

6/24/15

File No. 15-0721

ENVIRONMENTAL IMPACT REPORT (EIR), ERRATA, MITIGATION MONITORING PROGRAM, STATEMENT OF OVERRIDING CONSIDERATIONS, COMMUNICATION FROM CHAIR, PLANNING AND LAND USE MANAGEMENT COMMITTEE and ORDINANCE FIRST CONSIDERATION relative to a zone change, signage district, conditional use permit, and an appeal for the Academy Museum of Motion Pictures project, located at 6001-6067 West Wilshire Boulevard and 6000 West 6th Street.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. CERTIFY that it has reviewed and considered the information contained in the Draft, the Final, and the Errata to the Environmental Impact Report (EIR No. ENV-2013-1531-EIR; State Clearing House No. 2013051086), that the EIR has been completed in compliance with the California Environmental Quality Act, the State Guidelines and the City Guidelines and that the City Council has reviewed the information contained therein and considered it along with other factors related to this project; that this determination reflects the independent judgment of the City of Los Angeles; and that the documents constituting the record of proceedings in this matter are located in Council file 15-0721 in the custody of the City Clerk and in the files of the Department of City Planning (DCP) in the custody of the Environmental Review Section; and ADOPT the Environmental Impact Report.
2. ADOPT the FINDINGS made pursuant to and in accordance with Section 21081 of the Public Resources Code and the Statement of Overriding Considerations prepared by the DCP and ADOPT the Statement of Overriding Considerations.
3. ADOPT the FINDINGS pursuant to and in accordance with Section 21081.6 of the California State Public Resources Code, the Mitigation Monitoring Program as the Findings of Council and ADOPT the Mitigation Monitoring Program.
4. ADOPT the FINDINGS of the Los Angeles City Planning Commission (LACPC), including the Environmental Findings, as the Findings of the Council.
5. ADOPT the FINDINGS associated with the Master Conditional Use Permit to allow for the on-site sale and consumption of alcoholic beverages, approved by the Planning and Land Use Management (PLUM) Committee on June 23, 2015 and attached to the Council file, as the Findings of the Council.
6. RESOLVE TO DENY THE APPEAL filed by James O'Sullivan on behalf of himself and Fix the City Inc., from part of the determination of the LACPC, and THEREBY SUSTAIN the LACPC actions of May 14, 2015 and APPROVE a zone change, a signage district, and a master conditional use permit to allow for the on-site sale and consumption of alcoholic beverages, for the Academy Museum of Motion Pictures project, located at 6001-6067 West Wilshire Boulevard and 6000 West 6th Street.
7. PRESENT and ADOPT the accompanying ORDINANCE to effect a zone change from [Q] C2-2-CDO to [Q]C2-2-CDO-SN, subject to modified Conditions of Approval, for the establishment of the Academy Museum of Motion Pictures through the rehabilitation of the historic May Company Building (Original Building), constructed in 1939, the demolition of the 1946 Addition to the Original Building, and the new construction of a 42,300 square-foot New Wing (Sphere)

with a 1,000-seat theater and a 10,000 square-foot enclosed deck, located at 6001-6067 West Wilshire Boulevard and 6000 West 6th Street.

8. REQUEST the City Attorney to prepare and present to Council an ordinance to establish a signage district for the Academy Museum of Motion Pictures.
9. ADVISE the applicant of Q Qualified classification time limit as described in the Committee report.
10. ADVISE the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.
11. ADVISE the applicant that, pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and/or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination filing.

Applicant: Bill Kramer, Homewood Foundation

Representative: William Delvac, Armbruster, Goldsmith, Delvac, LLP

Case No. CPC-2014-3119-ZC-SN-CDO-MCUP-ZV-ZAI-SPR

Fiscal Impact Statement: The LACPC reports that there is no General Fund impact, as administrative costs are recovered through fees.

Community Impact Statement: None submitted.

TIME LIMIT FILE - AUGUST 22, 2015

(LAST DAY FOR COUNCIL ACTION - AUGUST 21, 2015)

Summary

At the public hearing held on June 23, 2015, the Planning and Land Use Management Committee considered an EIR, Errata, Mitigation Monitoring Program, Statement of Overriding Considerations, and Ordinance relative to a zone change, signage district, and an appeal for the Academy Museum of Motion Pictures project, located at 6001-6067 West Wilshire Boulevard and 6000 West 6th Street. DCP staff gave the Committee background information on the matter. The Applicant and representative, Appellant, and the Councilmember of Council District Four also spoke.

After an opportunity for public comment, the Committee recommended that Council deny the appeal; sustain the LACPC actions of May 14, 2015; and approve a zone change, a signage district, and a master conditional use permit to allow for the on-site sale and consumption of alcoholic beverages, for the Academy Museum of Motion Pictures project, located at 6001-6067 West Wilshire Boulevard and 6000 West 6th Street. This matter is now submitted to Council for its consideration.

Respectfully Submitted,

COUNCILMEMBER JOSE HUIZAR, CHAIR
PLANNING AND LAND USE MANAGEMENT COMMITTEE

MEMBER	VOTE
HUIZAR:	YES
CEDILLO:	ABSENT
ENGLANDER:	ABSENT

A handwritten signature in black ink, appearing to be 'J. Huizar', written over a faint circular stamp.

SG
15-0721_rpt_plum_6-23-15

-NOT OFFICIAL UNTIL COUNCIL ACTS-

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 classifications of properties shown upon a portion of the Zoning Map incorporated therein and made a part of Article 2, Chapter 1 of the LAMC, so that such portion of the Zoning Map shall conform to the zoning on the map attached hereto and incorporated herein by this reference.

Section __. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that the foregoing ordinance was introduced at the Council of the City of Los Angeles, by a majority vote of all its members, at the meeting of _____.

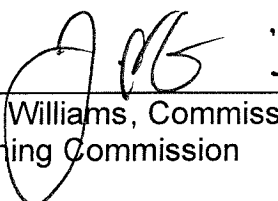
Holly L. Wolcott, City Clerk

By _____
Deputy

Approved _____

Mayor

Pursuant to Section 558 of the City Charter,
the City Planning Commission on May 14, 2015
recommended this ordinance be adopted by the City Council.



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

File No. _____

6TH ST

ORANGE ST

[Q]C2-2-CDO-SN

Q OF VACATED ST ORD 2007 1883721 & ORD 2008 0174602.

WILSHIRE BLVD

FAIRFAX AVE

ORANGE GROVE AVE

GENESEE AVE

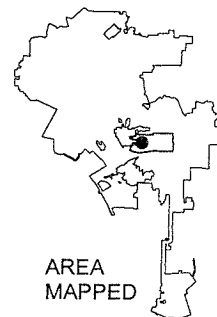


200 100 0 200 Feet

C.M. 135 B 177	CPC 2014-3119 ZC SN CDO MCUP ZV ZA ZAI SPR
----------------	-----------------------------------------------

LH/

041515



AREA MAPPED

(Q) QUALIFIED CONDITIONS OF APPROVAL

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

A. Entitlement Conditions

1. **Project.** Prior to the issuance of any building permits for the subject project, detailed development plans, including a complete landscape and irrigation plan shall be submitted for review and approval by the Department of City Planning – Development Services Center for verification of compliance with the imposed conditions. The plan shall be in substantial conformance with the plot plan labeled as Exhibit "A", except as modified by this action, and attached to the subject case file. 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. **Permitted Uses.** Uses shall be limited to museum and museum-related uses, including permanent and changing exhibition space, theatres, banquet and conference space, café, museum store, administrative offices, educational, exhibit preparation, conservation laboratory, storage, maintenance and receiving areas, and related special events. Uses not otherwise specified shall be limited to those permitted in the underlying C2 Zone.
3. **Height.** The height of structures on the project site, as measured from grade, shall not exceed the following:
 - a. New Wing. Shall not exceed a height of 130 feet.
 - b. Original Building. Shall not exceed a height of 87 feet to the roof parapet, 94 feet to the fifth level, 111 feet to the mechanical room atop the fifth level, and 117 feet to the ventilation stack along Fairfax Avenue.
4. **Floor Area.** Pursuant to Municipal Code Section 12.21.1-A, the total floor area within the project site shall not exceed 208,000 square feet.
5. **Parking.** The project shall provide a total of 482 vehicular parking spaces, including 378 parking spaces within the LACMA Pritzker Garage and 104 offsite parking spaces within the Spaulding Lot located south of Wilshire Boulevard.
6. **Bicycle Parking.** The project shall provide 88 parking spaces as shown on Exhibit "A":
 - a. Short-term bicycle parking: 36 spaces shall be located adjacent to the Piazza and 38 spaces shall be located along 6th Street; and,
 - b. Long-term bicycle parking: 14 spaces and associated amenities, including the required showers and lockers shall be provided within the basement of the Original Building.
7. **Signage.** The signs within the project site shall be subject to the provisions of the Academy Museum Sign District Ordinance, marked "Exhibit B".
8. **Loading.** Loading and unloading activities shall not interfere with traffic on any public street. Public sidewalks, alleys, and/or other public rights-of-way shall not be used for the parking or loading or unloading of vehicles.
9. **Maintenance.** The project site including sidewalks, Piazza, outdoor areas, and landscaping shall be maintained in an attractive condition and shall be kept free of trash and debris. Trash receptacles shall be located throughout the Project Site.

ADMINISTRATIVE CONDITIONS OF APPROVAL

10. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning for placement in the subject file.
11. **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.
12. **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 assigns. The agreement shall be submitted to the Department of City Planning's Development Services Center for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.
13. **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.
14. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
15. **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.
16. **Corrective Conditions.** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director of Planning, pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if in the decision makers opinion, such actions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
17. **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, Fire Department, or other City 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.
18. **Indemnification.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees relating to or to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim, action, or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the

City.

19. **Mitigation Monitoring.** The applicant shall identify mitigation monitors who shall provide periodic status reports on the implementation of the Environmental Conditions specified herein (Mitigation Monitoring Program – MMP), as to area of responsibility, and phase of intervention (pre-construction, construction, post-construction/maintenance) to ensure continued implementation of the Environmental Conditions.

Project Design Features & Mitigation Monitoring

PDF-LIGHT-1 - Operational Lighting: The following operational lighting features shall be incorporated into the Project:

- **Luminance Restriction:** An area-weighted average of luminance measurements on the Original Building and New Wing facades would not exceed 10 candelas per square meter (cd/m²).
- **Illuminance Restriction:** Illuminance from specified light sources would not exceed 21.5 lux (2.0 footcandles) at the property line of the nearest sensitive receptor.
- **Façade Luminaire Restrictions:** Luminaires illuminating the building façade, with intensities greater than 10,000 candela would be shielded from view beyond the Project Site boundary.
- **Exterior Luminaire Restrictions:** Luminaires not illuminating the building façade, with intensities greater than 10,000 candela, would be shielded or rated as cut-off per the IESNA.
- **Piazza Lighting Limitation:** Permanently installed architectural lighting shall be designed to not exceed 10 footcandles (average, horizontal maintained at the ground) under the Piazza and other outdoor plaza areas within the Project Site.
- **Event Luminaire Restrictions:** Luminaires installed for special event lighting on a temporary basis on the Project Site must be aimed or shielded such that the direct beam illuminance is directed at the activity or object within the Project boundary that requires illumination.
- **Restrictions for Drivers' Visibility:** Luminaires would be shielded, reduced in intensity, or otherwise protected from view such that the brightness of a light source within 10 degrees from a driver's normal line of sight shall not be more than 1,000 times the minimum measured brightness in the driver's field of view, except when minimum values are less than 10 fL. If minimum values are below 10 fL, the source brightness would not exceed 500 fL plus 100 times the angle, in degrees, between the driver's line of sight and the light source.
- **Interior Luminaire Restrictions:** Interior lighting would be designed, specified, and installed so that the maximum candela direct beam illuminance (from luminaires) would not be directed out of the building envelope. In doing so, the interior spill light from the Project is assumed to be negligible beyond the confines of the Project Site.

Enforcement Agency: Los Angeles Department of Building and Safety; Los Angeles Department of City Planning

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Pre-construction; Construction

Monitoring Frequency: Once at plan check; once at field inspection prior to issuance of Certificate of Occupancy

Action Indicating Compliance: Approval of Lighting Plans prior to issuance of Building Permit (Pre-construction); Written compliance certification from approved lighting consultant/expert prior to issuance of Certificate of Occupancy (Construction)

PDF-LIGHT-2, Special Event Lighting: HDTV broadcasts of events are assumed to be the brightest foreseeable condition within the Project. Other less brightly-lit events may occur on a periodic basis within the Sphere's View Deck or elsewhere on the Project Site. Special event lighting for productions and other events, including but not limited to traveling shows, concerts, and performances, represents a wide variety of temporary installations of lighting equipment. Although the possible events, and the design of the type, intensity, aiming, and distribution of associated temporary lights, are not specifically known, the following Project Design Features are intended to limit the potential for glare or spill light at the identified receptors:

- Luminaires installed for special event lighting on a temporary basis on the Project Site must be aimed or shielded such that the direct beam illuminance is directed at the activity or object within the Project boundary that requires illumination.
- Aiming of luminaires would be regulated to prevent the high intensity beam from striking any Project or adjacent building facades. Specifically, special event search lights would not project light more than 25 degrees from zenith, and hand held video and press event lighting platforms shall have their lighting directed inward toward the Project Site and not out to the Project boundary.

Enforcement Agency: Los Angeles Department of City Planning;
Los Angeles Department of Public Works

Monitoring Agency: Los Angeles Department of City Planning;
Los Angeles Department of Public Works

Monitoring Phase: Operation

Monitoring Frequency: Annually

Action Indicating Compliance: Annual compliance certification report from approved lighting consultant/expert

PDF-LIGHT-3, Illuminated Signage: The following illuminated signage design standards, which also represent impact thresholds pursuant to CEQA, and include an illumination testing and compliance protocol, would be implemented to limit spill light and glare at sensitive and vehicular receptors, and to confirm compliance with applicable requirements:

- Illuminance Restriction: Illuminance from signage would not exceed 32.3 lux (3.0 footcandles) at the property line of the nearest residential property.
- Luminance Restriction: The measurable luminance of permitted signage would not exceed 500 cd/m² after sunset or before sunrise.
- Restriction for Drivers' Visibility: Self-illuminated signs and/or luminaires intended to illuminate signs would be shielded, or reduced in intensity, or otherwise protected from view such that the brightness of a light source within 10 degrees from a driver's normal line of sight would not be more than 1,000 times the minimum measured brightness in the driver's field of view, except when minimum values are less than 10 fL. If minimum values are below 10 fL, the source brightness would not exceed 500 fL plus 100 times the angle, in degrees, between the driver's line of sight and the light source.

Enforcement Agency: Los Angeles Department of Building and Safety;
Los Angeles Department of City Planning