

# PLANNING DEPARTMENT TRANSMITTAL TO THE CITY CLERK'S OFFICE

<b>CITY PLANNING CASE:</b>	<b>ENVIRONMENTAL DOCUMENT:</b>	<b>COUNCIL DISTRICT:</b>
CPC-2016-1380-VZC-HD-MCUP-ZAA-SPR	ENV-2015-3603-EIR SCH 2016011040	13 - O'Farrell
<b>PROJECT ADDRESS:</b>		
6200-6218 West Sunset Boulevard; 1437-1441 North El Centro Avenue; 6211 West Leland Way		
<b>APPLICANT</b>	<b>TELEPHONE NUMBER:</b>	<b>EMAIL ADDRESS:</b>
Kathy Binford, 6200 Sunset, LLC 5847 San Felipe Suite 3600 Houston, Texas 77057  <input type="checkbox"/> New/Changed		
<b>APPLICANT'S REPRESENTATIVE</b>	<b>TELEPHONE NUMBER:</b>	<b>EMAIL ADDRESS:</b>
Dale Goldsmith, Armbruster, Goldsmith & Delvac, LLP 12100 Wilshire Blvd #1600 Los Angeles, CA 90025		
	(310) 209-8800	<a href="mailto:dale@agd-landuse.com">dale@agd-landuse.com</a>
<b>APPELLANT</b>	<b>TELEPHONE NUMBER:</b>	<b>EMAIL ADDRESS:</b>
<b>APPELLANT'S REPRESENTATIVE</b>	<b>TELEPHONE NUMBER:</b>	<b>EMAIL ADDRESS:</b>
<b>PLANNER CONTACT INFORMATION:</b>	<b>TELEPHONE NUMBER:</b>	<b>EMAIL ADDRESS:</b>
William Lamborn (213) 847-3637 <a href="mailto:william.lamborn@lacity.org">william.lamborn@lacity.org</a>		
<b>ENTITLEMENTS FOR CITY COUNCIL CONSIDERATION</b>		
Vesting Zone Change and Height District Change		

**FINAL ENTITLEMENTS NOT ADVANCING:****ITEMS APPEALED:**

Site Plan Review

**ATTACHMENTS:****REVISED:****ENVIRONMENTAL CLEARANCE:****REVISED:**

- Letter of Determination
- Findings of Fact
- Staff Recommendation Report
- Conditions of Approval
- Ordinance
- Zone Change Map
- GPA Resolution
- Land Use Map
- Exhibit A - Site Plan
- Mailing List
- Land Use
- Other \_\_\_\_\_

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- Categorical Exemption
- Negative Declaration
- Mitigated Negative Declaration
- Environmental Impact Report
- Mitigation Monitoring Program
- Other \_\_\_\_\_

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

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

**PLANNING COMMISSION:**

- 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:****COMMISSION VOTE:**

September 13, 2018	8 - 1
<b>LAST DAY TO APPEAL:</b>	<b>APPEALED:</b>
November 26, 2018	No
<b>TRANSMITTED BY:</b>	<b>TRANSMITTAL DATE:</b>
James K. Williams Commission Executive Assistant II	November 27, 2018



# LOS ANGELES CITY PLANNING COMMISSION

200 North Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300

[www.planning.lacity.org](http://www.planning.lacity.org)

## LETTER OF DETERMINATION

MAILING DATE: NOV 06 2018

Case No. **CPC-2016-1380-VZC-HD-MCUP-ZAA-SPR**

Council District: 13 O'Farrell

CEQA: ENV-2015-3603-EIR, SCH No. 2016011040

Plan Area: Hollywood

Related Case No. VTT-74085

**Project Site:** 6200-6218 West Sunset Boulevard;  
1437-1441 North El Centro Avenue;  
6211 West Leland Way

**Applicant:** Kathy Binford, 6200 Sunset, LLC  
Representative: Dale Goldsmith, Armbruster, Goldsmith & Delvac, LLP

At its meeting of **September 13, 2018**, the Los Angeles City Planning Commission took the actions below in conjunction with the approval of the following project:

The construction of a mixed-use building containing up to 270 residential units and up to 12,120 square feet of commercial retail and restaurant uses. The proposed uses will be located within a seven-story building comprised of up to 243,315 square feet of floor area. A total of 361 vehicle parking spaces will be provided within two and one-half subterranean levels. The project's maximum floor area ratio (FAR) will be 4.5:1. The project site is currently developed with approximately 22,029 square feet of existing low-rise commercial strip center uses and surface parking. All existing on-site uses will be removed to implement the project.

1. **Found**, based on the independent judgment of the decision-maker, after consideration of the whole of the administrative record, the project was assessed in the previously certified 6200 Sunset Project Environmental Impact Report No. ENV-2015-3603-EIR, SCH No. 2016011040, certified on July 26, 2018; and pursuant to CEQA Guidelines, Sections 15162 and 15164, no subsequent EIR, or addendum is required for approval of the project;
2. **Approved and recommended** that the City Council **adopt** a Vesting Zone Change and Height District Change, pursuant to Section 12.32 Q of the Los Angeles Municipal Code (LAMC), from C4-2D-SN to (T)(Q)C4-2D-SN and to amend the existing "D" Development Limitation to allow for a Floor Area Ratio (FAR) of up to 4.5:1 in lieu of 2:1 (per Ordinance No. 165,652);
3. **Approved**, pursuant to LAMC Section 12.28, Zoning Administrator's Adjustments to:
  - a. Allow a zero-foot side yard setback (easterly side yard), in lieu of the 10-foot side yard setback otherwise required in the C4 Zone;
  - b. Allow a zero-foot side yard setback (westerly side yard), in lieu of the 10-foot side yard setback otherwise required in the C4 Zone;
  - c. Utilize the project site's pre-dedication lot area for the purposes of calculating the project's FAR;
4. **Dismissed** a Zoning Administrator's Adjustment to utilize the project site's pre-dedication lot area for the purposes of calculating the project's density;



5. **Approved**, pursuant to LAMC Section 12.24 W.1, a Master Conditional Use to allow the on-site sales and dispensing of a full line of alcoholic beverages for two establishments;
6. **Approved**, pursuant to LAMC Section 16.05, a Site Plan Review for a project resulting in an increase of 50 or more dwelling Units;
7. **Adopted** the attached Conditions of Approval; and
8. **Adopted** the attached Findings.

The vote proceeded as follows:

Moved: Dake Wilson  
 Second: Mitchell  
 Ayes: Ambroz, Choe, Khorsand, Mack, Millman, Padilla-Campos  
 Nays: Perlman

**Vote: 8 - 1**

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

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

**Effective Date/Appeals:** *The decision of the Los Angeles City Planning Commission is final and not appealable as it relates to the Vesting Zone Change and Height District Change.* The decision of the Los Angeles City Planning Commission, regarding the remaining entitlements, is appealable to the Los Angeles City Council within 20 days after the mailing date of this determination letter. Any appeal not filed within the 20-day period shall not be considered by the Council. All appeals shall be filed on forms provided at the Planning Department's Development Service Centers located at: 201 North Figueroa Street, Fourth Floor, Los Angeles; 6262 Van Nuys Boulevard, Suite 251, Van Nuys; or 1828 Sawtelle Boulevard, West Los Angeles.

**FINAL APPEAL DATE:** NOV 26 2018

Notice: An appeal of the CEQA clearance for the Project pursuant to Public Resources Code Section 21151(c) is only available if the Determination of the non-elected decision-making body (e.g., ZA, AA, APC, CPC) **is not further appealable and the decision is final.**

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

Attachments: Zone Change Ordinance, Map, Modified Conditions of Approval, Findings

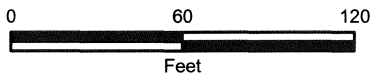
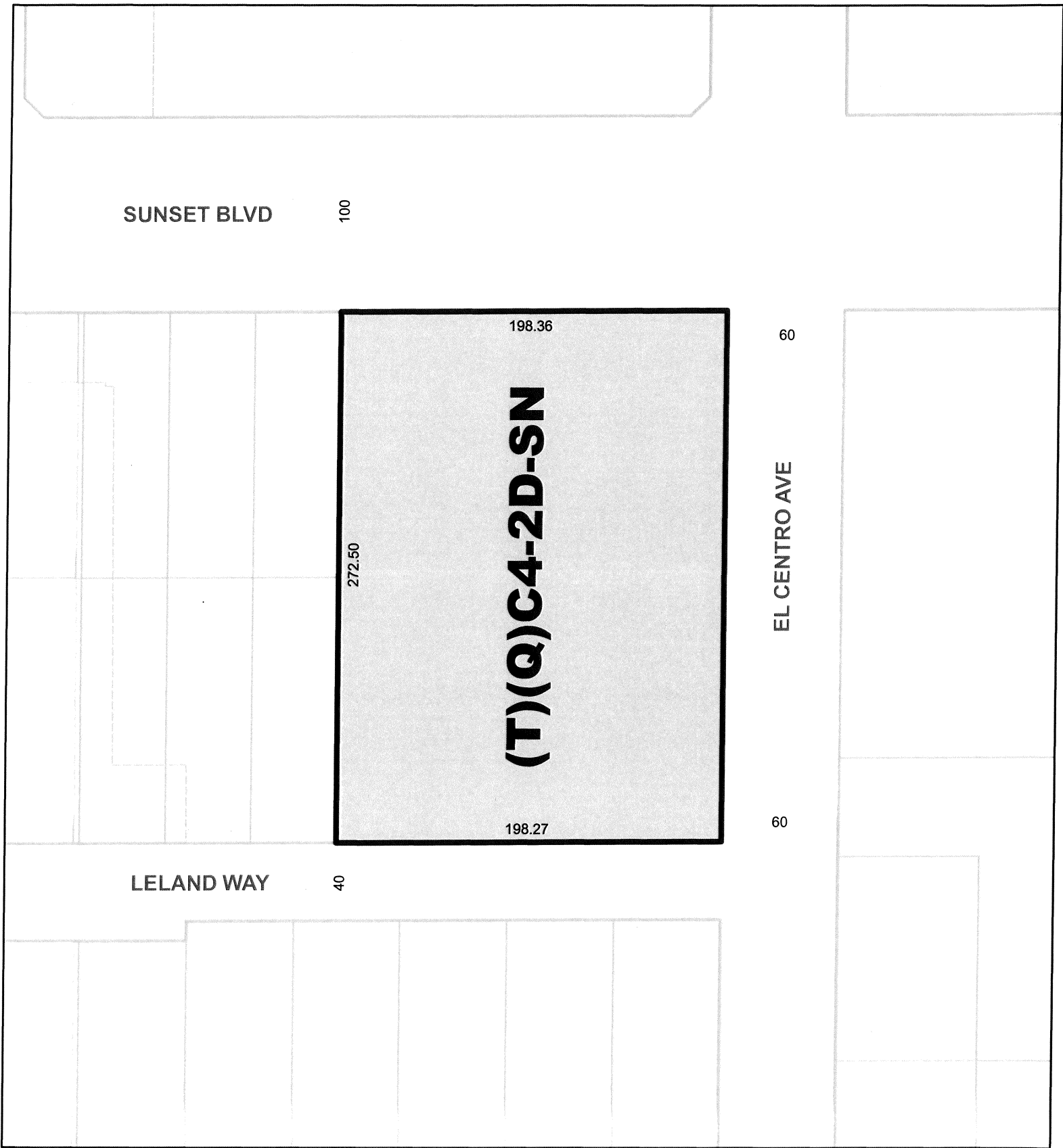
c: Heather Bleemers, Senior City Planner  
 William Lamborn, City Planner

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

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

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

**Section 1.** Section 12.04 of the Los Angeles Municipal Code is hereby amended by changing the zone and zone boundaries shown upon a portion of the zone map attached thereto and made a part of Article 2, Chapter 1 of the Los Angeles Municipal Code, so that such portion of the zoning map shall be as follows:

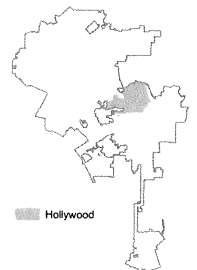


CPC-2016-1380-VZC-HD-MCUP-ZAA-SPR

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City of Los Angeles



## (Q) QUALIFIED CONDITIONS OF APPROVAL

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

1. **Project Description.** The project includes the demolition and removal of the existing low-rise commercial strip center (totaling 22,029 square feet) and surface parking located on the project site, and development of a mixed-use building, including 270 multi-family residential units and 12,120 square feet of commercial retail and restaurant uses. The project will have a maximum height of 92 feet, and will have a total build-out of approximately 243,315 square feet consisting of:
  - a. Up to 12,120 square feet of retail/restaurant uses, and
  - b. Up to 270 residential units.
2. The use and development of the 270 multi-family units shall not be permitted to operate as a Transit Occupancy Residential Structure (TORS). To enable the TORS apartment/hotel hybrid use, the applicant is required to request a Conditional Use Permit.
3. **Site Development.** Except as modified herein, the project shall be in substantial conformance with the plans and materials stamped "Exhibit A" and dated August 27, 2018, and attached to the subject case file. No change to the plans will be made without prior review by the Department of City Planning, and written approval by the Director of Planning, with each change being identified and justified in writing. Minor deviations may be allowed in order to comply with provisions of the Municipal Code, the subject conditions, and the intent of the subject permit authorization.
4. **Zoning.** In compliance with the LAMC, uses permitted in the (T)(Q)C4-2D-SN Zone shall apply to the project site.

### B. Environmental Conditions.

5. **Mitigation Monitoring Program.** The project shall be in substantial conformance with the mitigation measures in the attached MMP and stamped "Exhibit B" and attached to the subject case file. The implementing and enforcing agencies may determine substantial conformance with mitigation measures in the MMP. If substantial conformance results in effectively deleting or modifying the mitigation measure, the Director of Planning shall provide a written justification supported by substantial evidence as to why the mitigation measure, in whole or in part, is no longer needed and its effective deletion or modification will not result in a new significant impact or a more severe impact to a previously identified significant impact.

If the Project is not in substantial conformance to the adopted mitigation measures or MMP, a modification or deletion shall be treated as a new discretionary action under CEQA Guidelines, Section 15162(c) and will require preparation of an addendum or subsequent CEQA clearance. Under this process, the modification or deletion of a mitigation measure shall not require a Tract Map Modification unless the Director of Planning also finds that the change to the mitigation measures results in a substantial change to the project or the non-environmental conditions of approval.

6. **Mitigation Monitor (Construction).** During the construction phase and prior to the issuance of building permits, the Applicant shall retain an independent Construction Monitor (either via the City or through a third-party consultant, the election of which is in the sole discretion of the Applicant), approved by the City of Los Angeles Department of



City Planning which approval shall not be reasonably withheld, who shall be responsible for monitoring implementation of project design features and mitigation measures during construction activities consistent with the monitoring phase and frequency set forth in this MMP.

The Construction Monitor shall also prepare documentation of the Applicant's compliance with the project design features and mitigation measures during construction every 90 days in a form satisfactory to the Department of City Planning. The documentation must be signed by the Applicant and Construction Monitor and be included as part of the Applicant's Compliance Report. The Construction Monitor shall be obligated to report to the Enforcement Agency any non-compliance with mitigation measures and project design features within two businesses days if the Applicant does not correct the non-compliance within a reasonable time of written notification to the Applicant by the monitor or if the non-compliance is repeated. Such non-compliance shall be appropriately addressed by the Enforcement Agency.

## D LIMITATIONS

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

A. Development Limitations:

1. **Floor Area Ratio.** Floor area over the entire site, as identified in the Ordinance Map, shall not exceed four and one half times the buildable area of the site (4.5:1), not to exceed a total of 243,315 square feet of floor area.
2. **Building Height.** Building height shall be limited to a maximum height of 92 feet consistent with Exhibit A.

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

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

**Dedication(s) and Improvement(s).** Prior to the issuance of any building permits, the following public improvements and dedications for streets and other rights of way adjoining the subject property shall be guaranteed to the satisfaction of the Bureau of Engineering, Department of Transportation, Fire Department (and other responsible City, regional and federal government agencies, as may be necessary). Dedications and improvements herein contained in these conditions which are in excess of street improvements contained in either the Mobility Element 2035 or any future Community Plan amendment or revision may be reduced to meet those plans with the concurrence of the Department of Transportation and the Bureau of Engineering:

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. Prior to issuance of sign-offs for final site plan approval and/or project permits by the Department of City Planning, the applicant/developer shall provide written verification to the Department of City Planning from the responsible agency acknowledging the agency's consultation with the applicant/developer. The required dedications and improvements may necessitate redesign of the project. Any changes to project design required by a public agency shall be documented in writing and submitted for review by the Department of City Planning.

### **3. BUREAU OF ENGINEERING**

- a. Dedication Required
  - i. That a 10-foot wide strip of land be dedicated along Leland Way adjoining the tract to complete a 30-foot wide half right-of-way. Also, a 15-foot by 15-foot minimum property line cut corner or a 20-foot radius property line return be dedicated at the intersection with El Centro Avenue.
  - ii. That a 15-foot by 15-foot minimum property line cut corner or a 20-foot radius property line return be dedicated at the intersection of El Centro Avenue and Sunset Boulevard.
- b. Improvements Required
  - i. Improve Leland Way being dedicated and adjoining the subdivision by the construction an approximately 13-foot wide concrete sidewalk and landscaping of the parkway within the 18-foot wide sidewalk area including any necessary removal and reconstruction of existing improvements, and satisfactory transitions to join the existing improvement.
  - ii. Improve El Centro Avenue adjoining the tract by the construction of a new

concrete sidewalk, installation of tree wells including any necessary removal and reconstruction of the existing improvements, all satisfactory to the City Engineer.

- iii. Improve Sunset Boulevard adjoining the tract by the construction of a new concrete sidewalk with tree wells including any necessary removal and reconstruction of the existing improvements all satisfactory to the City Engineer.

#### **4. BUREAU OF STREET LIGHTING**

- a. Install street lighting facilities to serve the tract as required by the Bureau of Street Lighting.

No street lighting improvements if no street widening per BOE improvement conditions. Otherwise relocate and upgrade street lights; two (2) on Sunset Boulevard, one (1) on El Centro Avenue, and one (1) on Leland Way.

**Notes:**

The quantity of street lights identified may be modified slightly during the plan check process based on illumination calculations and equipment selection.

Conditions set: 1) in compliance with a Specific Plan, 2) by LADOT, or 3) by other legal instrument excluding the Bureau of Engineering conditions, requiring an improvement that will change the geometrics of the public roadway or driveway apron may require additional or the reconstruction of street lighting improvements as part of that condition.

#### **5. URBAN FORESTRY**

- a. Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Street Tree Division of the Bureau of Street Maintenance. All street tree plantings shall be brought up to current standards. When the City has previously been paid for tree planting, the subdivider or contractor shall notify the Street Tree Division (213-485-5675) upon completion of construction to expedite tree planting.

## CONDITIONS OF APPROVAL

Pursuant to Sections 12.24, 12.28, and 16.05 of the Los Angeles Municipal Code, the following conditions are hereby imposed upon the use of the subject property:

1. **Site Development.** The use and development of the property shall be in substantial conformance with the plot plan submitted with the application and marked Exhibit "A", stamp dated August 27, 2018, except as may be revised as a result of this action. No change to the plans will be made without prior review by the Department of City Planning, and written approval by the Director of Planning, with each change being identified and justified in writing. Minor deviations may be allowed in order to comply with provisions of the Municipal Code, the subject conditions, and the intent of the subject permit authorization.
2. **Development Services Center.** Prior to sign-off on building permits by the Department of City Planning's Development Services Center for the project, the Department of City Planning's Major Projects Section shall confirm, via signature, that the project's building plans substantially conform to the conceptual plans stamped as Exhibit "A", as approved by the City Planning Commission.

Note to Development Services Center: The plans presented to, and approved by, the City Planning Commission (CPC) included specific architectural details that were significant to the approval of the project. Plans submitted at plan check for condition clearance shall include a signature and date from Major Projects Section planning staff to ensure plans are consistent with those presented at CPC.

3. **Floor Area.** The project shall be limited to a maximum 4.5:1 Floor Area Ratio (FAR).
4. **Height.** The proposed buildings shall be limited to a height of up to 92 feet.
5. **Automobile Parking.** Parking for residential and commercial uses shall be provided in compliance with LAMC Section 12.21-A,4, as amended by the updated bicycle parking regulations pursuant to Ordinance No. 185480, effective May 9, 2018. Thirty percent of the of the required automobile parking for commercial uses and 15 percent of the of the required automobile parking for residential uses may be replaced by bicycle parking at a ratio of one vehicle parking space for every four bicycle parking spaces provided.
6. **Bicycle Parking.** Bicycle parking shall be provided consistent with Ordinance No. 185480, which amended Sections 12.03, 12.21 and 12.26 of the Los Angeles Municipal Code to update the bicycle parking regulations, effective on May 9, 2018.
7. Prior to the issuance of the building permit, a copy of the letter of decision for Case No.VTT-74085 shall be submitted to the satisfaction of the Development Services Center.
8. **Landscaping.** All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped, including an automatic irrigation system, and maintained in accordance with a landscape plan prepared by a licensed landscape architect or licensed architect, and submitted for approval to the Department of City Planning.
9. **Lighting.** All outdoor lighting shall be shielded and down-casted within the site in a manner that prevents the illumination of adjacent public rights-of-way, adjacent properties, and the night sky (unless otherwise required by the Federal Aviation Administration (FAA))



or for other public safety purposes). Areas where retail and restaurant uses are located shall be maintained to provide sufficient illumination of the immediate environment so as to render objects or persons clearly visible for the safety of the public and emergency response personnel.

10. **Solar-Ready Buildings.** The project shall comply with the Los Angeles Municipal Green Building Code, Section 99.05.211, to the satisfaction of the Department of Building and Safety.
11. **Mitigation Monitoring Program.** The project shall be in substantial conformance with the mitigation measures in the attached MMP and stamped "Exhibit B" and attached to the subject case file. The implementing and enforcing agencies may determine substantial conformance with mitigation measures in the MMP. If substantial conformance results in effectively deleting or modifying the mitigation measure, the Director of Planning shall provide a written justification supported by substantial evidence as to why the mitigation measure, in whole or in part, is no longer needed and its effective deletion or modification will not result in a new significant impact or a more severe impact to a previously identified significant impact.

If the project is not in substantial conformance to the adopted mitigation measures or MMP, a modification or deletion shall be treated as a new discretionary action under CEQA Guidelines, Section 15162(c) and will require preparation of an addendum or subsequent CEQA clearance. Under this process, the modification or deletion of a mitigation measure shall not require a Zone Change unless the Director of Planning also finds that the change to the mitigation measures results in a substantial change to the project or the non-environmental conditions of approval.

12. **Mitigation Monitor.** During the construction phase and prior to the issuance of building permits, the applicant shall retain an independent Construction Monitor (either via the City or through a third-party consultant), approved by the Department of City Planning, who shall be responsible for monitoring implementation of project design features and mitigation measures during construction activities consistent with the monitoring phase and frequency set forth in this MMP.

The Construction Monitor shall also prepare documentation of the applicant's compliance with the project design features and mitigation measures during construction every 90 days in a form satisfactory to the Department of City Planning. The documentation must be signed by the applicant and Construction Monitor and be included as part of the applicant's Compliance Report. The Construction Monitor shall be obligated to immediately report to the Enforcement Agency any non-compliance with the mitigation measures and project design features within two businesses days if the applicant does not correct the non-compliance within a reasonable time of notification to the applicant by the monitor or if the non-compliance is repeated. Such non-compliance shall be appropriately addressed by the Enforcement Agency.

13. **Tribal Cultural Resource Inadvertent Discovery.** In the event that objects or artifacts that may be tribal cultural resources are encountered during the course of any ground

disturbance activities,<sup>1</sup> all such activities shall temporarily cease on the project site until the potential tribal cultural resources are properly assessed and addressed pursuant to the process set forth below:

- Upon a discovery of a potential tribal cultural resource, the project Permittee shall immediately stop all ground disturbance activities and contact the following: (1) all California Native American tribes that have informed the City they are traditionally and culturally affiliated with the geographic area of the proposed project; (2) and the Department of City Planning at (213) 473-9723.
- If the City determines, pursuant to Public Resources Code Section 21074 (a)(2), that the object or artifact appears to be tribal cultural resource, the City shall provide any effected tribe a reasonable period of time, not less than 14 days, to conduct a site visit and make recommendations to the Project Permittee and the City regarding the monitoring of future ground disturbance activities, as well as the treatment and disposition of any discovered tribal cultural resources.
- The project Permittee shall implement the tribe's recommendations if a qualified archaeologist, retained by the City and paid for by the project Permittee, reasonably concludes that the tribe's recommendations are reasonable and feasible.
- The project Permittee shall submit a tribal cultural resource monitoring plan to the City that includes all recommendations from the City and any effected tribes that have been reviewed and determined by the qualified archaeologist to be reasonable and feasible. The project Permittee shall not be allowed to recommence ground disturbance activities until this plan is approved by the City.
- If the project Permittee does not accept a particular recommendation determined to be reasonable and feasible by the qualified archaeologist, the project Permittee may request mediation by a mediator agreed to by the Permittee and the City who has the requisite professional qualifications and experience to mediate such a dispute. The project Permittee shall pay any costs associated with the mediation.
- The project Permittee may recommence ground disturbance activities outside of a specified radius of the discovery site, so long as this radius has been reviewed by the qualified archaeologist and determined to be reasonable and appropriate.
- Copies of any subsequent prehistoric archaeological study, tribal cultural resources study or report, detailing the nature of any significant tribal cultural resources, remedial actions taken, and disposition of any significant tribal cultural resources shall be submitted to the South Central Coastal Information Center (SCCIC) at California State University, Fullerton.
- Notwithstanding the above, any information determined to be confidential in nature, by the City Attorney's office, shall be excluded from submission to the SCCIC or the general public under the applicable provisions of the California Public Records Act, California Public Resources Code, and shall comply with the City's AB 52 Confidentiality Protocols.

### **Conditional Use for the Sale and Dispensing of On-Site Alcoholic Beverages**

14. Authorized herein is the sale and dispensing of a full line of alcoholic beverages for off-site

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<sup>1</sup> Ground disturbance activities shall include the following: excavating, digging, trenching, plowing, drilling, tunneling, quarrying, grading, leveling, removing peat, clearing, pounding posts, augering, backfilling, blasting, stripping topsoil or a similar activity

consumption for one establishment, and on-site consumption for up to five establishments, subject to the following limitations:

- a. The hours of operation shall be limited to 7:00 a.m. to 2:00 a.m., daily for on-site consumption.
  - b. No after-hour use is permitted, except routine clean-up. This includes but is not limited to private or promotional events, special events, excluding any activities which are issued film permits by the City.
15. MViP – Monitoring Verification and Inspection Program. Prior to the utilization of this grant, fees required per L.A.M.C section 19.01 E (3) for Monitoring of Conditional Use Permits and Inspection and Field Compliance Review of Operations shall be paid to the City. Within 12 to 18 months from the beginning of operations or issuance of a Certificate of Occupancy, a City inspector will conduct a site visit to assess compliance with, or violations of, any of the conditions of this grant. Observations and results of said inspection will be documented and included in the administrative file. The owner/operator shall be notified of the deficiency or violation and required to correct or eliminate the deficiency or violation. Multiple or continued documented violations or Orders to Comply issued by the Department of Building and Safety which are not addressed within the time prescribed, may result in additional corrective conditions imposed by the Zoning Administrator.
16. Prior to the utilization of this grant, 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 Department of City Planning for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided for inclusion in case file. Fees required per L.A.M.C section 19.01 E (3) for Monitoring of Conditional Use Permits and Inspection and Field Compliance Review of Operations shall be paid to the City prior to the final clearance of this condition.
17. Should there be a change in the ownership and/or the operator of the business, the business owner or operator shall provide the prospective new business owner/operator with a copy of the conditions of this action prior to the legal acquisition of the property and/or the business. Evidence that a copy of this determination including the conditions required herewith has been provided to the prospective owner/operator shall be submitted to the Department of City Planning in a letter from the new owner/operator indicating the date that the new owner/operator began and attesting to the receipt of this approval and its conditions. The new operator shall submit this letter to the Department of City Planning within 30-days of the beginning day of his/her new ownership/operation of the establishment along with any proposed modifications to the existing the floor plan, seating arrangement or number of seats of the new operation.
18. The Zoning Administrator reserves the right to require that the new business owner or operator file a Plan Approval application, if it is determined that the new operation is not in substantial conformance with the approved floor plan, or the operation has changed in mode or character from the original approval, or if documented evidence be submitted showing a continued violation(s) of any condition(s) of this grant resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties. The application, in association with the appropriate fees, and a 500-foot notification radius,

shall be submitted to the Department of City Planning within 30 days of the date of legal acquisition by the new owner or operator. The purpose of the plan approval will be to review the operation of the premise and establish conditions applicable to the use as conducted by the new owner or operator, consistent with the intent of the Conditions of this grant. Upon this review, the Zoning Administrator may modify, add or delete conditions, and if warranted, reserves the right to conduct this public hearing for nuisance abatement/revocation purposes.

19. Master Plan Approval (MPA) Requirement for two establishments. Each individual operator and each new operator/owner of an establishment, shall be subject to a Master Plan Approval (MPA) determination pursuant to Section 12.24-M of the Los Angeles Municipal Code in order to implement and utilize the Master Conditional Use authorization granted. The purpose of the Master Plan Approval determination is to review each proposed establishment in greater detail and to tailor site-specific conditions of approval for each of the restaurant premises which may include but not be limited to hours of operation, seating capacity, size, security, the length of a term grant and/or any requirement for a subsequent MPA application to evaluate compliance and effectiveness of the conditions of approval.
20. Administrative Review. To utilize the grant, each establishment shall be subject to a ministerial Administrative Review procedure, requiring the submittal of the type of alcohol application requested from ABC through a Master Land Use Application, a table matrix identifying all existing alcohol permits for the subject property, an updated floor plan identifying the location of all establishments, a proposed floor plan of the vendor space considered for review, hours of operation, and if applicable, documentation regarding the number and location of seats the vendor is proposing within the specific establishment. The submittal shall be included in the case file. Each review will also be subject to the payment of the "Miscellaneous Clearance – Zoning Administrator" fee (LAMC Section 19.3.1E-3). The Director shall review the alcohol use request for substantial compliance with the conditions of this grant. Any application which does not comply with the terms and conditions of this grant shall be required to file a Plan Approval or Conditional Use Permit pursuant to LAMC Section 12.24.X.2 or Section 12.24.W,1.
21. In the event there is a change in the licensee, within six months of such change, this training program shall be required for all new staff. Los Angeles Police Department's Standardized Training for Alcohol Retailers (STAR) training shall be conducted for all new hires within two months of their employment.
22. Within the first six months of utilizing the grant at this establishment, all employees involved with the sale of full line of alcohol shall enroll in the Los Angeles Police Department "Standardized Training for Alcohol Retailers" (STAR). Upon completion of such training, the applicant shall request the Police Department to issue a letter identifying which employees completed the training. The applicant shall transmit a copy of the letter referencing Case No. CPC-2016-1380-VZC-HD-MCUP-ZAA-SPR, from the Police Department to the Department of City Planning as evidence of compliance.
23. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
24. Prior to approval of any Plan Approval filed subsequent to this approval, each individual business owner or operator shall prepare a security plan, which shall be submitted to the

Police Department's Central Area's Vice Section for review and approval. The security plan shall address security measures applicable to the establishment.

25. No authorizations for other uses have been requested or impliedly approved and any uses or activities which require a separate Conditional Use Permit or Police Commission Permit or any other permit under state or local law, is prohibited unless the required permit or authorization is obtained for the activity.
26. There shall be no use of the subject premises which involves Section 12.70 of the Los Angeles Municipal Code uses (Adult Entertainment).
27. The applicant of every establishment shall maintain on the premises and present upon request to the Police or other enforcement agency, a copy of the Business Permit, Insurance Information, Conditional Use Permit Conditions, ABC Alcohol Permit and valid emergency contact phone number for any Valet Service utilized and for any Security Company Service employed.
28. The applicant shall be responsible for maintaining the area adjacent to the premises over his/her control free of litter.
29. The applicant and tenant(s) shall monitor the areas under their control to prevent loitering of persons around their venues.
30. The property owner/operator shall keep a log of complaints received, the date and time received, and the disposition of the response. This shall be available for inspection by the Department.

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

31. **Trash/Storage.**
  - a. All trash collection and storage areas shall be located on-site and not visible from the public right-of-way.
  - b. Trash receptacles shall be stored in a fully enclosed building or structure, constructed with a solid roof, at all times.
  - c. Trash/recycling containers shall be locked when not in use.
32. **Mechanical Equipment.** Any structures on the roof, such as air conditioning units and other equipment, shall be fully screened from view of any abutting properties and the public right-of-way. All screening shall be setback at least five feet from the edge of the building.
33. **On-site Landscaping.** All planters containing trees shall have a minimum depth of 48 inches.
34. **Lighting.** Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties, the public right-of-way, nor from above.
35. **Aesthetics.** The structure, or portions thereof shall be maintained in a safe and sanitary condition and good repair and free of graffiti, trash, overgrown vegetation, or similar material, pursuant to Municipal Code Section 91,8104. All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively



landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the decision maker.

36. **Greywater.** The project shall be constructed with an operable recycled water pipe system for onsite greywater use, to be served from onsite non-potable water sources such as showers, washbasins, or laundry and to be used as untreated subsurface irrigation for vegetation or for cooling equipment. The system specifics shall be required as determined feasible by DWP in consultation with DCP.
37. **Solar.** The project shall provide a 35,000-watt DC Solar Photovoltaic (PV) System, which is estimated to generate approximately 50,000 kilowatt hours of energy per year. The PV system is estimated to consist of 100 solar panels on the rooftop.

**Administrative Conditions:**

38. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Planning Department for placement in the subject file.
39. **Code Compliance.** Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions are more restrictive.
40. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assign. The agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Planning Department for attachment to the file.
41. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public officials, legislation or their successors, designees or amendment to any legislation.
42. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Planning Department and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
43. **Building Plans.** Page 1 of the grants and all the conditions of approval shall be printed on the building plans submitted to the City Planning Department and the Department of Building and Safety.
44. **Project Plan Modifications.** Any corrections and/or modifications to the project plans made subsequent to this grant that are deemed necessary by the Department of Building and Safety, Housing Department, or other Agency for Code compliance, and which involve a change in site plan, floor area, parking, building height, yards or setbacks, building separations, or lot coverage, shall require a referral of the revised plans back to the Department of City Planning for additional review and final sign-off prior to the issuance of

any building permit in connection with said plans. This process may require additional review and/or action by the appropriate decision-making authority including the Director of Planning, City Planning Commission, Area Planning Commission, or Board.

45. **Indemnification and Reimbursement of Litigation Costs.** The Applicant shall do all of the following:
- (i) 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.
  - (ii) 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.
  - (iii) 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 \$50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
  - (iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
  - (v) 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 includes 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.

## Entitlement Findings

### 1. Zone Change and Height District Change Findings

- a. **Pursuant to Section 12.32.C.7 of the Los Angeles Municipal Code, the recommended zone and height district change is deemed consistent with the General Plan and is in conformity with the public necessity, convenience, general welfare and good zoning practice.**

The project includes a Zone and Height District Change for the entire project site from C4-2D-SN to (T)(Q)C4-2D-SN. The requested Zone Change and Height District Change allow for the development of a new mixed-use project containing up to 270 residential units and up to 12,120 square feet of commercial retail and restaurant uses. The proposed uses will be located within a seven-story building comprised of up to 243,315 square feet of floor area. A total of 361 vehicle parking spaces will be provided within two and one-half subterranean levels. The project's maximum floor area ratio (FAR) will be 4.5:1 with a maximum height of 92 feet. In order to allow for the development of the proposed project and maximum FAR of 4.5:1, the Zone and Height District Change will amend the existing D Limitation, which currently limits the FAR on the project site to 2:1. The proposed mixed-use project will serve the public convenience through the provision of commercial retail and restaurant uses, and new multi-family housing units, on a site that is currently characterized by surface parking and strip center commercial uses. The zone and height district change are deemed consistent with the public necessity, convenience, general welfare and good zoning practice in that they will allow for the development of a mixed-use building that provides new housing and commercial opportunities on a site located near transit, employment options, and commercial amenities.

Public necessity, convenience and general welfare will be better served as a result of adopting the proposed Zone and Height District Change, as they allow a commercially-zoned site along a main commercial corridor within a designated Regional Center to be redeveloped with a mixed-use project that will provide new multi-family dwelling units and commercial uses. The project will provide needed housing and job opportunities in proximity to transit. The proposed project site is in a Transit Priority Area as defined in Public Resources Code 21099. The project site is served by the Metro Hollywood and Vine Red Line subway station 0.25 mile from the project site, as well as by multiple bus lines (Metro Local Lines 2, 4, 180/181, 210, 212/312, 217, 222, 302, Metro Rapid Lines 704 and 780, and LADOT DASH Hollywood, Hollywood/Wilshire, and Beachwood Canyon). These transit lines provide connections within Hollywood as well as to job- and entertainment-rich destinations in Downtown Los Angeles and throughout the greater Los Angeles area.

The project is further in conformity with public necessity, convenience, general welfare and good zoning practice because it includes upgraded streetscapes, sidewalk improvements, and publicly accessible open space. The proposed project will be lined by restaurant and retail space on the ground floor, and all parking will be provided within subterranean and semi-subterranean levels, thereby activating a site that currently contains large expanses of surface parking, and primarily auto-related strip center commercial uses. In addition, the project will provide a publicly accessible retail plaza fronting Sunset Boulevard, and will provide improved and widened sidewalks with new street trees and landscaping.

The proposed uses are consistent with the surrounding area and with the General Plan. The General Plan Framework Element establishes general principles to encourage growth and increase land use intensity around transit nodes, to create a pedestrian oriented

environment while promoting an enhanced urban experience, and to provide for places of employment. In this case, the proposed function of the project is to support the Framework Element's goal of encouraging development in proximity to rail and bus transportation corridors and stations, encouraging transit use, reducing vehicle dependency, and improving air quality.

The project site is designated as Regional Center Commercial in the Hollywood Community Plan. The Framework Element's Land Use Chapter identifies Regional Centers as the focal points of regional commerce, identity, and activity. Surrounding properties along Sunset Boulevard are similarly designated for Regional Center Commercial land uses. The surrounding built environment is developed and highly urbanized, and is characterized by a mix of low- to high-intensity multi-family and commercial buildings. Main thoroughfares such as Sunset Boulevard are generally developed with more dense residential, commercial and mixed-use development, while lower-density commercial and residential areas are located along the adjacent collector streets. The proposed project is consistent with this land use pattern, and will provide a transition from the larger scale development along Sunset Boulevard to the north of the project site to the lower-scale multi-family residential uses to the south of the project site.

The proposed (T)(Q)C4-2D-SN Zone is a corresponding zone for the Regional Center Commercial land use designation as set forth in the adopted Hollywood Community Plan.

Per LAMC Section 12.32-G,1 and 2, 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. The "T" Conditions 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 actions required. These actions and improvements will provide the necessary infrastructure to serve the proposed community at this site. The "Q" conditions that limits 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.

Therefore, based on the above, the recommended zone and height district change is deemed consistent with the General Plan and is in conformity with the public necessity, convenience, general welfare and good zoning practice.

#### ADDITIONAL FINDINGS FOR A "Q" QUALIFIED AND "D" LIMITED CLASSIFICATIONS:

**b. The project will protect the best interests of and assure a development more compatible with the surrounding property or neighborhood.**

The proposed project is reflective of the character of development pattern and land use designations in the immediate vicinity, which support the goals and policies of the General Plan Framework Element. As described in the Framework Element, the Regional Center Commercial land use designation typically provides for high-density places whose physical form is substantially differentiated from the lower-density neighborhoods of the City. Generally, regional centers will range from FAR 1.5:1 to 6:1 and are characterized by six- to twenty-story (or higher) buildings as determined in the community plan. Their densities and functions support the development of a comprehensive and inter-connected network of public transit and services. Framework Element Goal 3F envisions regional centers as mixed-use centers that provide jobs, entertainment, culture, and serve the region. The



project is consistent with the Framework Element through its provision of 270 multi-family units and 12,120 square feet of ground-floor commercial retail and restaurant uses within the vicinity of rail transit as well as several Metro Local and Rapid bus stops.

The project's ground floor commercial uses will be compatible and complementary with the commercial uses in the vicinity, including retail and restaurant uses immediately to the east across El Centro Avenue and to the west of the project site along Sunset Boulevard. In addition, the project's on-site mix of residential and commercial uses will be compatible and complementary with existing and proposed mixed-use buildings along Sunset Boulevard, which are discussed further below.

The use and development of the 270 multi-family units shall not be permitted to operate as a Transit Occupancy Residential Structure (TORS). In the event that the applicant decides to convert the multi-family units to TORS units, the applicant is required to request a Conditional Use Permit.

The project proposes a maximum FAR of 4.5:1 in lieu of the 6:1 otherwise permitted in Height District two (2). While the project's increase in FAR is greater than the site's currently permitted 2:1 FAR, the proposed FAR is consistent with the nature of the surrounding area, specifically existing buildings to the north of the project site, inclusive of the CBS Columbia Square building and 20-story mixed-use project, the 22-story Sunset Media Center building, and the proposed retention of the existing Hollywood Palladium and 28-story mixed-use project, for which a determination letter was issued on January 8, 2016. The project is also consistent with the currently under-construction seven-story mixed-use project at 6250 Sunset Boulevard, thereby creating a consistent street wall and a prevailing sense of pedestrian-oriented scale along this stretch of Sunset Boulevard. Further, the proposed increase in FAR affords the square footage needed to provide much needed housing within a designated Regional Center in close proximity to mass transit.

To ensure the preservation of the residential neighborhood's character to the south, the building's massing, scale, and height will be reduced at its southern-facing frontage. Specifically, the mixed-use building will step down from seven stories to six stories as it approaches the one- to two-story multi-family residential uses along the south side of Leland Way. In addition, the project includes a ground-level courtyard open to the sky at the center of its Leland Way frontage, in keeping with the typology of the residential uses to the south, further breaking up the massing of the project's south elevation. Lastly, the project will provide an 18-foot landscaped sidewalk along the site's southern frontage, consisting of trees and planters that will help to screen and create space between the project site and adjacent residential uses.

The project site has been conditioned so that any development on the site will be compatible with existing and future development in the area. In addition, the "Q" Conditions will ensure that the project is constructed as approved herein and subject to the mitigation measures and project design features identified in the EIR.

**c. That the project will secure an appropriate development in harmony with the objectives of the General Plan.**

The project's proposed multi-family residential, commercial retail and restaurant uses are consistent with the surrounding area and will secure an appropriate development in harmony with the objectives of the General Plan. The General Plan Framework Element establishes general principles to encourage growth and increase land use intensity around transit nodes. In particular, the General Plan Framework identifies Regional Centers as focal

points of regional commerce, identity, and activity. The Framework Element further states that regional centers, typically, provide a significant number of jobs and many non-work destinations that generate and attract a high number of vehicular trips. The project site is designated as Regional Center Commercial in the Hollywood Community Plan. The proposed Zone and Height District Change are consistent with the principles of the General Plan, as they will allow a commercially-zoned site along a main commercial corridor within a designated Regional Center to be redeveloped with a mixed-use project that will provide new multi-family dwelling units and commercial uses. The project will provide needed housing and job opportunities in proximity to transit. The project site is approximately 0.25 mile from the Metro Red Line Hollywood and Vine Station and is served by multiple Metro Local and Rapid bus lines. The proposed (T)(Q)C4-2D-SN Zone is a corresponding zone for the Regional Center Commercial land use designation as set forth in the adopted Hollywood Community Plan.

The project is consistent with the Hollywood Community Plan's provisions to provide for needed housing while also preserving and enhancing the residential character of the Community and protecting lower density housing from the scattered intrusion of apartments. The project will provide 270 new multi-family housing units within a mixed-use project on a site that currently does not provide any housing units. These multi-family units will include studio, one- and two-bedroom units in order to satisfy a variety of housing needs within the community, thus maximizing the opportunity for individual choice. The project avoids encroaching into lower-density neighborhoods to the south by providing a mixed-use project on a commercially zoned site on Sunset Boulevard.

The project's proposed a seven-story building and maximum height of 92 feet is consistent with the surrounding built environment, which is developed and highly urbanized, and is characterized by a mix of low- to high-intensity multi-family and commercial buildings. Main thoroughfares such as Sunset Boulevard are generally developed with more dense residential, commercial and mixed-use development, while lower-density commercial and residential areas are located along the adjacent collector streets. The proposed project is consistent with this land use pattern, and will provide a transition from the larger scale development along Sunset Boulevard to the north of the project site to the lower-scale multi-family residential uses to the south of the project site. The project steps down a story at the southern frontage, provides a wider sidewalk and landscaping along the southern frontage, and breaks up the massing of the southern-facing project elevation through the provision of a ground-floor courtyard for project residents.

As such, the project will secure an appropriate development in harmony with the objectives of the General Plan.

## 2. Conditional Use Findings

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

LAMC Section 12.24-W,1 allows a Conditional Use Permit to be granted for the sale and dispensing of alcoholic beverages. The project requests a Conditional Use Permit for the sales and/or dispensing of alcoholic beverages for a total of two (2) on-site full line permits, with the option for these full line permits to instead be for beer/wine only, within the project restaurant spaces. The restaurants will be located street level along Sunset Boulevard and El Centro Avenue.

The project proposes the demolition of approximately 22,029 square feet of low-rise commercial strip center uses and surface parking and the construction of a new mixed-use building containing up to 270 residential units and up to 12,120 square feet of commercial retail and restaurant uses. The proposed uses will be located within a seven-story building comprised of up to 243,315 square feet of floor area. A total of 361 vehicle parking spaces will be provided within two and one-half subterranean levels.

The surrounding built environment is developed and highly-urbanized, and the immediate vicinity of the project is characterized by a mix of low- to medium-intensity, multi-family and commercial uses. Arterials such as Sunset Boulevard are generally developed with more dense residential and commercial development, while lower density mixed-use and residential areas are located along the adjacent collector streets. The properties located to the north of the project site along Sunset Boulevard are improved with the Hollywood Palladium live music venue and surface parking, CBS Columbia Square building and 20-story mixed-use project, and the 22-story Sunset Media Center building. A determination letter was issued on January 8, 2016 for the retention of the existing Hollywood Palladium and construction of a 28-story mixed-use project comprised of 731 residential dwelling units and 24,000 square feet of retail and restaurant uses. The properties located to the south of the project site along Leland Way are improved with one- to two-story multi-family residential uses. To the east of the project site, properties are currently improved with low-rise commercial strip center uses and the five-story Sunset Gower Studios building. The properties located to the west along Sunset Boulevard are improved with the Earl Carroll Theatre, and the construction site of a new mixed-use building that will be comprised of 200 dwelling units and 4,700 square feet of ground floor commercial area. Along the same block farther to the west, Sunset Boulevard is improved with one- to two- story commercial uses and the 20-story Sunset Vine tower. The project proposes a mix of multi-family residential, commercial retail and restaurant uses that is consistent with the surrounding uses described above. The project's massing, and maximum height of 92 feet and seven stories is compatible with the highly urbanized surrounding area, and steps down to six stories to appropriately transition to lower-density multi-family uses to the south of the site. Thus, the proposed mixed-use project will enhance the built environment by bringing new compatible development to the area.

The restaurants will also provide a beneficial service for the residents, employees, and visitors to the area, and the availability of alcohol sales is a desirable amenity that is typical of many restaurants and markets. The proposed alcohol service will improve the viability and desirability of the proposed restaurants (up to two). Further, as conditioned, the sale of alcoholic beverages will occur within a controlled environment within the store by trained employees, subject to security measures, limited hours of operation, STAR training, inspections, and evaluations of any nuisance complaints and the appropriateness of the use. The service of alcoholic beverages in food establishments has become accepted as a desirable and expected use that is meant to complement food service. Since alcoholic beverage service is a common and expected amenity with meal service for many patrons, the grant for alcohol sales will be desirable to the public convenience and welfare. The project will provide increased opportunities for quality food and may serve as a central meeting point for the neighborhood. The sale of alcoholic beverages is anticipated to be an ancillary use to the restaurant use.

Therefore, as conditioned, the service of alcoholic beverages for on-site consumption and sales for off-site consumption will enhance the built environment in the surrounding neighborhood and provide a service that is beneficial to the community, city or region.

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

The project proposes the demolition of approximately 22,029 square feet of low-rise commercial strip center uses and surface parking and the construction of a new mixed-use building containing up to 270 residential units and up to 12,120 square feet of commercial retail and restaurant uses. The proposed uses will be located within a seven-story building comprised of up to 243,315 square feet of floor area. A total of 361 vehicle parking spaces will be provided within two and one-half subterranean levels. The project's maximum floor area ratio (FAR) will be 4.5:1 with a maximum height of 92 feet.

The project site is located in the Hollywood Community Plan, along Sunset Boulevard in Hollywood, and is specifically bounded by Sunset Boulevard to the north; El Centro Avenue to the east; Leland Way to the south; and the Earl Carroll Theatre to the west. The project site is located in a highly-urbanized area on a stretch of Sunset Boulevard generally comprised of retail, restaurant, and office uses.

Uses to the immediate north, west and east of the project site include low-rise to mid-rise commercial uses, ranging to high-rise office, commercial, residential and mixed uses, and are generally zoned C4-2D-SN. Low-rise multi-family uses zoned R4-2D are located directly south of the project site across Leland Way. The nearest public schools (e.g. Joseph Le Conte Middle School and Grant Elementary School) are located from a half to one mile away from the project site.

No evidence was presented at the Hearing Officer hearing or in writing that the sale of alcoholic beverages for on- and off-site consumption will be materially detrimental to the immediate neighborhood. The sales of alcohol will not be detrimental to nearby schools, since the establishments serving alcohol will be carefully controlled and monitored, and will be located from over a half mile to a mile away from the project site and buffered throughout this distance by a wide variety of existing commercial and residential uses. The project has been designed in a manner to enhance the public realm and improve the aesthetics and safety of the surrounding area. The inclusion of alcohol uses will allow for added vibrancy within the project, which is appropriate for a mixed-use transit priority project. Any establishments serving alcohol will be carefully controlled and monitored, while being compatible with immediately surrounding commercial uses consisting of boutique retail shops, restaurants and multi-family residential. The proposed project will provide a place for residents, workers and visitors to eat, drink, and socialize; as such, the sale of alcoholic beverages is a normal part of restaurant operation and an expected amenity.

Additionally, the conditions recommended herein will ensure that the establishment will not adversely affect or further degrade the surrounding neighborhood, or the public health, welfare, and safety. Approval of the conditional use will contribute to the success and vitality of the commercial development and help to reinvigorate the site and vicinity. Since the alcohol sales will be incidental to food service, permitting alcohol sales on the site will not be detrimental to the development of the community.

Thus, as conditioned, 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.

Furthermore, this grant also includes conditions of approval intended to address alcohol-related issues to safeguard public welfare and enhance public convenience, such as proper employee training. In addition, as each operator comes in, they will be required to file a plan approval to allow for the Zoning Administrator to review the floor plan, and impose any other conditions as deemed appropriate.

The location of the project's alcohol-sale will continue to add to the diversification of commercial activities being conducted in the area and will not adversely affect the surrounding neighborhood. As mentioned, the alcohol-sales will be compatible and complement the surrounding commercial along Sunset Boulevard. The proposed hours of operation are reasonable and the sale of alcohol is incidental to food sales at the restaurants. Therefore, as conditioned, it is anticipated that the project features and uses will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or public health, welfare, and safety.

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

The elements of the General Plan establish policies that provide for the regulatory environment in managing the City and for addressing concerns and issues. The majority of the policies derived from these Elements are in the form of Code Requirements of the Los Angeles Municipal Code (LAMC). Except for the entitlements described herein, the project does not propose to deviate from any of the requirements of the LAMC.

The project site is located within the Hollywood Community Plan. The parcel is zoned C4-2D-SN and is designated for Regional Center Commercial land uses. The proposed project will provide 12,120 square feet of commercial retail and restaurant uses along with required parking facilities.

The Community Plan text is silent with regard to alcohol sales. In such cases, the Zoning Administrator must interpret the intent of the Plan. Approval of the request is consistent with the general purpose, intent and provisions of the Hollywood Community Plan.

The subject project is consistent with the adopted General Plan in that alcohol sales in conjunction with the operation of a future restaurant and/or retail use serve to improve the function, design, and economic vitality of Sunset Boulevard in an area known for dining, tourism, and entertainment. Furthermore, the requested application will be given numerous conditions of approval for the instant requests. As such, the proposed project substantially conforms with the purpose, intent and provision of the General Plan.

**Additional required findings for the sale of alcoholic beverages:**

**d. The proposed use will not adversely affect the welfare of the pertinent community.**

The subject property is surrounded by a variety of commercial and multi-family residential land uses, including restaurants. A variety of commercial uses are an intrinsic part of the service amenities necessary for the conservation, development, and success of a vibrant neighborhood. As conditioned, the sale of a full line of alcoholic beverages for on-site consumption in conjunction with the operation of new restaurants located on the project site will not adversely affect the welfare of the pertinent community. Negative impacts commonly

associated with the sale of alcoholic beverages, such as criminal activity, public drunkenness, escort services, and loitering are mitigated by the imposition of conditions requiring deterrents against loitering and responsible management. Employees are required to undergo training on the sale of beer and wine including training provided by the Los Angeles Police Department Standardized Training for Alcohol Retailers (STAR) Program. Other conditions related to excessive noise, litter and noise prevention will safeguard the residential community. Therefore, with the imposition of such conditions the sale of a full line of alcoholic beverages for on-site consumption at this location will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.

- e. **The granting of the application will not result in an undue concentration of premises for the sale or dispensing for consideration of alcoholic beverages, including beer and wine, in the area of the City involved, giving consideration to applicable State laws and to the California Department of Alcoholic Beverage Control's guidelines for undue concentration; and also giving consideration to the number and proximity of these establishments within a one thousand foot radius of the site, the crime rate in the area (especially those crimes involving public drunkenness, the illegal sale or use of narcotics, drugs or alcohol, disturbing the peace and disorderly conduct), and whether revocation or nuisance proceedings have been initiated for any use in the area.**

According to the State of California Department of Alcoholic Beverage Control (ABC) licensing criteria in 2017, two (2) on-sale and one (1) off-sale licenses are allocated to Census Tract No. 1908.01. There are currently a total of 13 licenses (11 on-site and 2 off-site) in this Census Tract.

Although the number of existing on-site licenses is above the number currently allocated, no evidence was submitted for the record establishing any link between the subject property and crime rates in the community. The location of this existing restaurant is within a predominantly commercial area, with many existing restaurants exist in the immediate vicinity.

According to statistics provided by the Los Angeles Police Department's Hollywood Division Vice Unit, within Crime Reporting District No. 666, which has jurisdiction over the subject property, a total of 1,489 crimes were reported in 2017 (422 Part I and 1,067 Part II crimes), compared to the total citywide average of 191 crimes for the same reporting period.

Part 1 Crimes reported by LAPD include, Homicide (0), Manslaughter (0), Rape (0), Robbery (16), Aggravated Assault (32), Burglary (57), Auto Theft (19), Larceny (260). Part II Crimes reported include, Other Assault (47), Forgery/Counterfeit (11) Embezzlement/Fraud (14), Stolen Property (1), Weapons Violation (17), Prostitution Related (21), Sex Offenses (5), Offenses Against Family (7), Narcotics (157), Liquor Laws (11), Public Drunkenness (18), Disturbing the Peace (1), Disorderly Conduct (197), Gambling (0), DUI related (32), Moving Traffic Violations (25), and other offenses (328). Of the 1,489 total crimes reported for the census tract, 32 arrest were made for driving under the influence and 18 for public drunkenness.

Concentration can be undue when the addition of a license will negatively impact a neighborhood. Concentration is not undue when the approval of a license does not

negatively impact an area, but rather such a license benefits the public welfare and convenience. No information was provided by LAPD showing that the approval of the two permits would negatively impact the neighborhood. Of the 1,489 arrests in the crime district, only 3% (50) of the total were for alcohol-related offenses, and 32 were for driving under the influence (DUI). DUI offenses cannot be blamed in this case as the crime district includes Sunset Boulevard and Vine Street, which are major traffic access routes through Hollywood to adjacent residential areas with freeway access to other major entertainment areas such as the Central City, Koreatown, Silver Lake and Echo Park.

- f. The proposed use will not detrimentally affect nearby residentially zoned communities in the area of the City involved, after giving consideration to the distance of the proposed use from residential buildings, churches, schools, hospitals, public playgrounds and other similar uses, and other establishments dispensing, for sale or other consideration, alcoholic beverages, including beer and wine.**

The project site is zoned for commercial uses and will continue to be utilized as such with the development of new restaurant uses on the project site. With regard to surrounding sensitive uses, there are the following within a 1,000-foot radius of the site:

Southern California Hospital at Hollywood, 6245 De Longpre Avenue.  
Multi-family residential uses.

Consideration has been given to the distance of the subject establishment from the above-referenced sensitive uses. The grant has been well conditioned, which should protect the health, safety and welfare of the surrounding neighbors. The potential effects of excessive noise or disruptive behavior have been considered and addressed by imposing conditions related to noise and loitering. The project is consistent with the zoning and in keeping with the existing uses adjacent to the development. This project will contribute to a neighborhood and will serve the neighboring residents and the local employees as well as visitors. Therefore as conditioned, the project will not detrimentally affect residentially zoned properties or any other sensitive uses in the area.

### **3. Zoning Administrator Adjustment Findings**

- 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.**

#### Side Yards

The applicant is requesting adjustments to allow a zero-foot side yard (easterly side yard), in lieu of the 10-foot side yard otherwise required in the C4 Zone; and to allow a zero-foot side yard (westerly side yard), in lieu of the 10-foot side yard otherwise required in the C4 Zone. The general purpose and intent of setback regulations is to provide character of development intended by the zone classification, open space, and safety. Consistently applying the regulation creates compatibility between respective properties. Such regulations, however, are written on a citywide basis and cannot take into account individual unique characteristics of a specific property. An adjustment is a grant of permission to depart from the literal enforcement of a zoning ordinance and allow the property to be developed in a manner otherwise not permitted where the spirit of the ordinance is observed and is done without detrimental impacts to the community.

The subject property is a rectangular shaped lot, mildly sloping downward from north to south, consisting of approximately 54,070 square feet. The project site has an approximately 198-foot frontage on Sunset Boulevard along the northern property line and a depth of approximately 272 feet (prior to dedication). The subject property is within the C4-2D-SN Zone, and is requesting a Zone Change to the (T)(Q)C4-2D-SN Zone. Both the existing C4-2D-SN Zone and proposed (T)(Q)C4-2D-SN Zone require a 10-foot side-yard setback.

The subject site is currently developed with 22,029 square feet of low-rise commercial strip center uses and surface parking. The project site does not currently contain residential uses. Pursuant to LAMC Section 12.16-A,C(2), side yards are not required in the C4 Zone for buildings erected and used exclusively for commercial purposes. Therefore, under the provisions of the C4-2D-SN Zone, the existing commercially-used buildings on the project site are not required to have side yard setbacks, and as such are currently built to the easterly and westerly property lines. The easterly property line abuts El Centro Avenue, and the westerly property line abuts the Earl Carroll Theatre, which is a City-designated Historic Cultural Monument.

In the C4 Zone, for all portions of buildings erected and used for residential purposes, side and rear yards shall meet the requirements of the R4 Zone. The side yard requirements of the R4 Zone are therefore applicable to the residential portions of the project, and require 10-foot side yard setbacks. The purpose of side yards is to provide adequate separation between neighboring properties and to provide light and air to residents of these homes. The side yard fronting El Centro Avenue abuts the public street, and therefore no issues will be created with respect to providing adequate separation between neighboring properties and to provide light and air. In addition, the uses across El Centro Avenue from the project site are one-story commercial strip center uses within the C4-2D-SN Zone, which currently house a Rite Aid pharmacy. These commercial uses are approximately 60 feet in distance from the project site across El Centro Avenue, and will continue to experience adequate separation, light, and air. Therefore, allowing for the zero-foot side-yard easterly setback still achieves the separation of buildings and the provision of light and air to the property, and therefore meets the intent of the zoning regulation.

Moreover, the LAMC currently provides for an exemption in 12.22-A,18(a)(3) that no yard requirements shall apply to the residential portions of building located on lots in the C4 Zone for combined commercial and residential uses, if such uses abut a street and the first floor at ground level is used for commercial purposes. The proposed project is indeed located in the C4 zone, abuts a public street, and combines commercial and residential uses. However, while the Sunset Boulevard and El Centro Avenue frontage on the ground floor are largely used for commercial retail and restaurant space, and driveway access, the project has residential uses in the interior of the site towards Leland Way which are considered on the ground floor due to the gently sloping nature of the project site. As such, the first floor of the project at ground level is not used exclusively for commercial purposes. Nonetheless, the existing exemption, for which the project nearly qualifies, further demonstrates that granting a zero-foot side yard along El Centro Avenue is generally consistent with the intent of the setback regulations of the LAMC. In sum, granting a zero-foot easterly side yard for residential uses on the project site conforms with the intent of the side yard regulations in the C4 Zone, and will not cause any adverse impacts to adjacent properties.



The project site's westerly side yard abuts the historic Earl Carroll Theatre. As mentioned above, the existing low-rise commercial strip center uses on the project site are currently built to the property line. The Earl Carroll Theatre is proposed to be retained as part of a separately proposed mixed-use project located at 6250 West Sunset Boulevard (CPC-2014-750-VZC-HD-SPP-SPR). The 6250 Sunset Draft EIR states that, with respect to the Earl Carroll Theatre, "Following construction of the Project, the building is expected to either support continued operation as a television production studio, a similar studio use, or, use as creative office space." (6250 Sunset DEIR page 2-11) The 6250 Sunset mixed-use project was approved by the City Planning Commission on June 9, 2016. Therefore, based upon the approved 6250 Sunset project's retention and proposed reuse of the historic Earl Carroll Theatre, it is unlikely that this adjacent site will be redeveloped in the future with residential uses immediately abutting the proposed project site.

Furthermore, the only point at which the project encroaches into the otherwise required 10-foot westerly side yard will be residential patios on the second floor. These patios will still afford a considerable degree of light and air between the two properties consistent with the intent and purpose of the setback regulations. On floors three through seven the project is set back ten feet from the Earl Carroll Theatre, consistent with the side yard regulations for residential uses in the C4 Zone. Therefore, granting a zero-foot westerly side yard for residential uses on the project site nonetheless conforms with the intent of the side yard regulations in the C4 Zone, and will not cause adverse impacts to adjacent properties.

#### Pre-Dedication Lot Area to Calculate Density and Floor Area Ratio

The applicant is requesting an adjustment to utilize the project site's pre-dedication lot area for density and FAR calculation purposes. With regard to the portion of the request to utilize the project site's pre-dedication lot area for density calculation purposes, on July 26, 2018, the Deputy Advisory Agency approved this request in conjunction with Vesting Tentative Tract Map No. VTT-74085. This determination was not appealed. Therefore, this request is recommended to be dismissed as it was granted through the tract map approval.

With regard to the portion of the request to utilize the project site's pre-dedication lot area for FAR calculation purposes, the project site's pre-dedication area is 54,070 square feet, which with the proposed maximum project floor area of 243,315, yields a maximum floor area ratio of 4.5:1. The project site's post-dedication lot area is 51,916 square feet, which with the proposed maximum project floor area of 243,315, yields a maximum floor area ratio of 4.68:1. Because the project is concurrently requesting a Vesting Tentative Tract Map, FAR is calculated based upon post-dedication lot area rather than pre-dedication lot area, pursuant to LAMC 12.37. The requested adjustment would therefore permit the project to achieve the same lot area as what could be utilized on the project site either by-right or in the absence of the project's concurrent tract map request. In addition, as discussed above, the project's proposed height, mass, and bulk is consistent with the highly urbanized surrounding area, and will provide for much needed housing and commercial uses within a Regional Center in proximity to mass transit. The project site is therefore an appropriate location for the increase in FAR as requested by the adjustment. Therefore, the request to utilize the project site's pre-dedication lot area for FAR calculation purposes nonetheless conforms with the intent of the City's regulations and policies, and will not cause adverse impacts to adjacent properties.

- b. That in light of the project as a whole, including any mitigation measures imposed, the project's location, size, height, operations and other significant**

**features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.**

### Side Yards

The project will promote the public health, welfare and safety of the area by providing needed housing and commercial retail space, in the form of 270 new multi-family housing units and up to 12,120 square feet of commercial retail and restaurant uses proximate to the Metro Red Line subway and to multiple bus routes. The project will also be compatible with the surrounding neighborhood and adjacent properties. The project site's surrounding uses include retail, restaurant, office, and existing and proposed mixed-uses along Sunset Boulevard and other principal arterials, with lower-density multi-family uses to the south of the project site. The proposed mix of commercial retail and residential uses provided by the project will be compatible with those existing nearby uses.

The project's location, size and height is compatible with the surrounding neighborhood and adjacent properties. The setting in which the project is located is highly urbanized. The properties located to the north of the project site along Sunset Boulevard are improved with the Hollywood Palladium live music venue and surface parking, CBS Columbia Square building and 20-story mixed-use project, and the 22-story Sunset Media Center building. A determination letter was issued on January 8, 2016 for the retention of the existing Hollywood Palladium and construction of a 28-story mixed-use project comprised of 731 residential dwelling units and 24,000 square feet of retail and restaurant uses. The properties located to the south of the project site along Leland Way are improved with one- to two-story multi-family residential uses. To the east of the project site, properties are currently improved with low-rise commercial strip center uses and the five-story Sunset Gower Studios building. The properties located to the west along Sunset Boulevard are improved with the Earl Carroll Theatre, and the construction site of a new seven-story mixed-use building that will be comprised of 200 dwelling units and 4,700 square feet of ground floor commercial area. Along the same block farther to the west, Sunset Boulevard is improved with one- to two- story commercial uses and the 20-story Sunset Vine tower.

The project will provide a seven-story mixed-use building that will be consistent with existing and proposed development along Sunset Boulevard, which is a very active commercial street, while stepping down in height along the southern portion of the project. The project's perceived size is further reduced by providing building articulation and design variation. Along the project site's Leland Way frontage, the project includes a landscaped pool courtyard and steps back from seven to six stories, thereby breaking up the massing of the building elevation facing the low-rise multi-family uses to the south of the project site.

The project is appropriate for the location as it provides commercial retail components along Sunset Boulevard, an existing commercial corridor and within a designated Regional Center. In a manner consistent with the property's proximity to the Metro Red Line Hollywood and Vine Station, and proximity to existing retail and employment centers within Hollywood, the project will provide needed housing and retail space.

Thus, the requested adjustments to allow a zero-foot side yard (easterly side yard), in lieu of the 10-foot side yard otherwise required in the C4 Zone, and to allow a zero-foot side yard (westerly side yard), in lieu of the 10-foot side yard otherwise required in the C4 Zone, will

be compatible with and will not adversely affect the adjacent properties or surrounding area as described above.

Therefore, 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.

#### Pre-Dedication Lot Area to Calculate Density and Floor Area Ratio

The applicant is requesting an adjustment to utilize the project site's pre-dedication lot area for density and FAR calculation purposes. With regard to the portion of the request to utilize the project site's pre-dedication lot area for density calculation purposes, on July 26, 2018, the Deputy Advisory Agency approved this request in conjunction with Vesting Tentative Tract Map No. VTT-74085. This determination was not appealed. Therefore, this request is recommended to be dismissed, as it was granted through the tract map approval.

With regard to the portion of the request to utilize the project site's pre-dedication lot area for FAR calculation purposes, the project site's pre-dedication area is 54,070 square feet, which with the proposed maximum project floor area of 243,315, yields a maximum floor area ratio of 4.5:1. The project site's post-dedication lot area is 51,916 square feet, which with the proposed maximum project floor area of 243,315, yields a maximum floor area ratio of 4.68:1. The increase in FAR afforded by utilizing the pre-dedication lot area is appropriate for its location. In a manner consistent with the property's proximity to the Metro Red Line Hollywood and Vine Station, multiple bus routes, and proximity to existing retail and employment centers within Hollywood, the increase in FAR will provide space for needed housing and commercial retail on the project site. As discussed above, the project's massing, bulk and height, inclusive of the requested FAR adjustment, will be compatible with surrounding area, which is highly urbanized and characterized by existing and proposed mixed-use buildings that range from low- to high-rise, with lower-density multi-family uses to the south of the project site. Along the project site's Leland Way frontage, the project includes a landscaped pool courtyard and steps back from seven to six stories, thereby breaking up the massing of the building elevation facing the low-rise multi-family uses to the south of the project site.

Thus, the requested adjustment to utilize the project site's pre-dedication lot area for FAR calculation purposes will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.

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

#### Side yards

The proposed project has been designed to provide a use that will be consistent with the purposes, intent and provisions of the General Plan. The project site is designated for Regional Center Commercial land uses under the adopted Hollywood Community Plan. The project is seeking a Zone Change and Height District Change to allow for a maximum FAR of 4.5:1, in lieu of the maximum 2:1 FAR under the existing D Limitation. The project's proposed (T)(Q)C4-2D-SN Zone corresponds to the Regional Center Commercial land use designation.

The General Plan Framework identifies Regional Centers as focal points of regional commerce, identity, and activity. The Framework Element further states that regional centers, typically, provide a significant number of jobs and many non-work destinations that generate and attract a high number of vehicular trips. Consequently, each center shall function as a hub of regional bus or rail transit both day and night. Good quality street, area, and pedestrian lighting is essential to generating feelings of safety, comfort, and well being necessary for ensuring public nighttime use of transit facilities. They are typically high-density places whose physical form is substantially differentiated from the lower-density neighborhoods of the City. Generally, regional centers will range from FAR 1.5:1 to 6:1 and are characterized by six- to twenty-story (or higher) buildings as determined in the community plan. Their densities and functions support the development of a comprehensive and inter-connected network of public transit and services. The Framework Element goal 3F further envisions Regional Centers as mixed-use centers that provide jobs, entertainment, culture, and serve the region.

The project proposes to develop a mixed-use building with 270 multi-family units and commercial retail and restaurant uses within approximately 0.25 mile of the Metro Red Line Hollywood and Vine Station, on a commercial corridor served by multiple Metro Local and Rapid bus lines. The project will provide pedestrian amenities with ground floor retail fronting Sunset Boulevard and El Centro Avenue, a publicly accessible retail plaza fronting Sunset Boulevard, and a proposed FAR of 4.5:1. The project is therefore consistent with the land use characteristics of the Regional Center land use designation as provided in the Framework Element.

The Hollywood Community Plan identifies the following goals and objectives that are relevant to the proposed project:

*Objective 3: To make provision for the housing required to satisfy the varying needs and desires of all economic segments of the Community, maximizing the opportunity for individual choice.*

*To encourage the preservation and enhancement of the varied and distinctive residential character of the Community, and to protect lower density housing from the scattered intrusion of apartments.*

*Policies:*

*The Plan encourages the preservation of lower density residential areas, and the conservation of open space lands.*

The project is consistent with this objective and policy as it will provide 270 new multi-family housing units within a mixed-use project on a site that currently does not provide any housing units. These multi-family units will include studio, one- and two-bedroom units in order to satisfy a variety of housing needs within the community, thus maximizing the opportunity for individual choice. The project avoids encroaching into lower-density neighborhoods to the south by providing a mixed-use project on a commercially zoned site on Sunset Boulevard. The project's design characteristics appropriately transition from higher-intensity uses to the north of the project site to lower-intensity uses to the south of the project site by stepping down a story at the southern frontage, providing a wider sidewalk and landscaping along the southern frontage, and breaking up the massing of the

southern-facing project elevation through the provision of a ground floor courtyard for project residents.

The Hollywood Community Plan also provides the following for the Hollywood Center:

*The focal point of the Community is the Hollywood Center, located generally on both sides of Hollywood and Sunset Boulevards between la Brea and Gower Street. The Hollywood Center is included in the Hollywood Redevelopment Project area as adopted in May 1986. This center area shall function*

- 1) as the commercial center for Hollywood and surrounding communities and*
- 2) as an entertainment center for the entire region. Future development should be compatible with existing commercial development, surrounding residential neighborhoods and the transportation and circulation system. Developments combining residential and commercial uses are especially encouraged in this Center area.*

The project site is bounded by Sunset Boulevard to the north, El Centro Avenue to the east, and Leland Way to the South. The project site is therefore located within the Hollywood Center as defined by the Hollywood Community Plan. The project is consistent with the Community Plan's vision for this area, as it will provide a mixed-use development combining residential and commercial uses, and will generally reinforce this area as a commercial center for Hollywood and the surrounding communities. The project achieves this vision through the provision of commercial retail and restaurant uses, and new multi-family housing units, on a site that is currently characterized by surface parking, and strip center commercial and auto-oriented uses. Further, the proposed mixed-use development preserves surrounding lower-density neighborhoods from encroachment of incompatible land uses by locating a mixed-use project along an established commercial corridor on a commercially zoned property within the Hollywood Center. The proposed Project will bring much needed neighborhood-serving commercial uses and opportunities for jobs to the area, and provide opportunities for those using the Metro station to and from work or home. The project site is also served by multiple Local and Metro Rapid Bus line routes.

As such, the project, inclusive of the reduced easterly and westerly side yards, will be in substantial conformance with the purpose, intent and provisions of the General Plan, the applicable community plan and any applicable specific plan.

#### Pre-Dedication Lot Area to Calculate Density and Floor Area Ratio

The applicant is requesting an adjustment to utilize the project site's pre-dedication lot area for density and FAR calculation purposes. With regard to the portion of the request to utilize the project site's pre-dedication lot area for density calculation purposes, on July 26, 2018, the Deputy Advisory Agency approved this request in conjunction with Vesting Tentative Tract Map No. VTT-74085. Therefore, this request is recommended to be dismissed, as it was granted through the tract map approval.

With regard to the portion of the request to utilize the project site's pre-dedication lot area for FAR calculation purposes, the project site's pre-dedication area is 54,070 square feet, which with the proposed maximum project floor area of 243,315, yields a maximum floor area ratio of 4.5:1. The project site's post-dedication lot area is 51,916 square feet, which with the proposed maximum project floor area of 243,315, yields a maximum floor area ratio of 4.68:1. This proposed adjustment is consistent with the Framework Element and Hollywood

Community Plan as it will permit higher density residential development in a designated Regional Center in close proximity to bus and rail mass transit. The proposed adjustment will therefore allow for an increase in available housing in an appropriate location consistent with the goals and policies of the General Plan.

As such, the requested adjustment to utilize the project site's pre-dedication lot area for FAR calculation purposes will be in substantial conformance with the purpose, intent and provisions of the General Plan, the applicable community plan and any applicable specific plan.

#### **4. Site Plan Review Findings**

In order for the Site Plan Review to be granted, all three of the legally mandated findings delineated in Section 16.05-F of the Los Angeles Municipal Code must be made in the affirmative.

- 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 project proposes the development of a new mixed-use building on a 1.24-acre site located at 6200 West Sunset Boulevard, at the intersection of Sunset Boulevard and El Centro Avenue within the Hollywood community. The project includes up to 270 residential units (58 studio, 158 one-bedroom, and 54 two-bedroom units) and up to 12,120 square feet of commercial retail and restaurant uses. The proposed uses will be provided within a seven-story building with a maximum height of 92 feet. The commercial uses will be provided on the ground floor fronting Sunset Boulevard, with residential units above on floors two through seven. The building height steps down to six stories near the existing lower-density residential uses to the south. The project will provide a total of 243,315 square feet of floor area, with a maximum floor area ratio (FAR) of 4.5:1. A total of 361 vehicle parking spaces will be provided within two and one-half subterranean levels. Approximately 22,029 square feet of existing low-rise commercial strip center uses and surface parking will be removed to allow for the development of the project.

The proposed mixed-use project is consistent with the General Plan Framework Element, the Hollywood Community Plan, and the Housing Element, as discussed below:

#### Framework Element Land Use Chapter

The Framework Element's Land Use Chapter (Chapter Three) establishes general principles to encourage growth and increase land use intensity around transit nodes, to create a pedestrian oriented environment while promoting an enhanced urban experience and provide for places of employment. The project site is designated as Regional Center Commercial in the Hollywood Community Plan. The Framework Element's Land Use Chapter identifies Regional Centers as the focal points of regional commerce, identity, and activity. The Framework Element further states that regional centers, typically, provide a significant number of jobs and many non-work destinations that generate and attract a high number of vehicular trips. Consequently, each center shall function as a hub of regional bus or rail transit both day and night. Good quality street, area, and pedestrian lighting is essential to generating feelings of safety, comfort, and well being necessary for ensuring

public nighttime use of transit facilities. Per the Framework Element, regional centers are typically high-density places whose physical form is substantially differentiated from the lower-density neighborhoods of the City. Generally, regional centers will range from FAR 1.5:1 to 6:1 and are characterized by six- to twenty-story (or higher) buildings as determined in the community plan. Their densities and functions support the development of a comprehensive and inter-connected network of public transit and services.

The proposed project is consistent with and meets the goals of the Regional Center designation by providing a seven-story mixed-use project with 270 multi-family residential units and 12,120 square feet of commercial retail and restaurant uses within approximately 0.25 mile of the Metro Red Line Hollywood and Vine Station, on a commercial corridor served by multiple Metro bus routes. The project will provide pedestrian amenities with ground floor retail fronting Sunset Boulevard and El Centro Avenue, a publicly accessible retail plaza at the center of the project's Sunset Boulevard frontage, and a proposed FAR of 4.5:1. The project is therefore consistent with the appropriate land uses for the Regional Center land use designation as envisioned in the Framework Element.

The project meets the following objectives and policies set forth in the Framework Element's Land Use chapter.

*Regional Centers:*

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

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

*Policy 3.10.3: Promote the development of high-activity areas in appropriate locations that are designed to induce pedestrian activity, in accordance with Pedestrian-Oriented District Policies 3.16.1 through 3.16.3, and provide adequate transitions with adjacent residential uses at the edges of the centers.*

*Policy 3.10.4: Provide for the development of public streetscape improvements, where appropriate*

The proposed mixed-use project complies with the aforementioned goal, objective, and policies relative to its location in a Regional Center. The project includes 270 residential units located above the ground floor commercial uses, thus promoting the development of high-activity areas in appropriate locations and reinforcing the mixed-use character of the center. The project's proposed 12,120 square feet of neighborhood-serving ground floor commercial space is anticipated to include retail and restaurant uses and will provide new employment opportunities. Residents of the project and the surrounding neighborhood will have convenient pedestrian access to the project's ground floor commercial uses, thus encouraging pedestrian activity in and around the project site. The proposed mixed-use project will be compatible with adjacent land uses, which are highly urbanized and characterized by multi-family residential, commercial, retail and mixed-use buildings at a variety of scales. In addition, the project will improve the surrounding public streetscape on Sunset Boulevard, El Centro Avenue, and Leland

Way by incorporating new trees and planters, and widening the sidewalk on Leland Way from an existing eight feet to a proposed 18 feet.

*Distribution of Land Use:*

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

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

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

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

The proposed project complies with the aforementioned objectives and policy relative to the distribution of land use. The project will provide a complementary mix of multi-family residential, retail and restaurant uses to accommodate and meet the needs of the City's residents and visitors. In addition, residents and visitors who prefer not to drive benefit from the multitude of bus lines that operate directly along Sunset Boulevard, and elsewhere nearby, facilitating a reduction of vehicle trips, as well as the project's close proximity (0.25 mile) to the Metro Red Line Hollywood and Vine subway station. The new multi-family residential and commercial retail uses will be located within in existing Regional Center along a main commercial corridor in proximity to transit.

Urban Form and Neighborhood Design Chapter

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

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

*Objective 5.9: Encourage proper design and effective use of the built environment to help increase personal safety at all times of the day.*

*Policy 5.9.2: Encourage mixed-use development which provides for activity and natural surveillance after commercial business hours through the development of ground floor retail uses and sidewalk cafes. Mixed-use should also be enhanced by locating*



*community facilities such as libraries, cultural facilities or police substations, on the ground floor of such building, where feasible*

The proposed project complies with the aforementioned goal, objectives and policy in that the addition of new commercial, restaurant and residential uses complement the Hollywood Regional Center that is developed with a variety of unique restaurants, retail, and boutique retail shops. The project enhances the livability of the area with the addition of new ground floor commercial uses that will draw patrons to the site and which builds upon the mix of uses already found in the area.

The project's public amenities include a 1,480 square-foot retail plaza fronting Sunset Boulevard. In addition, the project will enhance the surrounding streetscape on Sunset Boulevard, El Centro Avenue, and Leland Way by incorporating new trees and planters, and widening the sidewalk on Leland Way from an existing eight feet to a proposed 18 feet. This proposed streetscape provides a substantial improvement from existing conditions, which are characterized by expansive surface parking areas and unadorned blank walls along the site's public street frontages. The project's pedestrian-scale lighting and visibility at the ground floor will help improve the livability and security of the neighborhood at all hours.

#### Open Space Chapter

*Objective 6.2: Maximize the use of the City's existing open space network and recreation facilities by enhancing those facilities and providing connections, particularly from targeted growth areas, to the existing regional and community open space system.*

*Policy 6.4.7: Consider as part of the City's open space inventory of pedestrian streets, community gardens, shared school playfields, and privately-owned commercial open spaces that are accessible to the public, even though such elements fall outside the conventional definitions of "open space." This will help address the open space and outdoor recreation needs of communities that are currently deficient in these resources.*

The project includes a publicly accessible retail plaza for shopping and public gathering. The project also includes several open space amenities for residents, including two courtyards (Ground Level and Level Two) and two separate roof decks.

#### Economic Development Chapter

*Goal 7A: A vibrant economically revitalized City.*

The project proposes the demolition of 22,029 square feet of low-rise commercial strip center uses and surface parking for the construction of 243,315 square-foot mixed-use development that contains 270 residential units and approximately 12,120 square feet of ground floor commercial retail and restaurant uses, thereby providing uses that will attract economic activity in the area and new residents who may patronize existing business in addition to the proposed on-site commercial uses.

*Goal 7B: A City with land appropriately and sufficiently designated to sustain a robust commercial and industrial base.*

*Objective 7.2: Establish a balance of land uses that provides for commercial and industrial development which meets the needs of local residents, sustains economic growth, and assures maximum feasible environmental quality.*

*Policy 7.2.3: Encourage new commercial development in proximity to rail and bus transit corridors and stations.*

*Policy 7.2.5: Promote and encourage the development of retail facilities appropriate to serve the shopping needs of the local population when planning new residential neighborhoods or major residential developments.*

The project will further the above goals, objective and policies through the introduction of a mixed-use project that will provide a total of 270 residential units and approximately 12,120 square feet of ground floor commercial retail and restaurant uses. The projects convenient location to rail and bus stops will allow residents and visitors easy access to the goods and services provided by the project. The commercial component of the project will provide long-term jobs in the area. The mixed-use project will promote job creation and economic growth, strengthen the commercial sector, and contribute to a better balance of land uses that meets the needs of residents.

*Goal 7D: A City able to attract and maintain new land uses and businesses.*

The project will further the above goal through the introduction of a mixed-use project that will provide a total of 270 residential units and approximately 12,120 square feet of ground floor commercial retail and restaurant uses.

*Goal 7G: A range of housing opportunities in the City.*

The project will provide a range of housing opportunities in the form of 270 new residential units within studio, one- and two-bedroom configurations, located on a site that currently does not provide any housing units.

#### Housing Element

*Framework Objective 4.1: Plan the capacity for and develop incentives to encourage production of an adequate supply of housing units of various types within each City subregion to meet the projected housing needs by income level of the future population to the year 2010.*

*Housing Element Objective 1.1 – Produce an adequate supply of rental and ownership housing in order to meet current and projected needs.*

The project will further the City's goal of achieving adequate housing supply for the city. The project proposes 270 multi-family residential units that are comprised of studio, one-bedroom and two-bedroom units that will ensure a range of housing units are available to meet current and projected needs.

#### Hollywood Community Plan

The project site is located within the Hollywood Community Plan, adopted by the City Council on December 13, 1988. The Plan designates the project site for Regional Center Commercial Land Uses with corresponding zones of C2, C4, P, PB, RAS3, and RAS4, which allow for the project's proposed residential and commercial uses. The project site is currently zoned C4-2D-SN. Although the existing "D" Development Limitation restricts the maximum floor area ratio (FAR) to 2:1, the project includes a request for a Zone Change

and Height District Change to amend the existing D Limitation to permit an FAR increase of up to 4.5:1. As set forth below, the project is consistent with the Community Plan.

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

*Objective 1: To coordinate the development of Hollywood with other parts of the City of Los Angeles and the metropolitan area. To further the development of Hollywood as a major center of population, employment, retail services, and entertainment...*

The proposed mixed-use project is coordinated with the development of Hollywood and other parts of the City of Los Angeles, by further developing Hollywood as a major center of population, employment, and retail services. The project reflects orderly development of the urban area, with housing to accommodate residents and employees, proximate to transit and retail services and existing employment centers. The project will provide construction, retail and commercial jobs, as well as new housing opportunities for residents.

*Objective 3: To make provision for the housing required to satisfy the varying needs and desires of all economic segments of the Community, maximizing the opportunity for individual choice.*

The project will provide housing required to satisfy the needs and desires of varying economic segments of the community by providing much-needed housing in the City of Los Angeles. The project includes 270 multi-family units in a variety of unit types to help respond to the need for housing in the Hollywood Community Plan area. As Hollywood is highly-urbanized and is experiencing ongoing revitalization, building new multi-family housing with complementary on-site commercial retail and restaurant uses will continue help make Hollywood a vibrant community. In addition, the project will not displace any existing residents or residential communities, as the project site is currently developed with older commercial uses and surface parking.

*To encourage the preservation and enhancement of the varied and distinctive residential character of the Community, and to protect lower density housing from the scattered intrusion of apartments.*

The project's design characteristics appropriately transition from higher-intensity uses to the north of the project site to lower-intensity multi-family uses to the south of the project site by stepping down a story at the southern frontage, providing a wider sidewalk and landscaping along the southern frontage, and breaking up the massing of the southern-facing project elevation through the provision of a ground floor courtyard for project residents.

*Objective 4: To promote economic well-being and public convenience through:*

*a. Allocating and distributing commercial lands for retail, service, and office facilities in quantities and patterns based on accepted planning principles and standards.*

The project will effectively and adequately allocate and distribute commercial lands for retail and restaurant uses on the ground floor and will provide residential uses above. With its complementary mix of uses, the project provides the retail/commercial uses anticipated in the Community Plan while also providing much needed housing in a Regional Center and within the Hollywood Center, located along a major commercial corridor.

- 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.**

#### Height and Bulk

The project's density and massing is appropriately scaled and compatible with existing and future surrounding multi-family and commercial uses. The project proposes the construction of a new mixed-use building containing up to 270 residential units and up to 12,120 square feet of commercial retail and restaurant uses. The proposed uses will be located within a seven-story building comprised of up to 243,315 square feet of floor area. The project's maximum floor area ratio (FAR) will be 4.5:1 with a maximum height of 92 feet. The project will therefore be consistent with the scale and character of the surrounding area. The surrounding area is a highly-urbanized neighborhood that is characterized by a mix of land uses at various scales of development, including low- and medium-density buildings comprised of residential, commercial, and office uses. For example, the project vicinity includes the five-story Sunset Gower Studios one block east of the project site, the CBS Columbia Square building and 20-story mixed-use project, the 22-story Sunset Media Center building, the approved 28-story Hollywood Palladium mixed-use project to the north across Sunset Boulevard, and the Earl Carroll Theatre, and the construction site of a new seven-story mixed-use building to the west.

The project's massing appropriately transitions from the high-rise buildings on the north side of Sunset Boulevard to the less dense one- to two-story multi-family residential on the south side of Leland Way. Moreover, the project is designed to "step down" to six-stories at the southern frontage from the maximum seven stories reached on the northern portion of the project site. The project will also widen the sidewalk on the southern project frontage along Leland Way from an existing eight feet to 18 feet, providing a wider sidewalk and landscaping along the southern frontage. The project also provides a ground floor courtyard for project residents along Leland Way that is open to the sky and will break up the massing of the southern-facing project elevation.

The proposed building is designed to be modern in style, and has been articulated along all street frontages through the use of balconies, recessed windows, and architectural treatments in order to reduce the perceived mass and scale of the building, and integrate the project into the Sunset Boulevard street frontage. The project incorporates design elements that visually provide for transitions in height and massing. Window walls, cut-outs, and a variety of building materials will be utilized to provide vertical and horizontal articulation on the proposed building elevations to create visual interest, and reduce the perceived building scale. Materials anticipated to be utilized include glass, metal and composite cladding, plaster, stone tiles, and architectural fabric. The color variations and textures of the different materials create visual interest and reduce the perceived building scale. Variations in color, rhythm, opacity, and reflectivity on the façades ensure that the building is varied and enjoyable to residents, visitors, and neighbors.

#### Parking and access

Vehicular access to the site has been designed to limit curb-cuts and thus improve the pedestrian environment. Vehicular access for both the commercial and residential components of the project will be from El Centro Avenue via one driveway with a two-way ingress and egress to the project site. Loading will also be provided from the same El Centro Avenue driveway. No vehicular access will be allowed on Sunset Boulevard or Leland Way. Pedestrian access to the

ground-floor commercial retail and restaurant uses will be from Sunset Boulevard. Project residents access the project site from a residential lobby located on El Centro Avenue, and from all levels of the parking garage.

The project provides automobile parking in compliance with Los Angeles Municipal Code requirements. Based on the parking requirements for residential, retail, and restaurant uses set forth in LAMC Section 12.21.A.4 and 12.21.A.4.(x)(3), the project will be required to provide a total of 428 residential and commercial vehicle parking spaces. However, reductions in parking are permitted if sufficient bicycle parking is provided, with the reduction of one vehicle space requiring the provision of four bicycle spaces, and provided that reductions in vehicular parking are limited to 15 percent of the residential parking and 30 percent of the commercial parking. Accordingly, with these permitted reductions, the project's parking requirement is reduced by a total of 67 spaces for a total parking requirement of 361 vehicle parking spaces. In accordance with LAMC requirements, the project will provide 361 vehicle parking spaces.

All parking will be provided in subterranean and semi-subterranean levels. The project's ground-floor commercial uses and siting of parking within subterranean and semi-subterranean levels will activate this frontage of Sunset Boulevard and El Centro Avenue, which currently contains large expanses of surface parking and primarily auto-related strip center commercial uses.

#### Setbacks

The project site is bounded by Sunset Boulevard to the north, El Centro Avenue to the east, Leland Way to the south, and the historic Earl Carroll Theatre to the west. As a mixed-use project proposed in the C4 zone, the project is not required to provide front yard setbacks. As discussed above, the project applicant is requesting Zoning Administrator's Adjustments to allow for zero-foot easterly and westerly side yards in lieu of the 10-foot side yards otherwise required in the C4 Zone. As discussed above, the request conforms with the intent of the setback regulations in the LAMC, is compatible with and will not adversely affect adjacent properties, and is consistent with the General Plan. Therefore, the proposed setbacks for the project are consistent with the requirements of the LAMC.

#### Lighting

The project is in the Hollywood Signage Supplemental Use District and will comply with all related requirements under this district. Exterior lighting along the public areas will include pedestrian-scale fixtures and elements. Project lighting will incorporate low-level exterior lights on the building and along pathways for security and wayfinding purposes. In addition, low-level lighting to accent signage, architectural features and landscaping elements will be incorporated throughout the site. Project lighting will be designed to minimize light trespass from the project site.

#### On-Site Landscaping

The project will include a lobby, club room, leasing office, pool courtyard, and residential units located on the ground floor and basement levels. Amenities on the basement level include recreational features such as a pool with chaise lounges, seating areas, and a barbeque area. Indoor residential amenities on the basement level includes a fitness center, a club room with a bar and kitchen, and a screening room. A second courtyard will be located on Level 2 and will provide seating areas and a fireplace. Rooftop residential amenities include two separate roof

decks. The northern roof deck will be partially covered and have lounge-type space. The southern roof deck will be open to the sky and have a sunning area, seating areas, barbeque grills, and outdoor dining tables.

The project provides 10,150 square feet of private open space with residential balconies. In addition, the retail plaza at the ground floor along Sunset Boulevard provides 1,480 square feet of common open space, and the pool courtyard within the southern portion of the site provides 4,520 square feet of common open space. The Level 2 courtyard provides approximately 4,180 square feet of common open space, and the Level 7 roof decks provide 3,520 square feet of common open space. Finally, the ground and basement-level indoor amenity spaces totals 4,500 square feet of common open space. In total, approximately 28,350 square feet of open space will be provided, which meets the open space requirements set forth by the LAMC.

As part of the project, the one existing Palm street tree along Sunset Boulevard is expected to remain. Overall, approximately 68 new trees will be provided in accordance with LAMC requirements. The project will also increase the width of the sidewalk along Leland Way to 18 feet, and install additional street trees and other landscape features such as raised planters.

Further, as conditioned, the project shall be constructed with an operable recycled water pipe system for onsite greywater use, to be served from onsite non-potable water sources such as showers, washbasins, or laundry and to be used as untreated subsurface irrigation for vegetation or for cooling equipment. The system specifics shall be required as determined feasible by DWP in consultation with DCP. The condition requiring systems for on-site greywater use will provide for the public welfare and public necessity by reducing the level of runoff and water use by project residents, employees and visitors. This approach to water conservation is consistent with multiple City policies that have been adopted to address drought conditions and water supply issues, such as Executive Directive No. 5 (ED 5), which set goals to reduce per capita water use by 20 percent by 2017, and the Sustainability pLAn (water savings goals of reduction in per capita potable water by 20 percent by 2017, by 22.5 percent by 2025, and by 25 percent by 2035). This condition allows the Project to improve environmental quality and water conservation, but within the context of the Project's proposed density, uses, and features.

In addition, as conditioned, the project shall provide a 35,000-watt DC Solar Photovoltaic (PV) System, which is estimated to generate approximately 50,000 kilowatt hours of energy per year. This condition requiring that the project provide a Solar Photovoltaic System will support the site's electrical uses to help reduce the site's carbon generating public utility electrical power. This condition provides for the public welfare and public necessity by reducing the level of pollution or greenhouse gas emissions to the benefit of the neighborhood and City in response to General Plan Health and Wellness Element Policies 5.1 (reduce air pollution), 5.7 (reduce greenhouse gas emissions); and Air Quality Element policy 5.1.2 (shift to non-polluting sources of energy in buildings and operations). The solar condition is also good zoning practice because it provides a convenient service amenity to the occupants or visitors who utilize electricity on site. This condition allows the project to improve the health, wellness, and air of the neighborhood, but within the context of the project's proposed density, uses, and features.

#### Trash Collection and Loading Areas

The project has been designed to minimize the visual impact of trash receptacles and loading areas. Electrical rooms, storage rooms, trash enclosures, and loading spaces are located within the project and are not visible from surrounding public streets and public view. Rooftop

equipment will be set back from the roof parapet edge and appropriately screened from public view. In addition, numerous conditions have been imposed on the project to ensure that any trash or mechanical equipment is fully screened and not visible to the public.

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

- c. That any residential project provides recreational and service amenities in order to improve habitability for the residents and minimize impacts on neighboring properties.**

The project incorporates recreational and service amenities to improve habitability and wellness opportunities for its residents and minimize impacts on neighboring properties. As previously mentioned, the project provides 10,150 square feet of private open space with residential balconies. In addition, the retail plaza at the ground floor along Sunset Boulevard provides 1,480 square feet of common open space, and the pool courtyard within the southern portion of the site provides 4,520 square feet of common open space. The Level 2 courtyard provides approximately 4,180 square feet of common open space, and the Level 7 roof decks provides 3,520 square feet of common open space. Finally, the ground and basement-level indoor amenity spaces total 4,500 square feet of common open space. In total, approximately 28,350 square feet of open space will be provided, which meets the open space requirements set forth by the LAMC.

In addition, the Draft EIR prepared for the project found that with implementation of regulatory requirements, such as the payment of Quimby Fees, impacts to local parks and recreation facilities will be less than significant. Therefore, it is determined that the project provides sufficient recreational and service amenities to serve residents without creating negative impacts on neighboring properties.

Further, as provided for as Project Design Features D-3 and D-4, at least twenty (20) percent of the total code-required parking spaces provided for all types of parking facilities will be capable of supporting future electric vehicle supply equipment (EVSE), and at least 5 percent of the total code-required parking spaces will be equipped with EV charging stations. The Project Design Feature providing EV ready parking spaces (installed with chargers) will support the adoption of low and zero emission transportation fuel sources by the project's visitors, residents and employees. This feature provides for the public welfare and public necessity by reducing the level of pollution of greenhouse gas emissions to the benefit of the neighborhood.

### **CALIFORNIA ENVIRONMENTAL QUALITY ACT ("CEQA") FINDINGS**

The City of Los Angeles, as lead agency, acting through the Department of City Planning, prepared an environmental impact report (EIR), consisting of a Draft EIR and Final EIR, under case number ENV-2015-3603-EIR. Pursuant to the California Environmental Quality Act (California Public Resources Code Sections 21000-21189.57)(CEQA), the EIR is intended to serve as an informational document for public agency decision-makers and the general public regarding the objectives and components of the project at 6200 West Sunset Boulevard, consisting of a mixed-use building, including seven stories of residential multi-family units (270 total units) and 12,120 square feet of ground-floor neighborhood-serving commercial retail and restaurant uses, and 361 vehicle parking spaces (Project) on a 1.24-acre site located at 6200–

6218 West Sunset Boulevard, 1437–1441 North El Centro Avenue, and 6211 West Leland Way in the Hollywood area of Los Angeles (Site or Project Site).

In a determination letter dated July 26, 2018, the City's Deputy Advisory Agency (DAA) certified the EIR; adopted the environmental findings prepared for the Project as well as a statement of overriding considerations and a mitigation monitoring program (MMP); and approved the Project's vesting tentative tract map (VTTM). No appeal was filed with respect to the DAA's approval of the VTTM. A Notice of Determination was filed on August 7, 2018 with the Los Angeles County Clerk.

CEQA and the State CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3, Sections 15000-15387) allow the City to rely on the previously certified EIR unless a Subsequent or Supplemental EIR is required. Specifically, CEQA Guidelines Sections 15162 and 15163 require preparation of a Subsequent or Supplemental EIR when an EIR has been previously certified or a negative declaration has previously been adopted and one or more of the following circumstances exist:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
  - a. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
  - b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
  - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
  - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Likewise, Public Resources Code Section 21166 states that unless one or more of the following events occur, no Subsequent or Supplemental EIR shall be required by the lead agency or by any responsible agency:



- Substantial changes are proposed in the project which will require major revisions of the environmental impact report;
- Substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions in the environmental impact report; or
- New information, which was not known and could not have been known at the time the environmental impact report was certified as complete, becomes available.

## SECTION 2. CEQA FINDINGS

FIND, based on the independent judgment of the decision-maker, after consideration of the whole of the administrative record, the project was assessed in the 6200 Sunset Project EIR No. ENV-2015-3603-EIR, SCH No. 2016011040 certified on July 26, 2018; and pursuant to CEQA Guidelines, Sections 15162 and 15164, no subsequent EIR, negative declaration, or addendum is required for approval of the Project.

## SECTION 3. MITIGATION MONITORING PROGRAM

All mitigation measures in the previously adopted Mitigation Monitoring Program attached as Exhibit "B", are imposed on the project through Q Condition Nos. 5 and 6, and Condition of Approval Nos. 11 and 12, to mitigate or avoid significant effects of the proposed Project on the environment and to ensure compliance during Project implementation.