provide landscaping in all open areas between the proposed buildings and the respective property lines which it abuts, and the Crescent Mausoleum will provide a 10-foot landscape buffer between the building and Van Ness Avenue. The Project also proposes to improve the pedestrian realm along the Gower Street frontage by way landscaping and street trees within the public right-of-way.

#### Trash Collection

The Applicant has not proposed any new trash areas for the new construction. However, as conditioned, all trash shall be enclosed and screened.

#### Fences and/or Walls

The Project Site has an existing CMU perimeter block wall that surrounds the entirety of the property. No changes are proposed to the existing wall, except that the portion along Gower Street will be removed to accommodate the construction of the Gower Mausoleum,



and will be replaced with a new fence measuring six-feet in height, which is the maximum permitted by-right in the A1 Zone. The fence will be constructed of decorative painted wrought iron and located 4 feet from the property line. Portions of the fence will be accessible via a rolling wrought iron gate that will open three designated areas that measure 28 feet 6 inches wide by 12 feet deep, for a total area of 342 square feet to be used as a public gathering spaces during operating hours, and which will close after operating hours. The perimeter will still be secure at all times by an interior fence that jogs in by 12 feet.

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

The proposed project consists of 87,688 square feet of cemetery floor area and does not include any residential uses. Therefore, this finding is not applicable.

### **Environmental Finding**

A Mitigated Negative Declaration (ENV-2013-3263-MND) and corresponding Mitigation Monitoring Program (MMP) were prepared for the Proposed Project. The Mitigation Monitoring Program (MMP) is a document that is separate from the MND and is prepared and adopted as part of the Project's approval. Section 21081.6 of the Public Resources Code requires a Lead Agency to adopt a "reporting or monitoring program for the changes made to the Project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment." In addition to the mitigation measures required of the Project and any Proposed Project design features, the applicant is required to adhere to applicable RCMs required by law.

The MND was circulated for public review on May 19, 2016 through June 8, 2016. In addition, Assembly Bill 52 (AB 52) established a formal consultation process for California Native American Tribes to identify potential significant impacts to Tribal Cultural Resources, as defined in Public Resources Code §21074, as part of CEQA. As specified in AB 52, an informational letter was mailed to a total of nine (9) Tribes known to have resources in this area, on May 18, 2016, describing the Project and requesting any information regarding resources that may exist on or near the Project site. On May 25, 2016, a tribal response was received from the Fernandeño Tatavian Band of Mission Indians, who requested the estimated cubic yards of soil disturbance for the project. That information was provided to them on June 14, 2016. On July 12, 2016, a second tribal response was received from the Gabrieleno Band of Mission Indians – Kizh Nation, requesting that a certified Native American Monitor be on site during any and all ground disturbances. Following an email from staff describing the proposed grading activities, Andrew Salas, President of the Gabrieleno Band of Mission Indians – Kizh Nation Tribe, stated that monitoring was no longer required. Other than the above correspondence, the Planning Department did not receive any comments on the MND.

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.