



LOS ANGELES CITY PLANNING COMMISSION

200 N. Spring Street, Room 532, Los Angeles, California, 90012-4801, (213) 978-1300
www.lacity.org/PLN/index.htm

Determination Mailing Date: APR 09 2007

CITY COUNCIL
Room 395, City Hall

CASE NO. CPC-2006-3871-ZC-CUB-SPR

Location: 1540 North Vine Street

Council District: No. 13 ✓

Plan Area: Hollywood

Request(s): Zone Change; Conditional Use (Alcoholic Beverage); Site Plan Review

Applicant: Rick Holcomb, Camden USA Inc.

At its meeting on March 8, 2007, the following action was taken by the City Planning Commission:

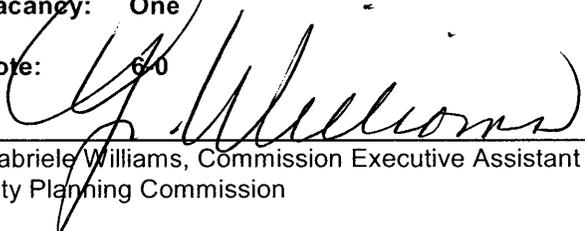
1. **Approved** and recommended that the City Council adopt the ordinance to effect the zone change from C4-2D-SN to **(T)(Q) C4-2-SN** zone, subject to conditions.
2. **Approved** a **Conditional Use** to permit the off-site sale of a full line of alcoholic beverages and the on-site consumption of beer and wine in conjunction with a grocery market in the C4 zone, subject to conditions of approval.
3. **Approved** a **Site Plan Review** for projects which create 50,000 gross square feet or more of nonresidential floor area and which create 50 or more dwelling units.
4. **Recommended** that the applicant be advised that time limits for effectuation of a zone in the "T" Tentative or "Q" Qualified classification are specified in Section 12.32.G of the L.A.M.C. Conditions must be satisfied prior to the issuance of building permits and, that the (T) Tentative classification be removed in the manner indicated on the attached page
5. **Adopted** ENV No. 2006-3872 MND.
6. **Adopted** the Findings.

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

This action was taken by the following vote:

Moved: Kezios
Seconded: Woo
Ayes: Freer, Hughes, Kay, Usher
Absent: Cardoso, Roschen
Vacancy: One

Vote: 6-0


Gabriele Williams, Commission Executive Assistant II
City Planning Commission

Effective Date / Appeals:

Appeals: If the Commission has disapproved the Zone Change request, in whole or in part, only the applicant may appeal that disapproval to the Council within 20 days after the mailing date of this determination. Any aggrieved party may appeal the Conditional Use and/or the Site Plan Review to the Council within 20 days after the mailing date of this determination. 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 Public Counters at 201 N. Figueroa Street, Fourth Floor, Los Angeles, or at 6262 Van Nuys Boulevard, Suite 251, Van Nuys.

The time in which a party may seek judicial review of this determination is governed by California Code of Civil Procedure Section 1094.6. Under that provision, a petitioner may seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, only if the petition for writ of mandate pursuant to that section is filed no later than the 90th day following the date on which the City's decision becomes final.

Attachments: Findings/T Conditions/Ordinance/Q Conditions/Map

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FINDINGS

A. General Plan Land Use Designation. The subject property is located within the Hollywood Community Plan, which was adopted by the City Council on Dec. 13, 1988 (Case No. CPC 18473). The Plan map designates the subject property Regional Center Commercial, with corresponding zones of C4, C2, P and PB.

B. Entitlement Findings.

Zone Change Findings. Pursuant to Section 12.32C7 of the Municipal Code, and based on these findings, the recommended action is deemed consistent with public necessity, convenience, general welfare and good zoning practice.

- a. The requested zone change to C4-2-SN is in keeping with the prevailing zoning of the immediate area, and is within the range of permitted/corresponding zones (which include C2, C4, P and PB) for the existing General Plan Land Use designation of Regional Center Commercial.

The existing "D" Limitation limits the total floor area contained in all buildings on a lot to no more than three (3) times the buildable area of the lot. It allows development in excess of 3:1 FAR provided that:

1. The Community Redevelopment Agency Board finds that the project conforms to: (1) the Hollywood Redevelopment Plan, (2) a Transportation Program adopted by the Community Redevelopment Agency Board and, if applicable, (3) any Designs for Development adopted pursuant to Section 503 of the Redevelopment Plan; and
2. A Disposition and Development Agreement or Owner Participation Agreement has been executed by the Community Redevelopment Agency Board; and the Project is approved by the City Planning Commission, or City Council on appeal.

The proposed project is located within both the CRA Redevelopment Project Area and the Hollywood Community Plan area. The recommended zone change from C4-2D-SN to (T)(Q)C4-2-SN, will permit a development which complements the existing zoning and development pattern already established on adjacent properties to the north of the subject site along Hollywood Boulevard. The requested Zone Change to eliminate the D (Development) Limitation, (limiting maximum FAR to 3:1), will be in keeping with the intent of the Hollywood Community Plan, and the Redevelopment Project Plan, which both allow for an FAR of 4.5:1. Section 506.2.3 of the

Redevelopment Plan provides that for development in the Regional Center Commercial area the density shall not exceed the FAR of 4.5:1 as a by-right threshold. Which compliments the maximum 4.5: 1 FAR allowed by the Community Plan within the Regional Center Commercial area. The Applicant proposes a development that will have a 4.5: 1 FAR, which will exceed the 3: 1 FAR set by the D Limitation, but meets the 4.5: 1 FAR permitted by right in the Redevelopment Plan and Hollywood Community Plan.

The existing D Limitation conflicts with the Redevelopment Plan and the Community Plan. The Hollywood Community Plan is currently being updated and will effectively resolve issues such as this. The proposed project is consistent with proposed plans to encourage redevelopment within the Hollywood Plan area. Additionally, the existing D Limitation supposes the adoption of plans that as of the date of this request, have not been adopted, such as a Transportation Program (to be adopted by the CRA), a Hollywood Boulevard District urban design plan, and Designs for Development also to be

CPC 2005-5033-GPA-ZC-CUB-ZAA

adopted by the CRA. The current D Limitation also requires that an Agreement with the CRA Board be executed to obtain any additional FAR over 3:1. The subject Project does not require an Agreement with the CRA because no public assistance is being requested for the Project. The Project will be submitted to the CRA for review as part of this Project application, and is subject to all applicable requirements of the Redevelopment Project Area Plan.

Qualified (Q) Condition No. 9 was amended by the City Planning Commission to maintain jurisdiction over project signage in lieu of appeals of Project Permits made pursuant to the Hollywood Signage Supplemental Use District or Specific Plan Exceptions being sent to the Area Planning Commission. Signage is a major portion of the Project's Site Plan as the proposed structure includes open panel roof signs, projecting signs and other large signs subject to review by the Planning Department. Because the City Planning Commission has made Site Plan Review Findings for this project and the signage and sign structures are an integral and dominant part of the structure, the City Planning Commission determined that by maintaining control of the project signage the spirit of the City Charter would be maintained by not having multiple appeals or determinations by different decision making or appeal bodies on components of the same project.

- b. The action, as recommended, has been made contingent upon compliance with the "T" and "Q" conditions imposed herein. Such limitations are necessary to protect the best interests of and to assure a development more compatible with surrounding properties, 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.

Conditional Use Findings. Pursuant to Section 12.24 E of the Municipal Code, and based on these findings, the recommended action is deemed consistent with public necessity, convenience, general welfare and good zoning practice.

a. The location of the project will be desirable to the public convenience and welfare.

The location of the project will be desirable to the public convenience and welfare as it augments existing uses and the intent of the redevelopment of the community to bring mixed use development consisting of residential and neighborhood serving uses into the Hollywood Community. The addition of residential uses and neighborhood serving retail will contribute to a 24-hour street presence, creating an environment active at all hours of the day, rather than just during peak retail and restaurant times

The proposed Whole Foods Market will combine a full-service food market with a cafe, a florist, a deli, wine/cheese/antipasta tasting venue, and a coffee and tea lounge, enabling shoppers to accomplish many shopping tasks in one location. Whole Foods proposes to sell beer, wine and a limited amount of high-end, distilled spirits through typical grocery sales for off-site consumption. Beer and wine only will be served in three (3) areas of the food market, including the wine tasting area, cafe, and seafood counter. The wine tasting area will be properly located in the rear of the store where it can provide wine sampling service to customers in an enclosed space without being visible from the outside of the store. Wine tasting activities will occur entirely within the food market and wine will not be sold in open, 'to-go' containers

The sale of limited alcoholic beverages in the cafe will be conducted adjacent to the wine tasting area, and will not be visible from the street. Enclosed within a small area at the eastern end of the market, the seafood counter will only be accessible through double doors, and will be monitored by a separate cashier. The on-site consumption of alcohol will only be permitted in the expressly designated areas of the cafe, seafood counter, and wine tasting area. The proposed wine/cheese/antipasta tasting area, cafe, and seafood counter will be open for lunch service to attract pedestrian traffic, which will help to stimulate economic activity for small

CPC 2005-5033-GPA-ZC-CUB-ZAA

businesses located near the Project. Finally, the limited seating availability in the dining areas, and adequacy of on-site parking make these uses compatible with the food market and the surrounding community.

Further, the proposed food market and included wine/cheese/antipasta tasting venue, cafe and seafood counter are desirable to the public convenience because they are examples of neighborhood-serving retail, catering to the needs of project residents as well as residents in the surrounding neighborhoods that have access to the food market through public transportation or personal vehicles. The location of the food market is desirable to the public convenience and welfare because the area is well served by public transit, is ripe for mixed-use, higher intensity development and has no similar services in a walkable radius or that are otherwise easily accessible. Working closely with the CRA, the Applicant has designed the Project to maximize the use of public transportation. The proposed Project is located approximately 650 feet from the MTA Red Line Hollywood and Vine station and is also proximate to a major bus depot across Selma Avenue to the north of the Project. Additionally, major bus routes exist on Vine Street and on Hollywood Boulevard and Sunset Boulevard, one block north and south of the Project, respectively. There are ample public transportation opportunities which encourage surrounding community members to access the Project site for their shopping needs. The market is therefore also convenient to those who intend to sample and purchase wine as well as other food and beverage items in the market, and its inclusion in the Project will help ensure success of this commercial outlet and will help to infuse capital into the area. Further, the high level of accessibility by public transit contributes to decreasing reliance on personal vehicles, consequently reducing the demand for parking as well as automobile congestion in the area.

The location of the food market is also desirable to the public convenience and welfare, because such a commercial outlet is appropriate for the mixed-use, urban character of the area. The population density of the area, which will likely continue to increase, requires that needed services be conveniently located and accessible to community members. Lastly, the location of the food market serves the public convenience and welfare because there are no similar services in the vicinity. The closest food market of a similar caliber is over a half-mile from the Project location.

b. The proposed project will be proper in relation to adjacent uses or the development of the community.

The proposed project will be proper in relation to adjacent uses because surrounding land uses include other mixed-use developments (existing and proposed) and other uses which support the Project's aim to create a more vibrant mixed-use area. Currently, the area is dominated by retail and restaurant uses. The location is also proper in relation to adjacent uses because surrounding land uses are of a similar scale, intensity and look as the proposed Project. The Applicant, working with the CRA, the Council Office and the Design Review Committee took care to design a project which complimented the existing uses in the area and preserved important view corridors.

The building, which incorporates articulated facades and open air common areas at different levels, is designed to minimize the visual impact of the building and to downplay its scale and intensity through architectural design elements. Accordingly, the building, while one of the larger buildings in the area, remains compatible with the smaller surrounding buildings. The design of the proposed food market, which is architecturally separated from the residential levels above, draws down the scale of the building, relating the ground floor uses to the street level and creating a pedestrian-scale street frontage. The facade of the Project as well as the proposed food market entrance' on the corner of Selma and Vine mimic the scale and character of other retail establishments in the area, making the building a natural extension of the nearby commercial corridors.

The food market will also contribute to, and is proper in relation to the development of the community because it brings a high-quality, neighborhood-serving use to the area. Providing services, such as a food market, make the area attractive to individuals who live and work in the area and need such amenities nearby. The food

market, and the Project in general, help to create a sense of community and bring a real neighborhood feel to the area by supporting the goal of bringing mixed use development to the Hollywood area, thereby adding another dimension to the primarily retail and entertainment uses in the area.

c. The Project will not be detrimental to the character of development in the immediate neighborhood and will be in harmony with the various elements of the General Plan.

The Project will not be detrimental to the character of development in the area because the proposed uses are in keeping with surrounding uses. Other mixed-use developments are located in the immediate vicinity and the area is characterized by a mix of retail outlets and service-oriented businesses. In fact, the caliber of the services provided by the food market, as well as the residential component of the Project, will positively contribute to the character of development in the immediate neighborhood. The proposed Project will significantly improve the value of the Property and is expected to stimulate additional investment in the area, both of which will contribute positively to the character of development in the neighborhood.

The scale and intensity of the proposed building is compatible with surrounding buildings and is appropriate for an urban area served by public transit. As mentioned above, the building was designed to maximize use of the space while remaining compatible with all development in the area. Design elements are incorporated which minimize the visual impact of the building and control its scale and intensity. The design of the food market, including the architectural separation from the residential levels above and the proposed street-level retail entrance, mimics the scale and character of other buildings in the area, creating a complementary addition to the other establishments along the nearby commercial corridors.

The wine tasting event area will be located at the rear of the store in the southeast corner, and will not be within view of the sole street entrance at the western frontage of the store. Also, the cafe, which will serve limited alcoholic beverages, will be located in the southern portion of the market, substantially enclosed with controlled entry and exit by cashiers on the south side and away from the view of passing pedestrians. Furthermore, both of these features will be located where wines are stocked, and the wine tasting area will be cordoned off to prevent customers from "crashing" any events. Enclosed within a small area at the eastern end of the market, the seafood counter will only be accessible through double doors, and will be monitored by a separate cashier. Furthermore, the 36-person limit at wine tasting events precludes a large crowd in relation to the typical level of business conducted in the food market.

The Project is in harmony with the General Plan through its support of the goals of the Hollywood Community Plan. The Project will help facilitate the Plan's goal of developing Hollywood as a hub of retail and entertainment, by providing 306 market rate units which will provide needed housing in the area. Further, the Project, which includes the Whole Foods Market, will expand the existing retail services in the area. The Project will make efficient use of this under developed space in the Hollywood area and maximize the Property's potential by transforming the underutilized surface parking lot into 306 residential units with 67,500 square feet of retail space. The Project allocates this commercial space for grocery store and limited dining uses, needed services in the surrounding area, and will turn an existing surface parking lot into a thriving neighborhood retail and residential community, thereby encouraging economic well being and public convenience for the Hollywood community. Further, the commercial aspect of the Project, which will likely have a regional draw, is appropriately located adjacent to the major thoroughfares of Sunset and Hollywood Boulevards and the Hollywood and Vine transit hub, allowing much of the region to contribute to the economic vitality of the Hollywood area.

d. The approval of the Conditional Use at this location will not adversely affect the welfare of the pertinent community.

Approval of the Conditional Use Permit (the "CUB") will not adversely affect the welfare of the community because the specialty food market, is a service in the area, currently not provided by any other outlet of a similar scope or caliber. The food market will provide approximately 225 new jobs for City and area residents as between 70 and 80 employees are expected to be required on site at all times for its operation. The approval of the CUB, which will allow the sale of alcohol as an ancillary use to a grocery store, will merely ensure that the food market provides the full range of products expected of such a commercial establishment. The sale and limited on-site consumption of alcohol at this location will not impact the welfare of the community since proper identification will be checked by trained store employees prior to all wine tasting events and prior to sale at the cafe and seafood counter dining areas, the Property will remain well lighted and well maintained, and Whole Foods Market maintains a good working relationship with the Los Angeles Police Department ("LAPD"). Conditions of Approval, volunteered by the Applicant, were developed in conjunction with the Los Angeles Police Department to ensure the safety of customers, the community and the operation of the use in compliance with established guidelines and requirements.

The CUB approval will contribute to the enhancement of the level of services available to the surrounding community inherent in providing a quality full-service supermarket, and will not affect the physical appearance of the property in any way. The presence of these commodities as well as the Project as a whole, will improve the livability and consequently the desirability, of the area, which in turn translates directly to a positive contribution to the welfare of the community. The food market will not only make the area a more desirable place to reside, but will also be successful in drawing surrounding community members to the neighborhood. Individuals within the neighborhood and communities beyond, facilitated by the nearby public transportation system, will have easy access the food market. The food market will draw many customers, infusing new capital into the area.

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.

Though the granting of the CUB will contribute to the over-concentration of establishments dispensing alcoholic beverages for consumption off premises, the public convenience and welfare will be served by its issuance and there will not be a detrimental affect on the community. The granting of the CUB in conjunction with the development of a full-service food market with more than 60,000 square feet of floor area, will in fact, as previously noted, contribute positively to the public convenience and welfare and the economic vitality of the region.

The area has been identified as an area which has an over-concentration of alcoholic beverage licenses. The Applicant has discussed the Project, and the benefits of the food market specifically, with the CRA, the Council Office and the LAPD. The Applicant's representative contacted an investigator from the Los Angeles/Metro field office of the State Alcoholic Beverage Control Board (ABC). According to the investigator, Census Tract 1910 (the "Census Tract"), which includes a population of 3,036, has issued twenty-seven existing on-site and five existing off-site licenses. The allowance for licenses was set at three on-site and two off-site licenses, and as such, the area is deemed to have an over-concentration of licenses if a strict reading is given to ABC guidelines. However, the project is at the extreme western edge of Census Tract 1910. The present off-site sales licenses are located in the eastern portion of the Tract which includes such major streets as Hollywood Boulevard and Sunset Boulevard. There are no other large off-site sales sites located within 1000 feet of the

CPC 2005-5033-GPA-ZC-CUB-ZAA

proposed project. There are numerous on-site licenses within both the Census Tract and within 1,000 feet of the project, but the area includes a large number of restaurants and night clubs which cluster around the intersections of Hollywood and Vine and Sunset and Vine. LAPD statistics as reported by ABC in connection with crime in District No. 647, which encompasses the Food Market, show that a total of 791 crimes were reported in 2005 compared to a citywide high average of 349 crimes per district. An undue concentration may exist when there are 20 percent more reported crimes in the district than the average number reported crimes from all crime reporting districts in the City.

The applicant's representatives contacted LAPD staff regarding crimes and disturbances in the general area. Officer Rose confirmed that there have not been excessive calls to the police department originating in the area around the Property. The LAPD also stated to the Applicant's representatives that the proposed use at this site would not tend to create a law enforcement problem as long as Whole Foods Market operated as a responsible alcohol retailer. The Conditions of Approval submitted and volunteered by the Applicant were developed in conjunction with the LAPD and reflect and compliment the current requirements of law enforcement and the ABC.

The pure sale of alcohol at the food market would be considered off-site sales, for which Whole Foods will request a Type 21 license to sell beer and wine, and a limited selection of distilled spirits. With a total of five existing off-site licenses for the Census tract, and an allowance of two, an off-site sale license is not highly over-concentrated in the area. Without such a license, the grocery store would likely be considered deficient. The purchase of tickets for wine tasting events would involve limited on-site sale and consumption of wines in an enclosed area, and requires a special Type 42 license. A Type 41 license would be requested for the cafe and seafood counter dining areas where a limited selection of alcoholic beverages chosen to complement food items will be offered. Although there may be a high concentration of permits for on-site consumption of alcohol in the Hollywood area, unlike those licensed venues, Whole Foods' focus will be on the sale of food to grocery shoppers, and not the sale of alcohol in an entertainment environment. The number of persons who will be served alcohol on the premises at anyone time will be very limited in relation to the total number of persons that may be shopping in the food market at any time. Further, as an ancillary use to a grocery store, the sale of alcohol is not associated with undesirable activities which might otherwise be connected to alcohol sales. In this instance, the sale of alcohol enhances the level of services available, through a full service market, to the surrounding community members.

The Hollywood community has always been one of the City's entertainment centers. Consequently, large numbers of alcohol licenses are found in the Community's Census Tract, and will be found in other census tracts throughout Hollywood. The Project will provide a residential and commercial destination in the community and will benefit community welfare. Few other locations provide the mixture of uses proposed within the residential and food market components of the Project. Though the approval of the CUB requested herein appears to contribute to an undue concentration of alcohol licenses in the area, no detriment will result and public convenience will be served.

f. The proposed use will not detrimentally affect nearby residentially zoned communities in the area of the City involved, after giving consideration of 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.

Approval of the CUB will not detrimentally affect the residential character of the area as residential development in the area consists of other mixed-use buildings and the area maintains a mix of commercial uses. The food market and its related uses fit appropriately with nearby properties in terms of scale and character and complement the goods and services offered in the area. As mentioned, no other existing establishments within a half-mile vicinity offer similar amenities to those proposed in this Project. As such, the

CPC 2005-5033-GPA-ZC-CUB-ZAA

approval of the CUB and the food market will supply much needed amenities for residents of the building, the area and surrounding communities. In this way, the proposed use will enhance public convenience and contribute positively to the livability of the area and to the residential environment.

The area is urban in character and there is no single family development abutting the Property. Thus, the full-service food market poses no detrimental effect(s) for surrounding residential properties. The food market, with its cafe, coffee lounge, seafood counter, florist and wine/cheese/antipasta tasting venue, will enhance the quality of life for residents of the area by adding much needed amenities. The proposed use combines residential development and proposes a full-service market with sales of alcoholic beverages. The proposed use is not an entertainment use or a free standing restaurant, but attempts to enhance the services ancillary to a full service market. Parking will be provided on-site for customers and residents.

Site Plan Review Findings. Pursuant to Section 16.05 F of the Municipal Code.

a. The project complies with all applicable provisions of the Los Angeles Municipal Code, Planning and Zoning Section and any applicable specific plan.

The Project complies with all applicable provisions of the Planning and Zoning Code, except as may be conditioned herein. The subject request is located within the boundaries of the Hollywood Signage Supplemental Use District and has been conditioned to comply with all applicable provisions of the SUD.

b. The project is consistent with the General Plan.

The zoning and General Plan are consistent with each other. The Property is zoned C4 which is a commercial designation and the General Plan is Regional Center Commercial. The C4 zone permits residential and commercial land uses similar to and consistent with the proposed Project.

The Project is consistent with the Hollywood Community Plan Area of the General Plan as follows:

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

The Project will provide 306 critically needed residential units as well as a critical neighborhood commercial use. The residential component consists of market rate units in an area that will provide opportunities for residents to live near employment of the Hollywood entertainment center. The commercial component consists of a food market in an area where such a retail service is absent and where local residents may use the nearby public transit opportunities to reach the market.

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 306 market rate apartments. The units are dispersed into studio, one and two bedroom units. This combination results in a wide variety of housing choices that satisfy various income levels and sizes of units.

To promote economic well being and public convenience through allocating and distributing commercial lands for retail service and office facilities in quantities and patterns based on accepted planning principals and standards.

This Project will serve to meet this goal by developing a mixed-use project on an underutilized parcel adjacent to major pedestrian oriented thoroughfares of Sunset and Hollywood Boulevards and adjacent to a public

CPC 2005-5033-GPA-ZC-CUB-ZAA

transit hub at Hollywood and Vine. The proposed Project will turn an existing surface parking lot into a thriving neighborhood retail and residential community, thereby encouraging economic well being and public convenience for the Hollywood Center community.

c. The project is consistent with any applicable adopted redevelopment plan.

The Project is consistent with the Hollywood Redevelopment Plan. Section 506.2.3 of the Hollywood Redevelopment Plan provides that for development in the Regional Center Commercial area the density shall not exceed the FAR of 4.5: 1. The Project density is proposed to be 4.5:1 FAR which is consistent with the maximum allowable FAR of 4.5:1. In addition to maintaining the Project FAR within the FAR set forth in the applicable section of the Redevelopment Plan, a number of the goals and objectives of the Plan are met as follows:

To concentrate high intensity and or density development in areas with reasonable proximity or direct access to high capacity transportation facilities or which effectively utilize transportation demand management programs.

The Project is located approximately 650 feet from the MT A subway portal at the Hollywood and Vine Red Line station as well as a major bus depot across Selma Avenue to the north of the Project. Also, major bus routes exist on Vine Street and on Hollywood Boulevard and Sunset Boulevard, one block north and south of the Project, respectively. All of these immediate transportation outlets provide maximum opportunity for residents to utilize mass transportation facilities for shopping and traveling to nearby job centers in Hollywood, the San Fernando Valley, and downtown Los Angeles. Moreover, they provide maximum opportunity for other community residents to utilize mass transit for grocery shopping at the Project's Whole Foods Market.

To attract essential neighborhood commercial services such as food markets.

The proposed Project provides an approximately 67,500 square foot food market operated by the nationwide Whole Foods Market, which will realize the critical need of a neighborhood food market for the core Hollywood neighborhoods. The Project's new food market will promote community revitalization by providing a neighborhood oriented use in a location which is currently underutilized as a vacant surface parking lot. The food market will be compatible with nearby residential uses and neighborhoods because as part of a mixed-use development, it must be designed to be compatible with the residential uses in the same structure. The Project's food market will conform with the goals and objectives of the Redevelopment Plan.

To provide for new development which complements the existing buildings in areas having architecturally and/or historically significant structures and to encourage appropriate development in areas that do not have architecturally and/or historically significant buildings.

Although contemporary in design, the architecture of the structure is designed to be compatible with the significant building architecture in the vicinity with building surfaces that modulate with varying textures, colors, decks, openings and insets that add interest. The Project's E-shaped form, unified by a concrete spine, courtyards and terraces is reminiscent of the style of buildings designed in California in the 1920s and 1930s. The Project showcases a renaissance of a design style recalling buildings of the time. The Project is a contemporized version with clean, simple lines, using glass to create open spaces, and varied textures. The E-shaped design gives nearly every room views to either the Hollywood Hills or downtown Los Angeles.

To encourage the development of residential uses within the Regional Center Commercial land use designation.

The proposed Project consists of a mix of commercial and residential uses and provides 306 residential apartments consisting of studio, one and two bedroom units. The Project provides pedestrian access points to the residential components from the pedestrian oriented, Vine Street and from the northeast corner of the

CPC 2005-5033-GPA-ZC-CUB-ZAA

Property at Selma and Argyle to provide closer access to the public transportation opportunities one block north of the Project site.

To provide substantial public open space in the project area.

The proposed project does not incorporate any public open space. The Applicant is proposing a design that will complement the surrounding area and provides 34,700 square feet of open space pursuant to the LAMC.

d. The project consists of an arrangement of buildings and structures (including height, bulk and setbacks), off-street parking facilities, load areas, lighting, landscaping, trash collections, and other such pertinent improvements, which is or will be compatible with existing and future developments, on the neighboring properties.

Bulk, height and setbacks

The structure is designed to be consistent with the residential density of the R5 Zone as permitted by LAMC Section 12.22A18(a). With one dwelling unit per 200 square feet of lot area and 85,729 square feet of lot area, approximately 428 dwelling units could be built on the Property; however only 306 dwelling units are proposed. There are no setbacks required for commercial uses in the C4 Zone. There are no residential setbacks required for mixed-use projects when the ground floor is dedicated to commercial uses or provides access to the residential uses also as permitted by LAMC Section 12.22A18(a). The Project's height will be 11 stories and reach approximately 145 feet. Further, the visual quality of the design has varied and articulated surfaces consisting of hard surfaces, mixed textures and glass. The roofline is varied with structural architectural details of curves and shapes that break up a potentially uninteresting, flat surface.

The Project's development components are compatible with existing and proposed developments on the neighboring properties. Several high-rise buildings are present in the vicinity, including the adjacent 22-story Sunset Media Tower and the 18-story Sunset and Vine Tower to the south as well as the 12-story Taft Building, the Equitable Building, Hollywood Broadway Building, and the Capitol Records Building to the north. Additionally, the development on the adjacent site to the north by the Legacy Partners Group is estimated to be developed at heights of 75 - 130 feet. Further, the proposed mixed retail and residential uses of the Project would be compatible with the existing uses in the area, including the Sunset and Vine mixed-use building to the west, and the future Legacy Partners mixed-use Project to the north. The Project would provide neighborhood serving retail to serve nearby residential neighborhoods and would introduce new residential uses to support existing commercial uses.

Off-street parking

There are a total of 800 off-street parking spaces provided in two subterranean levels and three above-ground levels. The two subterranean levels are dedicated for the food market purposes and the three above-ground levels are dedicated to the residential component of the Project. The Project consists of studios, one and two bedroom units. There will be 550 spaces dedicated for 306 residential units. Therefore, the Project provides approximately 1.8 parking spaces per dwelling unit, including the studio and one bedroom units where the LAMC only requires 1 to 1.5 parking spaces for studio and one bedroom apartment units.

The Project also provides 250 parking spaces for the 67,500 square feet of food market uses. The LAMC requires only 2 parking spaces for each 1,000 square feet of combined gross floor area of commercial office, business, retail, restaurant, bar, and related uses on any lot in the Hollywood Redevelopment Plan area. With 67,500 square feet of commercial retail uses, the Project only requires 133 parking spaces. Therefore, with 250 parking spaces provided and only 133 required, the Project provides a more than adequate supply of parking for its commercial component. In addition, the Project is located in close proximity of the MTA subway portal at Hollywood and Vine as well as major bus routes on Vine Street, Hollywood Boulevard and Sunset Boulevard therefore reducing the need to drive to or from the Property.

Loading areas

The commercial component of the Project will provide commercial loading off of Argyle Avenue as pre-approved by the Los Angeles Department of Transportation (the "LADOT"). The residential component of the Project also allows a curbside loading area off of Argyle Avenue to serve larger vehicles used for furniture transport. The location of the loading areas off of Argyle Avenue provides the least conflict with pedestrian and vehicle traffic around the Project site. Both Vine Street and Selma Avenue are more heavily traveled due to their pedestrian orientation and access to the public transit facilities at Hollywood and Vine.

Lighting

Security and architectural lighting will be provided to protect the Project's food market customers and residents and accent the building structure. All such lighting will be directed onsite to avoid any harsh glare or reflections to surrounding properties.

Landscaping

The public open space will be landscaped with trees, shrubs and ground cover and street trees will be provided per City requirements and in conformance with the Hollywood street trees.

Trash collection

The trash collection facilities will be located at the southeast corner of the Project inside of the ground level retail with access from Argyle Avenue and hidden from view by surrounding property owners.

e. The project incorporates feasible mitigation measures, monitoring measures when necessary, or alternatives identified in the environmental review, which would substantially lessen the significant environmental effects of the project, and/or any additional findings as may be required by CEQA.

A Mitigated Negative Declaration (ENV-2006-3872-MND) was prepared for the proposed project. On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that, with imposition of the mitigation measures described in the MND, there is no substantial evidence that the proposed project will have a significant effect on the environment. The attached Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are with the Environmental Review Section of the Planning Department in Room 750, 200 North Spring Street. I hereby adopt that the Mitigated Negative Declaration, imposed the conditions shown in that document on this approval.

f. Any project containing residential uses provides its residents with appropriate type and placement of recreational facilities and service amenities in order to improve habitability for the residents and minimize impacts on neighboring properties where appropriate. (For Residential Projects Only.)

The Project incorporates 18,800 square feet of open courtyards and 3,000 square feet of recreation area containing facilities available for use by the residents including a deck area with swimming pool and spa. There is also 12,900 square feet of private deck areas for a total of 34,700 square feet of open space area.

The **Transportation Element** of the General Plan will be affected by the recommended action herein. However, any necessary dedication and /or improvement of adjoining street will ensure compliance with this Element of the General Plan and with the City's street improvement standards pursuant to Municipal Code Section 17.05.

CPC 2005-5033-GPA-ZC-CUB-ZAA

The **Sewerage Facilities Element** of the General Plan will be affected by the recommended action. However, requirements for construction of sewer facilities to serve the subject project and complete the City Sewer system for the health and safety of City inhabitants will assure compliance with the goals of this General Plan Element.

CEQA Findings. A Mitigated Negative Declaration (ENV-2006-3872-MND) was prepared for the proposed project. On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that, with imposition of the mitigation measures described in the MND, there is no substantial evidence that the proposed project will have a significant effect on the environment. The attached Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are with the Environmental Review Section of the Planning Department in Room 750, 200 North Spring Street. I hereby adopt that the Mitigated Negative Declaration, imposed the conditions shown in that document on this approval.

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 Improvements. Prior to the issuance of any building permits, public improvements and dedications for streets and other rights-of-way adjoining the subject property shall be guaranteed to the satisfaction of the Bureau of Engineering, Department of Transportation, Fire Department (and other responsible City, regional, and Federal government agencies, as may be necessary). The Vine Street frontage has been exempted from these requirements for dedications and improvements because of its Historic Cultural Monument status. (HCM No. 194).

A. 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 the project design required by a public agency shall be documented in writing and submitted for review by the Department of City Planning.

B. Street Dedications and Improvements.

1. Dedications Required:

Vine Street (Major Highway Class II) - None.

Selma Avenue (Local Street) - None.

Argyle Avenue (Local Street) - None.

2. Improvements Required:

Vine Street - None.

Selma Avenue - Remove and reconstruct existing curb, gutter and sidewalk. Contact the Urban Forestry Division of the Bureau of Street Services to determine if the existing trees require removal or root trimming.

Argyle Avenue - Repair any broken, off-grade or bad order concrete curb, gutter and sidewalk to the satisfaction of the City Engineer. Close any unused driveways.

- ### C.
- Sewer lines exist along Vine Street, Selma and Argyle Avenues to serve this project. Extension of the 6-inch house connection laterals to the new property line will be required. All Sewerage Facilities Charges and Bonded Sewer Fees are to be paid prior to obtaining a Building Permit. An investigation by the Bureau of Sanitation may be necessary to determine the capacity of the existing sewers to

CPC-2006-3871-ZC-CUB-SPR

accommodate the additional flow that will be generated by the proposed development. Submit a request to the Bureau of Engineering Central District public counter located at 201 N. Figueroa Street, 3rd floor.

- D. No major drainage problems are involved. Roof drainage and surface run-off from the project site shall be collected and treated at the site and directed to the streets via drain systems constructed under the sidewalk and through the curb drains connected to the catch basins.
- E. Street Lighting: Installation of street lights to the satisfaction of the Bureau of Street Lighting. If new street light(s) are required, the property within the boundary of the development shall be formed or annexed into a Street Lighting Maintenance Assessment District prior to final recordation or issuance of the Certificate of Occupancy.
- F. Install tree wells with root barriers and plant trees satisfactory to the City Engineer and the Urban Forestry Division of the Bureau of Street Services. Some tree removal may be required in conjunction with the street improvements and may require Board of Public Works approval. The applicant should contact the Urban Forestry Division for further information at (213) 458-5675.
- G. Submit a parking area and driveway plan to the Central District Office of the Bureau of Engineering and the Department of Transportation for review and approval.
- H. Preparation of a plot plan to the satisfaction of the Fire Department.
- I. Making any necessary arrangements with the appropriate cable television franchise holder to assure that cable television facilities will be installed in City rights-of-way in the same manner as is required of other facilities, pursuant to Municipal Code Section 17.05 N, to the satisfaction of the Department of Telecommunications.
- J. Recreation and Parks Dedication. Per Section 12.33 of the Los Angeles Municipal Code, the applicant shall dedicate land for park and recreational purposes or pay the applicable Quimby fees for construction of condominiums, or Recreation and Park fees for construction of apartment buildings.
- K. The applicant shall pay school fees to the Los Angeles Unified School District to offset the impact of additional student enrollment at schools serving the project area.
- L. Prior to the issuance of a clearance letter to the department of City Planning, all engineering fees pertaining to Ordinance 176,077 adopted by the Los Angeles City Council must be paid in full at this office.

Notice. If conditions dictate, connections to the public sewer system may be postponed until adequate capacity is available.

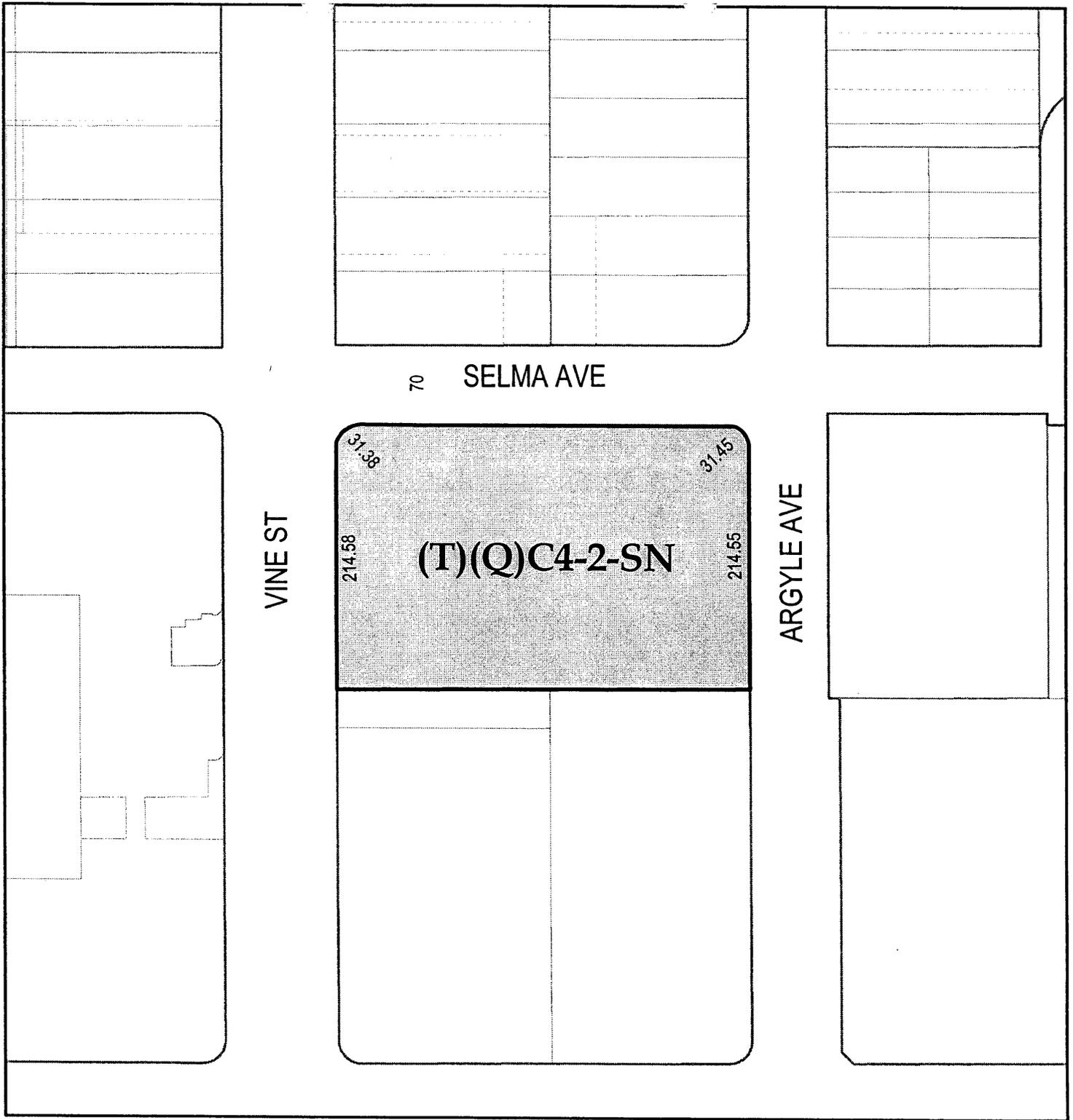
Notice. Certificates of Occupancies for the subject property will not be issued by the City until the construction of all the public improvements (streets, sewers, storm drains, etc.), as required herein, are completed to the satisfaction of the City Engineer.

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 zones 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:



70 SELMA AVE

VINE ST

ARGYLE AVE

31.38
31.45
214.58
(T)(Q)C4-2-SN
214.55



0 50 100 200



Feet

CM 147A189 & 148-5 A189	CPC 2006 - 3871 ZC CUB SPR
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DYG / *DC*

03/08/07

(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. **Use.** The development of the subject property shall comply with all applicable provisions of the C4-2-SN Zone.
2. **Site Plan.** The use and development of the property shall be in substantial conformance with the plans, renderings and elevations submitted with the application and marked Exhibit E-3 through E-7, dated March 8, 2007 and attached to the subject City Plan Case file. Prior to the issuance of building permits, revised, detailed development plans, that show compliance with all conditions of approval, including complete landscape and irrigation plans and floor plans indicating the location of all areas for which the CUB permit is being requested, shall be submitted to the satisfaction of the Planning Department.
NOTE: Sign renderings and elevations are not a part of the subject request.
3. **Floor Area.** The project shall comply with the following:
 - a. Maximum allowed Floor Area Ratio: 4.5 times the buildable area of the lot;
 - b. Maximum 428,423 square feet of mixed use development;
 - c. Maximum 306 apartment units;
 - d. Maximum 69,000 square feet of grocery/retail sales.
4. **Height.** The height of all buildings and structures on the subject property shall not exceed 11 stories or 145 feet as defined by Sections 12.03 and 12.21.1B 3 of the L.A.M.C. Any structures on the roof, such as air condition units and other equipment, shall be fully screened from view of any abutting properties.
5. **Parking.** A minimum of 800 on-site parking spaces shall be provided as follows: a minimum of 250 subterranean commercial parking spaces and a minimum of 550 residential parking spaces.
 - a. Parking in excess of LAMC requirements, when not otherwise utilized by retail patrons, shall be made available for use and access by the general public. The number of spaces provided, their location and access shall be in substantial conformance with the site plans marked Exhibit E-3 and attached to the administrative file.
 - b. The applicant shall prepare and implement a TDM/Ridesharing Plan for the development. The TDM/Rideshare Plan should focus on alternative transportation options. The plan shall be reviewed and approved by LADOT, in consultation the Department of City Planning and the applicable Council Office. The TDM/Rideshare Plan shall include at a minimum:
 1. Dedicated parking spaces for use by a carshare/rideshare program;
 2. Adequate bicycle parking facilities (number of racks to be determined by the Departments of City Planning and Transportation);
 3. Preferential parking for hybrid vehicles (developer to disclose the number and location of spaces);
 4. Metro pass promotional plan for new residents and employees.
6. **Hours of Operation.** The proposed market use shall have hours of operation from 6:00am to 12:00 am Monday through Sunday. Use of any patio or outside café shall cease at 10:00pm.
7. **Security.** A minimum of one, private, State licensed, uniformed, security guard(s) shall be present on-site, during operating hours.

CPC-2006-3871-ZC-CUB-SPR

8. **Los Angeles Community Redevelopment Agency (LACRA) Requirements.** The subject project shall conform to all applicable provisions/requirements of the Redevelopment Agency and the Redevelopment Plan for the Hollywood Redevelopment Project area.
9. **Signs.** Issue no sign permit for the construction, erection, reconstruction, rehabilitation, addition to or structural alteration of any sign on a lot located in whole or in part within the Hollywood Signage Supplemental Use District area unless and until any and all applicable requirements of the SUD are complied with, and any required approval is obtained from the Department of City Planning, Community Planning Metro Bureau. Any master sign program appeal or exception, which would go to the Central Area Planning Commission will instead be directed to the City Planning Commission.
10. **Design.** The design of the project shall be in substantial conformance with the site plans renderings and elevations dated March 8, 2007, attached to the administrative file. The building design shall conform to the following:
 - a. Façades along pedestrian frontages shall include a variety of features such as: a combination of different textures, colors and materials; distinctive architectural features; display windows; signage; setbacks and differentiated massing; rooflines; shade and shadow features.
 - b. The façade shall create or reinforce an existing façade rhythm.
 - c. Upper floors shall be differentiated from the ground floor.
 - d. There shall be no blank walls along pedestrian frontages; walls shall incorporate a combination of elements such as: sculpted, carved or penetrated wall surface; planters, murals; mosaics; public art, including the proposed façade treatment along Selma Avenue; awnings and/or lighting.
 - e. At corners, the building frontage shall consider building cut-offs in response to any need to accommodate pedestrians and to protect pedestrian safety, security and enjoyment.
 - f. A physical partition shall be required between the patio and/or side-walk café area(s) and any adjacent to open public area
11. **Cultural Resources.** Prior to the issuance of any building permits, the applicant shall submit the project to the Los Angeles City Office of Historic Resources for review. Compliance with all applicable requirements shall be required. Prior to any disturbance to the Walk of Fame, a City of Los Angeles designated Historic Cultural Landmark (HCM No. 194), the project applicant shall contact the Hollywood Chamber of Commerce directly via letter detailing the location of the proposed project, its potential impact on the Walk of Fame, project timeline, list of effected stars and surrounding sidewalk area, proposed procedures for removal of stars, where and for how long the stars will be stored, how they will be secured and other relevant details. The Chamber will reply via letter with the required procedures related to alterations to the Walk of Fame and a list of contractors approved for such work. Additionally, the Chamber will request a formal in-person meeting between the property owner and Chamber officials to discuss the process in greater depth. The Chamber's contact person for written correspondence is Ms. Anna Hoiler (stargirl@hollywoodchamber.net), who can be reached via telephone at 323-469-8311. Hollywood Chamber of Commerce, 7018 Hollywood Boulevard, Hollywood, CA 90028. Accepting that specific details for removal, storage and replacement of effected stars and terrazzo will be determined through coordination with the Chamber, the following general procedures shall be implemented:
 - a. Photographic and documentary recordation of the location of each Walk of Fame star potentially impacted by project construction shall be completed by a qualified architectural historian;
 - b. Prior to any construction or demolition activities that have the potential to damage the

sidewalk along Vine Street, each section of sidewalk containing a star that cannot be reasonably protected in place shall be cut and carefully removed within its respective bronze-bordered square as specifically directed by Chamber procedures. Each effected star shall be promptly crated and stored, at a secured off site location; and,

- c. Following completion of project construction, reinstallation of each effected star at its original documented location shall occur within a newly poured, color-matched terrazzo sidewalk with work completed to the satisfaction of the Chamber.

12. **Site Plan Review.** The subject Site Plan Review is approved subject to any appeals and shall be subject to any applicable requirements of the Hollywood Signage Supplemental Use District.

B. Environmental Conditions.

13. **Landscape Plan.** 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 Planning Department.
14. **Graffiti.** Every building, structure, or portion thereof, shall be maintained in a safe and sanitary condition and good repair, and free from graffiti, debris, rubbish, garbage, trash, overgrown vegetation or other similar material, pursuant to Municipal code Section 91.8104. The exterior of all buildings and fences shall be free from graffiti when such graffiti is visible from a public street or alley, pursuant to Municipal Code Section 91.8104.15.
15. **Lighting.** Outdoor lighting shall be designed and installed with shielding, so that the light source cannot be seen from adjacent residential properties
16. **Glare.** The exterior of the proposed building shall be constructed of materials such as high-performance tinted non-reflective glass and pre case concrete or fabricated wall surfaces.
17. **Air Pollution (Stationary).** The applicant shall install air filters capable of achieving a Minimum Efficiency Rating Value (MERV) of at least 11 or better in order to reduce the diminished air quality effects on occupants of the project.
18. **Archaeology.** If any archaeological materials are encountered during the course of the project development, the project shall be halted. The services of an archaeologist shall be secured by contacting the Center for Public Archaeology, California State University Fullerton, OR a member of the Society of Professional Archaeologist (SOPA), OR a SOPA-qualified archaeologist to assess the resources and evaluate the impact. Copies of the archaeological survey, study or report shall be submitted to the UCLA Archaeological Information Center. A covenant and agreement shall be recorded prior to obtaining a grading permit.
19. **Paleontology.** If any paleontological materials are encountered during the course of the project development, the project shall be halted. The services of a paleontologist shall be secured by contacting the Center for Public Paleontology, University of Southern California, University of California at Los Angeles, California State University at Los Angeles, California State University at Long Beach, or the Los Angeles County Museum of Natural History to assess the resources and evaluate the impact. Copies of the paleontological survey, study or report shall be submitted to the Los Angeles County Museum of Natural History. A covenant and agreement shall be recorded prior to obtaining a grading permit.

CPC-2006-3871-ZC-CUB-SPR

20. **Seismic.** The design and construction of the project shall conform to the Uniform Building Code seismic standards as approved by the Department of Building and Safety.
21. **Construction (Air Quality).**
- a. All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403.
 - b. The owner or contractor shall maintain the construction area sufficiently dampened to control dust caused by grading, construction and hauling, and at all times provide reasonable control of dust caused by wind.
 - c. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
 - d. All materials transported off-site shall be either sufficiently watered or securely covered to prevent the generation of excessive amounts of dust.
 - e. All clearing, grading, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent the generation of excessive amounts of dust.
 - f. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.

Construction (Noise). The project shall comply with the City of Los Angeles Noise Ordinance Nos. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.

- a. Construction shall be restricted to the hours of 7:00 AM to 6:00 PM Monday through Friday, and 8:00 AM to 6:00 PM on Saturday.
- b. Construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously that causes high noise levels.
- c. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- d. The project sponsor shall comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, to insure an acceptable interior noise environment

General Construction.

- a. All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete; wood, and vegetation. Non recyclable materials/wastes must be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.
- b. Leaks, drips and spills shall be cleaned up immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- c. Pavement shall not be hosed down at material spills. Dry cleanup methods shall be used whenever possible.
- d. Dumpsters shall be covered and maintained. Uncovered dumpsters shall be placed under a roof or be covered with tarps or plastic sheeting.
- e. Gravel approaches shall be used where truck traffic is frequent to reduce soil compaction and to limit the tracking of sediment into streets.
- f. All vehicle/equipment maintenance, repair, and washing shall be conducted away from storm drains. All major repairs shall be conducted off-site. Drip pans or drop cloths shall be used to catch drips and spills

22. **Food Service Industry (Restaurants, Bakeries, Food Processors) and Storm Water Run Off: Mixed Use Residential Buildings.** The following measures shall be incorporated.
- a. Compliance with Ordinance Nos. 172,176 and 173,494 (Stormwater and Urban Runoff Pollution Control), which require the application of Best Management Practices (BMPs).
 - b. Compliance with Chapter IX, Division 70 of the Municipal Code, which addresses grading, excavations, and fills.
 - c. Compliance with The Standard Urban Stormwater Mitigation Plan (SUSMP) approved by the Los Angeles Regional Water Quality Control Board (A copy of the SUSMP can be downloaded at <http://www.swrcb.ca.gov/rwqcb4/>).
 - d. Stormwater BMPs shall be incorporated to retain or treat the runoff from a storm event producing 3/4 inch of rainfall in a 24 hour period. The design of structural BMPs shall be in accordance with the *Development Best Management Practices Handbook Part B Planning Activities*. A signed certificate shall be required from a California licensed civil engineer or licensed architect that the proposed BMPs comply with this numerical threshold standard.
 - e. Post development peak stormwater runoff discharge rates shall not exceed the estimated pre-development rate for developments where the increase peak stormwater discharge rate will result in increased potential for downstream erosion.
 - f. Maximize trees and other vegetation at the site by planting additional vegetation, clustering tree areas, and promoting the use of native and/or drought tolerant plants.
 - g. Reduce impervious surface area by using permeable pavement materials where appropriate, including: pervious concrete/asphalt; unit pavers, i.e. turf block; and granular materials, i.e. crushed aggregates, cobbles. .
 - h. Cleaning of oily vents and equipment to be performed within designated covered area, sloped for wash water collection and with a pretreatment facility for wash water before discharging to properly connected sanitary sewer with a CPI type oil/water separator. The separator unit must be: designed to handle the quantity of flows; removed for cleaning on a regular basis to remove any solids; and the oil absorbent pads must be replaced regularly according to manufacturer's specifications.
 - i. Store trash dumpsters either under cover and with drains routed to the sanitary sewer or use non-leaking and water tight dumpsters with lids. Wash containers in an area with properly connected sanitary sewer.
 - j. Reduce and recycle wastes, including oil and grease.
 - k. Store liquid storage tanks (drums and dumpsters) in designated paved areas with impervious surfaces in order to contain leaks and spills install a secondary containment system such berms, curbs or dikes, use drip pans or absorbent materials whenever grease containers are emptied.
 - l. All storm drain inlets and catch basins within the project area shall be stenciled with prohibitive language (such as "NO DUMPING - DRAINS TO OCEAN") and/or graphical icons to discourage illegal dumping.
 - m. Signs and prohibitive language and/or graphical icons, which prohibit illegal dumping, must be posted at public access points along channels and creeks within the project area.
 - n. Legibility of stencils and signs must be maintained.
 - o. Install roof runoff systems where site is suitable for installation. Runoff from rooftops is relatively clean, can provide groundwater recharge and reduce excess runoff into storm drains.
 - p. Any connection to the sanitary sewer shall be required to receive authorization by the Bureau of Sanitation.
 - q. The owner shall record a covenant and agreement satisfactory to the Planning Department binding the owners to post construction maintenance on the structural BMPs in accordance with the Standard Urban Stormwater Mitigation Plan and/or per manufacturer's instructions. Prescriptive Methods detailing BMPs specific to the "Restaurant" project category are available. Applicants are encouraged to incorporate the prescriptive methods into the design plans. These

Prescriptive Methods can be obtained at the Public Counter or downloaded from the City's website at www.lastormwater.org.

s. The following activity is to be conducted under proper cover with drain routed to the sanitary sewer.; Handling or storage of hazardous wastes.

- Toxic wastes must be discarded at a licensed regulated disposal site. Store trash dumpsters either under cover and with drains routed to the sanitary sewer or use non-leaking and water tight dumpsters with lids. Use drip pans or absorbent materials whenever grease containers are emptied. Wash containers in an area with properly connected sanitary sewer.
- Reduce and recycle wastes, including: paper; glass; aluminum; oil; and grease.
- Reduce the use of hazardous materials and waste by: using detergent-based or water-based cleaning systems; and avoid chlorinated compounds, petroleum distillates, phenols and formaldehyde.
- Convey runoff safely from the tops of slopes and stabilize disturbed slopes.
- Utilize natural drainage systems to the maximum extent practicable.
- Control or reduce or eliminate flow to natural drainage systems to the maximum extent practicable.
- Materials with the potential to contaminate stormwater must be: (1) placed in an enclosure such as, but not limited to, a cabinet, shed or similar stormwater conveyance system; or (2) protected by secondary containment structures such as berms, dikes, or curbs.
- The storage area must be paved and sufficiently impervious to contain leaks and spills.
- The storage area must have a roof or awning to minimize collection of stormwater within the secondary containment area.

23. **Increased Noise Levels (Parking Structure Ramps).** Concrete, not metal, shall be used for construction of parking ramps. The interior ramps shall be textured to prevent tire squeal at turning areas.

24. **Fire.** The requirements of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features:

- a. Fire lanes, where required, shall be a minimum of 20 feet in width;
- b. All structures shall be within 300 feet of an approved fire hydrant;
- c. Entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.

25. **Solid Waste.** Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. These bins shall be emptied and appropriately recycled as a part of the projects regular solid waste removal program.

C. Conditions Volunteered by the Applicant.

26. **Hollywood Mobility Trust Fund.** Prior to the issuance of building permits, the applicant shall deposit \$850,000.00 into the (soon to be established) Hollywood Mobility Trust Fund. The Fund shall be used for community benefits designed to improve the quality of life and foster a variety of mobility options for Hollywood residents.

27. **Affordable Housing Fund.** Funding in the amount of \$1,500,000.00 shall be provided for the development of off-site affordable housing. The applicant shall work with Council District 13 to

determine the allocation of such funds to affordable housing developments within ½ mile of the project site that will facilitate a minimum of 31 units of low to very low affordable housing. Such funds shall be provided prior to the issuance of a Certificate of Occupancy for the applicant's project or any portion thereof. Receipt and allocation of such funds shall be acknowledged by the recipient of the funds and Council District 13 in satisfaction of this condition.

28. **Archaeology.** Prior to removal of parking lot pavement, a qualified archaeologist who meets the Secretary of the Interior Standards for Archaeology (prehistoric and historical-period) (36 CFR 61) shall be retained by the Applicant and approved by the City of Los Angeles to perform a site inspection of the ground beneath the pavement. This inspection, to be initiated upon removal of the parking lot paving, shall include survey of exposed ground surfaces, and may include sample screening of sediment disturbed by the parking lot removal and limited sub-surface testing if deemed appropriate by the qualified archaeologist. If archaeological resources are identified, the archaeologist shall have the authority to halt construction in order to assess the find, until assessment is complete. The archaeologist shall then prepare a report summarizing the results of the investigation including documentation and significance assessment of those cultural resources encountered. The results shall also include recommendations regarding which portions of the Project should be further monitored during construction, if any. If no archaeological resources are found, the inspecting archaeologist shall prepare a report summarizing survey methods and conclusions. This report also shall include recommendations with respect to the need for any further archaeological resource monitoring of earth-moving activities on the Project site.

If unknown archaeological and/or cultural materials are discovered during any remedial grading or excavation activity not monitored by a qualified archaeologist (as defined above), work shall stop in the immediate area and the applicant and City of Los Angeles (City) shall be notified. A qualified archaeologist (as defined above) shall be consulted to determine the discovery's significance and, if necessary, develop a mitigation plan. This plan should include avoidance alternatives, if feasible, to mitigate impacts. Work will be allowed to resume in the area of the discovery only with the approval of the qualified archaeologist. If the discovered cultural materials are prehistoric in nature or include Native American remains, the Project archaeologist shall contact the City and arrange for a Native American monitor to be retained to assist in the identification of the resources or human remains. The Native American monitor shall be retained by the applicant from a list of suitable candidates from the Native American Heritage Commission.

29. **Construction Monitoring for Paleontological Resources.** A qualified paleontologist shall be retained by the Applicant and approved by the City of Los Angeles. At the onset of excavation or grading activity in sediments four feet or more below the original ground surface, the paleontologist shall determine if the sediments on-site exhibit high or low potential for encountering subsurface paleontological resources.

If sediment appropriate to produce vertebrate macrofossils is encountered, all excavation or grading activity in native sediments four feet or more below original ground level shall be monitored until rough grading is 50% complete. If no paleontological resources have been detected up to that point, monitoring can be reduced to part time or to on-call status, at the discretion of the paleontologist. If sediment appropriate to produce vertebrate microfossils is encountered, it shall be tested. If found to be fossiliferous, a standard sample (6,000 pounds) of each fossiliferous horizon shall be stockpiled, and later processed for recovery of vertebrate microfossils. If fossils are found during monitoring, the paleontologist shall prepare a report summarizing the results of the monitoring program including methods of fossil recovery, preparation, and curation, and a description of the fossils collected and their significance. A copy of the report shall be provided to the Applicant and to the City of Los Angeles. The fossils and a copy of the report will be deposited in an accredited curation facility. In the event the paleontologist determines that the site exhibits low potential for encountering resources, excavation

need not be monitored. If potential resources are encountered without the paleontologist on site, work in the area shall be halted until the area can be evaluated by the paleontologist and any necessary follow-up procedures implemented.

If human remains are encountered unexpectedly during construction excavation and grading activities, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code (PRC) Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the Native American Heritage Commission (NAHC). The NAHC will then identify the person(s) thought to be the Most Likely Descendent of the deceased Native American, who will then help determine what course of action should be taken in dealing with the remains.

D. Administrative Conditions of Approval.

- 30. 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 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.
- 31. 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.
- 32. Code Compliance.** Los Angeles Municipal Code area, height, open space and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions are more restrictive.
- 33. Covenant.** The Department of Building and Safety shall not issue any building permit for construction on a lot or lots within the Specific Plan area until the owner of the property has executed and recorded with the County Recorder a Covenant and Agreement acknowledging and accepting the contents and limitations of this Specific Plan. The covenant and agreement shall be executed by all fee owners of the property, shall run with the land and shall be binding on future owners, successors, heirs, or assignees of the owners. A certified copy of the recorded covenant shall be delivered to the Departments of City Planning and Building and Safety prior to the issuance of any building permit(s).
- 34. Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public offices, legislation or their successors, designees or amendment to any legislation.
- 35. 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.
- 36. Building Plans.** Page 1 of the grant and all the conditions of approval shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety.
- 37. 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 to

CPC-2006-3871-ZC-CUB-SPR

impose additional corrective conditions, if, in the Commission's opinion, such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.

- 38. Utilization of Entitlement.** The applicant/owner shall have a period of two years (for the Conditional Use) from the effective date of the subject grant to effectuate the terms of this entitlement by either securing a building permit or a certificate of occupancy for the authorized use, or unless prior to the expiration of the time period to utilize the privileges, the applicant files a written request and is granted an extension to the termination period for up to one additional year pursuant to Section 12.24 J of the Municipal code. Thereafter, the entitlement shall be deemed terminated and the property owner shall be required to secure a new authorization for the use.

Sec. _____. 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 this ordinance was passed by the Council of the City of Los Angeles, at its meeting of _____.

FRANK T. MARTINEZ, City Clerk

By _____ Deputy

Approved _____

Mayor

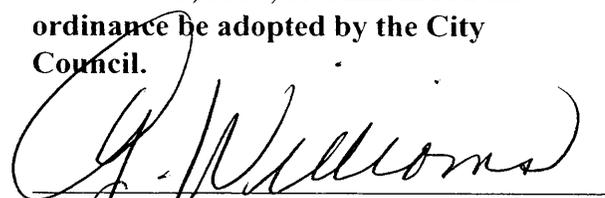
Approved as to Form and Legality

ROCKARD J. DELGADILLO, City Attorney

Pursuant to Section 558 of the City Charter, the City Planning Commission on March 8, 2007, recommended this ordinance be adopted by the City Council.

By _____

City Attorney



Gabriele Williams
Commission Executive Assistant II

File No. _____

CONDITIONS OF APPROVAL

- i. **Conditional Use Permit (CUB).** Pursuant to LAMC Section 12.24 W, the following conditions shall apply
 1. There shall be no business operations between the hours of 12:00 a.m. and 6:00 a.m. including but not limited to private events and promotional events.
 2. The sale of beer and wine for on-site consumption shall be permitted only in three locations within the grocery market: a 50-seat cafe, a six-seat seafood counter and a wine/cheese and antipasta tasting lounge with a 36-person capacity, where wine tasting events may be held. Please refer to the floor plan for exact locations. The consumption of beer and wine as well as the presence of open containers shall be permitted only in these three locations.
 3. There shall be no service, sales or possession of an alcoholic beverage in any patio or on any sidewalk area, except for that area identified as the Cafe.
 4. The premises shall be maintained as a bona fide food market which will maintain several areas where prepared food will be sold for on-site consumption. There are five seating areas including a cafe, wine/cheese/antipasta tasting lounge and a seafood counter at which beer and wine will be sold as well as a coffee and tea lounge and a general seating area where prepared foods purchased on-site may be consumed. Beer and wine shall not be sold and shall not be consumed in the coffee and tea lounge or in the general seating area. The cafe and seafood counter operations include small kitchens and food preparation areas. A menu containing an assortment of foods shall be available at all times during normal operating hours when beer and wine are offered. Petitioner(s) may permit patrons to order beer and wine without a food order.
 5. No pay phone will be maintained on the exterior of the premises.
 6. There shall be no live entertainment of any type, including but not limited to; live music, Disc jockey or Karaoke nights in the cafe or seafood counter areas. Petitioner(s) may offer limited live entertainment during wine tasting events, including acoustic instrumental and vocal performances by individuals or small groups, but not including amplified live music, Disc jockey or Karaoke nights.
 7. No dancing shall be allowed at the location.
 8. No pool or billiard tables may be maintained on the premises.
 9. There shall be no coin-operated games or video machines maintained upon the premises at any time.
 10. Any graffiti painted or marked upon the premises or on any adjacent area under the control of the Petitioner(s) shall be removed or painted over within 24 hours of being applied.
 11. The rear/side door(s) of the premises shall be equipped on the inside with an automatic locking device and shall be kept closed at all times. This door(s) shall not be used as a means of access by patrons to and from the premises. Temporary use of this door(s) for delivery of supplies does not constitute a violation. Said door(s) are not to consist solely of a screen or ventilated security door.
 12. Petitioner(s) shall be responsible for maintaining free of litter, the areas over which they have control and which are adjacent to the premises.

CPC 2005-5033-GPA-ZC-CUB-ZAA

13. Any music, sound or noise emitted that is under the control of the Petitioner(s) shall not violate Section 116.1 of the Los Angeles Municipal Code.
14. Petitioner(s) shall maintain security as determined necessary by the Los Angeles Police Department. During the hours of operation of the business, the Petitioner(s) shall provide at least one security officer, primarily for monitoring the parking area. Additional guards shall be provided to monitor the inside of the premises, if needed. All security personnel shall maintain order therein and prevent any activity that would interfere with the quiet enjoyment of their property by nearby residents. Said personnel shall be licensed consistent with State law and Los Angeles Police Commission standards and maintain an active American Red Cross first-aid card. The security personnel shall be dressed in such a manner as to be readily identifiable to patrons and law enforcement personnel.
15. Petitioner(s) shall install and maintain security cameras and a one-month video library that covers all common areas of the business, high-risk areas and entrances or exits. The videotapes shall be made available to police upon request.
16. All personnel acting in the capacity of a manager of the premises and all personnel who serve alcoholic beverages shall attend the Standardized Training for Alcohol Retailers (STAR) sponsored by the Los Angeles Police Department at the session immediately following the opening of the food market. All employees who serve alcoholic beverages shall attend follow-up STAR classes every 24 months.
17. Petitioner(s) shall maintain on the premises and present upon request to any law enforcement officer, a copy of the Business Permit, Insurance information and a valid emergency contact phone number for the Valet service(s) used by the Petitioner(s).
18. Petitioner(s) shall maintain on the premises and present upon request to any law enforcement officer, a copy of the Business Permit, Insurance information and a valid emergency contact phone number for the Security Company service(s) used by the Petitioner(s).
19. Petitioner(s) shall maintain on the premises and present upon request to any Neighborhood Council and/or immediate neighbor(s) the valid, current, name, phone number, and any other contact information needed to facilitate timely communication with the representative responsible for the food market.
20. Any future operator or owner for this site must file a new Plan Approval application to allow the City of Los Angeles to review the "mode and character" of the usage.
21. If at any time during the period of the grant, should documented evidence be submitted showing continued violation(s) of any condition(s) of the grant, resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Zoning Administrator will have the right to require the Petitioner(s) to file for a Plan Approval application together with the associated fees and to hold a public hearing to review the Petitioner(s) compliance with and the effectiveness of the conditions of the grant. The Petitioner(s) shall submit a summary and supporting documentation of how compliance with each condition of the grant has been attained.
22. The Central Hollywood Neighborhood Council shall be notified should there be an attempt to modify or add any conditions to the existing conditions for this project.

3. Conditional use Permit (CUB) - Conditions as Volunteered by the Applicant.

1. Petitioner(s) shall not require an admission charge or cover charge at the cafe or seafood counter, nor shall there be a requirement to purchase a minimum number of drinks at any of the three designated locations.

CPC 2005-5033-GPA-ZC-CUB-ZAA

2. Petitioner(s) may require a charge to participate in wine tasting events that will take place in the wine/cheese/antipasta tasting lounge.
3. The quarterly gross sale of alcoholic beverages shall not exceed the gross sales of food during the same period. The Petitioner(s) shall at all times maintain records which reflect separately the gross sales of food and the gross sales of alcoholic beverages of the licensed business. Said records shall be kept no less frequently than on a quarterly basis and shall be made available to the police department upon demand.
4. The subject alcoholic beverage license shall not be exchanged for a public premise type license There shall be no business operations between the hours of 12:00 a.m. and 6:00 a.m. including but not limited to private events and promotional events.
5. Beer and wine for consumption on-site shall be stored behind a counter and shall be served by trained grocery market employees
6. No "Happy Hour" or reduced price alcoholic beverage promotions shall be allowed in the cafe or seafood counter areas
7. Electronic age verification device(s) which can be used to determine the age of any individual attempting to purchase alcoholic beverages or tobacco products shall be installed on the premises at each point-of-sale location. The device(s) shall be maintained in an operational condition and all employees shall be instructed in their use prior to the sale of any alcoholic beverage or tobacco product.
8. There shall be no exterior advertising sign of any kind or type, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. Interior displays of alcoholic beverages or signs which are clearly visible to the exterior shall constitute a violation of this condition
9. Petitioner(s) may require a charge to participate in wine tasting events that will take place in the wine/cheese/antipasta tasting lounge, to cover the cost of tasting. Wine will also be sold by the glass in this area. No requirement to purchase a minimum number of drinks shall be allowed.
10. No "Happy Hour" or reduced price alcoholic beverage promotions shall be allowed in the wine/cheese and antipasta tasting lounge.
11. Sales and delivery of alcoholic beverages to customers shall be made from behind a counter where a clerk will obtain the product. No self-service of alcoholic beverages will be permitted.
12. No person under 21 years of age shall sell or deliver alcoholic beverages.
13. Sales of beer shall be limited to "6" or "12" packs, except that the sale of hand-crafted artisan micro beers or similar, not typically available by the "6" or "12" pack, may be permitted.



**DEPARTMENT OF CITY PLANNING
RECOMMENDATION REPORT**



LOS ANGELES CITY PLANNING COMMISSION

Date: March 8, 2007
Time: After 8:30 a.m.
Place: Los Angeles City Hall
 200 North Spring Street, 10th Floor
 Los Angeles, California 90012

Public Hearing: Completed January 12, 2007
Appeal Status: Zone Change appealable by Applicant to City Council if disapproved in whole or in part. Conditional Use and Site Plan Review appealable to City Council
Expiration Date: March 8, 2007
Multiple Approval: Pursuant to LAMC Section 12.36 C

Case No.: CPC-2006-3871-ZC-CUB-SPR
CEQA No.: ENV 2006-3872 MND
Council District: 13
Plan Area: Hollywood
 Specific Plan/Other: Hollywood Signage Supplemental Use District; Hollywood Redevelopment Project Area
 Certified NC: CENTRAL HOLLYWOOD
 GPLU: Regional Center Commercial
 Incidental Cases: CPC-2002-4173-SUD; CPC-1986-835-GPC
 Zone: C4-2D-SN
Applicant: Rick Holcomb, Camden USA Inc.
Representative: Jennifer Sacco-Smith, Allen Matkins Leck Gamble Mallory & Natsis LLP

PROJECT LOCATION: 1540 North Vine Street

PROPOSED PROJECT: Construction of a 428,423 square foot mixed-use building, 11-stories (approximately 145 feet) high, consisting of 306 apartment units and a ground floor grocery market of approximately 67,500 square feet with an overall floor area ratio of 4.5:1 (4.5 times the buildable area of the lot). The project will provide 250 subterranean commercial parking spaces and 550 residential parking spaces to be located on three levels between the ground level retail and the main level of the residential units for a total of 800 parking spaces on an 85,729 square foot lot

REQUESTED ACTION:

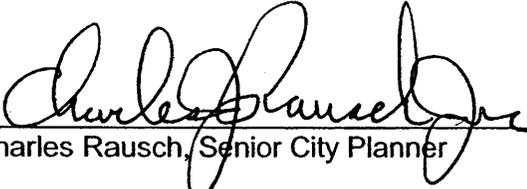
1. Pursuant to Section 12.32 of the Municipal code, a **Zone Change** from C4-2D-SN (Commercial Zone with Development Limitations) to C4-2-SN (Commercial Zone) to remove the "D" Development Limitation established by Ordinance No. 165,660 which sets a maximum floor area ratio of 3:1.
2. Pursuant to Section 12.24 W 1 of the Municipal Code, a **Conditional Use** to permit the off-site sale of a full line of alcoholic beverages and the on-site consumption of beer and wine in conjunction with a grocery market, with wine-tasting and dining areas, in the proposed C4-2-SN zone.

3. Pursuant to Section 16.05 of the Municipal Code, a **Site Plan Review Approval** for projects which create 50,000 gross square feet or more of nonresidential floor area and which create 50 or more dwelling units.

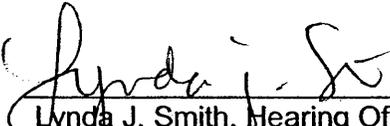
RECOMMENDED ACTIONS:

1. **Approve and Recommend** that the City Council adopt a **Zone Change** from C4-2D-SN to (T)(Q)C4-2-SN, subject to the attached Conditions of Approval.
2. **Approve, a Conditional Use** to permit the off-site sale of a full line of alcoholic beverages and the on-site consumption of beer and wine in conjunction with a grocery market, with wine-tasting and dining areas, in the proposed C4-2-SN zone.
3. **Approve Site Plan Review** for projects which create 50,000 gross square feet or more of nonresidential floor area and which create 50 or more dwelling units
4. **Approve and Recommend** that the City Council adopt Mitigated Negative Declaration No. ENV 2006-3872-MND.
5. **Adopt** the attached Findings.
6. **Recommend** that the applicant be advised that time limits for effectuation of a zone in the "T" Tentative or "Q" Qualified classification are specified in Section 12.32.G of the L.A.M.C. Conditions must be satisfied prior to the issuance of building permits and, that the (T) Tentative classification be removed in the manner indicated on the attached page.

S. GAIL GOLDBERG, AICP
Director of Planning



Charles Rausch, Senior City Planner



Lynda J. Smith, Hearing Officer
Telephone: (213) (978-1170)

TABLE OF CONTENTS

Project Analysis	A-1
Project Summary	
Background	
Issues	
Conclusion	
(Q) or [Q] Qualified Conditions of Approval	Q-1
T Conditions	T-1
Conditions of Approval	C-1
Findings	F-1
General Plan/Charter Findings	
Entitlement Findings	
CEQA Findings	
Public Hearing and Communications	P-1
Exhibits:	
Maps	
E-1 – Vicinity Map (required)	
E-2 – Radius Map (required)	
Plans	
E-3-context/Plot Plan	
E-4-Elevation Plan	
E-5-Floor Plans	
E-6-Sections	
E-7-Landscape Plan	
E-8-Photos	
E-9-Environmental Clearance	

PROJECT ANALYSIS

Project Summary

The proposed project is the construction of a mixed-use building consisting of 306 apartment units and a ground floor grocery market with an overall floor area ratio (FAR) of 4.5:1 (4.5 times the buildable area of the lot). The project will provide 250 subterranean commercial parking spaces and an additional 550 residential parking spaces which will be located on three levels between the ground level retail and the main level of the residential units for a total of 800 parking spaces.

Commercial development and redevelopment exists on much of the entire length of nearby major thoroughfares such as Hollywood Boulevard and Sunset Boulevard. This area of Hollywood in general is experiencing significant construction of commercial properties but with very little construction of new neighborhood serving commercial retail uses such as this proposal. The proposed Project consists of a mix of commercial and residential uses and provides 306 residential apartments consisting of studio, one and two bedroom units. The Project provides pedestrian access points to the residential components from Vine Street and from the northeast corner of the Property at Selma and Argyle, in order to provide closer access to the public transportation opportunities (Metro Red Line station located at Hollywood and Vine and multiple bus routes along Hollywood Boulevard and Vine Street).

The commercial component of the project is a proposed Whole Food Market, which will combine a full-service food market with a cafe, a florist, a deli, a wine/cheese/antipasta tasting venue, and a coffee and tea lounge, enabling shoppers to complete their errands and spend time relaxing and eating in the same location. The food market will also offer a wide variety of ready-made meals and restaurant-quality 'to-go' food items. The sale of Beer and Wine (for on and off site consumption), a full range of alcoholic beverages (for off-site consumption) and the establishment of a wine tasting venue (on-site) are part of the proposed retail component.

Background

The subject site is zoned C4-2D-SN. It is located within the Hollywood Community Plan Area, the Hollywood Signage Supplemental Use District and the Hollywood Redevelopment Project area. The existing D Limitation sets an FAR limit below the limits set by both the Redevelopment Plan and the Hollywood Community Plan, (which allows for an FAR of 4.5:1 and Height District 2). The Applicant proposes a mixed use development that will have a 4.5:1 FAR, which will exceed the existing 3:1 FAR set by the D Limitation, but meets the 4.5:1 FAR permitted by right, by the Redevelopment Plan and the Hollywood Community Plan Footnote No. 9. The Hollywood Community Plan is currently being updated and, once completed, will better reflect consistency between all of the existing plans.

The requested Zone Change will remove the existing "D" limitation, thereby allowing for development of a project that is more compatible with the intent of the existing redevelopment and community plans. The Project will be submitted to the CRA for review as part of this Project application, and Conditional Use Permits for the Sale and consumption of alcoholic beverages is part of the subject request.

Issues

Staff has recommended that the waiver of dedication and improvements along Vine Street, be approved as the applicant has requested. A portion of the Hollywood Walk of Fame's terrazzo sidewalk is located along Vine Street adjacent to the subject site, and elimination of the required dedications and improvements will help to ensure protection of this historic resource. Additionally, the portion of Vine Street immediately north of the project site was not widened in conjunction with a mixed-use project proposed on that block bounded by Vine Street, Selma and Argyle Avenues and Hollywood Boulevard.

A letter from Hollywood Heritage is enclosed as part of the Environmental review. (Exhibit E-9). It contains comments related to the FEIR for the Hollywood Redevelopment Plan. A response is contained within the Mitigated Negative Declaration (ENV 2006-3782 MND) for the subject project. The letter also speaks to the shortage of parking in the Hollywood area and how this might affect historic resources. It should be noted that the proposed project provides the necessary parking for its residents separate from the food market customers. The food market subterranean parking area provides 250 parking spaces, where only 135 are required. The residential parking component provides 550 parking spaces for the apartment residents, where only 471 are required, and therefore, is providing surplus parking. The project is located within the 800 feet of the Metro Red-Line (Hollywood and Vine), one block south of Hollywood Boulevard and one block north of Sunset Boulevard. There are existing historic theatres in the immediate area including the Pantages and Doo Little, making use of excess parking on site convenient for use by the general public. In addition, staff has recommended that excess parking be made accessible for use by general public. The Council Office also supports this recommendation.

Conclusion

Surrounding land uses are of a similar scale, intensity and look as the proposed Project. The Applicant, working with the CRA, the Council Office and the Design Review Committee of the Redevelopment Project Area, have taken care to design a project which compliments the existing uses in the area and preserves important view corridors.

The building, which incorporates articulated facades and open air common areas at different levels, is designed to minimize the visual impact of the building and to downplay its scale and intensity through architectural design elements. Accordingly, the building, while one of the larger buildings in the area, remains compatible with the smaller surrounding buildings. The design of the food market, which is architecturally separated from the residential levels above, draws down the scale of the building, relating the ground floor uses to the street level and creating a pedestrian-scale street frontage. The facade of the Project as well as the proposed food market entrance on the corner of Selma and Vine mimic the scale and character of other retail establishments in the area, making the building a natural extension of the nearby commercial corridors.

Loading and shipping activities will occur off of the Argyle Street frontage. This will create the least impact between pedestrian movement and vehicular movement as Argyle is less pedestrian in orientation than either Selma Avenue or Vine Street. The project incorporates applicable design elements associated with "walkability" such as building orientation, scale, materials, pedestrian orientation, access and sidewalk treatment. Staff would recommend that large, blank walls be avoided along the pedestrian levels and treated with material(s) to soften the facade and discourage graffiti. It should be noted that the south facade of the building is located adjacent to an existing surface parking area and will not be a primary pedestrian frontage.

(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. **Use.** The development of the subject property shall comply with all applicable provisions of the C4-2-SN Zone.
2. **Site Plan.** The use and development of the property shall be in substantial conformance with the plans and elevations submitted with the application and marked Exhibit E-3 and E-4, dated March 8, 2007 and attached to the subject City Plan Case file. Prior to the issuance of building permits, revised, detailed development plans that show compliance with all conditions of approval, including complete landscape and irrigation plans, shall be submitted to the satisfaction of the Planning Department.
3. **Floor Area.** The project shall comply with the following:
 - a. Maximum allowed Floor Area Ratio: 4.5 times the buildable area of the lot;
 - b. Maximum 428,423 square feet of mixed use development;
 - c. Maximum 306 apartment units;
 - d. Maximum 67,500 square feet of grocery/retail sales.
4. **Height.** The height of all buildings and structures on the subject property shall not exceed 11 stories or 145 feet as defined by Sections 12.03 and 12.21.1B 3 of the L.A.M.C. Any structures on the roof, such as air condition units and other equipment, shall be fully screened from view of any abutting properties.
5. **Parking.** A minimum of 800 on-site parking spaces shall be provided as follows: a minimum of 250 subterranean commercial parking spaces and a minimum of 550 residential parking spaces. Parking in excess of LAMC requires shall be made available for use and access by the general public The number of spaces provided, their location and access shall be in substantial conformance with the site plans marked Exhibit E-3 and attached to the administrative file.
6. **Hours of Operation.** The proposed market use shall have hours of operation from 6:00am to 12:00 am Monday through Sunday. The sale of alcohol for off-site consumption shall be permitted during these hours. See Conditional Use to permit the

on-site consumption of beer and wine, Conditions of Approval, for hours of operation related to sale of alcoholic beverages for on-site consumption.

7. **Security.** A minimum of one, private, State licensed, uniformed, security guard(s) shall be present on-site, during operating hours.
8. **Los Angeles Community Redevelopment Agency (LACRA) Requirements.** The subject project shall conform to all applicable provisions/requirements of the Redevelopment Agency and the Redevelopment Plan for the Hollywood Redevelopment Project area.
9. **Signs.** Issue no sign permit for the construction, erection, reconstruction, rehabilitation, addition to or structural alteration of any sign on a lot located in whole or in part within the Hollywood Signage Supplemental Use District area unless and until a Project Permit is obtained from the Department of City Planning, Community Planning Metro Bureau.
10. **Design.** The design of the project shall be in substantial conformance with the site plans and elevations dated March 8, 2007, attached to the administrative file. The building design shall conform to the following:
 - a. Façades along pedestrian frontages should include a variety of features such as: a combination of different textures, colors and materials; distinctive architectural features; display windows; signage; setbacks and differentiated massing; rooflines; shade and shadow features.
 - b. The façade should create or reinforce an existing façade rhythm.
 - c. Upper floors should be differentiated from the ground floor.
 - d. There should be no blank walls along pedestrian frontages; walls should be interesting facades by incorporating a combination of elements such as: sculpted, carved or penetrated wall surface; planters, murals; mosaics; public art; awnings and/or lighting.
 - e. At corners, the building frontage should consider building cut-offs in response to any need to accommodate pedestrians and to protect pedestrian safety, security and enjoyment.

B. Environmental Conditions.

11. **Landscape Plan.** 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 Planning Department.
12. **Graffiti.** Every building, structure, or portion thereof, shall be maintained in a safe and sanitary condition and good repair, and free from graffiti, debris, rubbish, garbage, trash, overgrown vegetation or other similar material, pursuant to Municipal code Section 91.8104. The exterior of all buildings and fences shall be free from graffiti when such graffiti is visible from a public street or alley, pursuant to Municipal Code Section 91.8104.15.
13. **Lighting.** Outdoor lighting shall be designed and installed with shielding, so that the light source cannot be seen from adjacent residential properties
14. **Glare.** The exterior of the proposed building shall be constructed of materials such as high-performance tinted non-reflective glass and pre case concrete or fabricated wall surfaces.
15. **Air Pollution (Stationary).** The applicant shall install air filters capable of achieving a Minimum Efficiency Rating Value (MERV) of at least 11 or better in order to reduce the diminished air quality effects on occupants of the project.
16. **Archaeology.** If any archaeological materials are encountered during the course of the project development, the project shall be halted. The services of an archaeologist shall be secured by contacting the Center for Public Archaeology, California State University Fullerton, OR a member of the Society of Professional Archaeologist (SOPA), OR a SOPA-qualified archaeologist to assess the resources and evaluate the impact. Copies of the archaeological survey, study or report shall be submitted to the UCLA Archaeological Information Center. A covenant and agreement shall be recorded prior to obtaining a grading permit.
17. **Paleontology.** If any paleontological materials are encountered during the course of the project development, the project shall be halted. The services of a paleontologist shall be secured by contacting the Center for Public Paleontology, University of Southern California, University of California at Los Angeles, California State University at Los

Angeles, California State University at Long Beach, or the Los Angeles County Museum of Natural History to assess the resources and evaluate the impact. Copies of the paleontological survey, study or report shall be submitted to the Los Angeles County Museum of Natural History. A covenant and agreement shall be recorded prior to obtaining a grading permit.

18. Seismic. The design and construction of the project shall conform to the Uniform Building Code seismic standards as approved by the Department of Building and Safety.

19. Construction (Air Quality).

- a. All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403.
- b. The owner or contractor shall maintain the construction area sufficiently dampened to control dust caused by grading, construction and hauling, and at all times provide reasonable control of dust caused by wind.
- c. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- d. All materials transported off-site shall be either sufficiently watered or securely covered to prevent the generation of excessive amounts of dust.
- e. All clearing, grading, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent the generation of excessive amounts of dust.
- f. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.

Construction (Noise). The project shall comply with the City of Los Angeles Noise Ordinance Nos. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.

- a. Construction shall be restricted to the hours of 7:00 AM to 6:00 PM Monday through Friday, and 8:00 AM to 6:00 PM on Saturday.
- b. Construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously that causes high noise levels.

- c. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- d. The project sponsor shall comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, to insure an acceptable interior noise environment

General Construction.

- a. All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete; wood, and vegetation. Non recyclable materials/wastes must be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.
 - b. Leaks, drips and spills shall be cleaned up immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
 - c. Pavement shall not be hosed down at material spills. Dry cleanup methods shall be used whenever possible.
 - d. Dumpsters shall be covered and maintained. Uncovered dumpsters shall be placed under a roof or be covered with tarps or plastic sheeting.
 - e. Gravel approaches shall be used where truck traffic is frequent to reduce soil compaction and to limit the tracking of sediment into streets.
 - f. All vehicle/equipment maintenance, repair, and washing shall be conducted away from storm drains. All major repairs shall be conducted off-site. Drip pans or drop cloths shall be used to catch drips and spills
- 20. Food Service Industry (Restaurants, Bakeries, Food Processors) and Storm Water Run Off: Mixed Use Residential Buildings.** The following measures shall be incorporated.
- a. Compliance with Ordinance Nos. 172,176 and 173,494 (Stormwater and Urban Runoff Pollution Control), which require the application of Best Management Practices (BMPs).
 - b. Compliance with Chapter IX, Division 70 of the Municipal Code, which addresses grading, excavations, and fills.
 - c. Compliance with The Standard Urban Stormwater Mitigation Plan (SUSMP) approved by the Los Angeles Regional Water Quality Control Board (A copy of the SUSMP can be downloaded at <http://www.swrcb.ca.gov/rwqcb4/>).
 - d. Stormwater BMPs shall be incorporated to retain or treat the runoff from a storm event producing 3/4 inch of rainfall in a 24 hour period. The design of structural BMPs shall be in accordance with the *Development Best Management Practices Handbook Part B*

Planning Activities. A signed certificate shall be required from a California licensed civil engineer or licensed architect that the proposed BMPs comply with this numerical threshold standard.

- e. Post development peak stormwater runoff discharge rates shall not exceed the estimated pre-development rate for developments where the increase peak stormwater discharge rate will result in increased potential for downstream erosion.
- f. Maximize trees and other vegetation at the site by planting additional vegetation, clustering tree areas, and promoting the use of native and/or drought tolerant plants.
- g. Reduce impervious surface area by using permeable pavement materials where appropriate, including: pervious concrete/asphalt; unit pavers, i.e. turf block; and granular materials, i.e. crushed aggregates, cobbles. .
- h. Cleaning of oily vents and equipment to be performed within designated covered area, sloped for wash water collection and with a pretreatment facility for wash water before discharging to properly connected sanitary sewer with a CPI type oil/water separator. The separator unit must be: designed to handle the quantity of flows; removed for cleaning on a regular basis to remove any solids; and the oil absorbent pads must be replaced regularly according to manufacturer's specifications.
- i. Store trash dumpsters either under cover and with drains routed to the sanitary sewer or use non-leaking and water tight dumpsters with lids. Wash containers in an area with properly connected sanitary sewer.
- j. Reduce and recycle wastes, including oil and grease.
- k. Store liquid storage tanks (drums and dumpsters) in designated paved areas with impervious surfaces in order to contain leaks and spills install a secondary containment system such berms, curbs or dikes, use drip pans or absorbent materials whenever grease containers are emptied.
- l. All storm drain inlets and catch basins within the project area shall be stenciled with prohibitive language (such as "NO DUMPING - DRAINS TO OCEAN") and/or graphical icons to discourage illegal dumping.
- m. Signs and prohibitive language and/or graphical icons, which prohibit illegal dumping, must be posted at public access points along channels and creeks within the project area.
- n. Legibility of stencils and signs must be maintained.
- o. Install roof runoff systems where site is suitable for installation. Runoff from rooftops is relatively clean, can provide groundwater recharge and reduce excess runoff into storm drains.

- p. Any connection to the sanitary sewer shall be required to receive authorization by the Bureau of Sanitation.
 - q. The owner shall record a covenant and agreement satisfactory to the Planning Department binding the owners to post construction maintenance on the structural BMPs in accordance with the Standard Urban Stormwater Mitigation Plan and/or per manufacturer's instructions.
 - r. Prescriptive Methods detailing BMPs specific to the "Restaurant" project category are available. Applicants are encouraged to incorporate the prescriptive methods into the design plans. These Prescriptive Methods can be obtained at the Public Counter or downloaded from the City's website at www.lastormwater.org.
 - s. The following activity is to be conducted under proper cover with drain routed to the sanitary sewer.; Handling or storage of hazardous wastes.
 - t. Toxic wastes must be discarded at a licensed regulated disposal site. Store trash dumpsters either under cover and with drains routed to the sanitary sewer or use non-leaking and water tight dumpsters with lids. Use drip pans or absorbent materials whenever grease containers are emptied. Wash containers in an area with properly connected sanitary sewer.
 - u. Reduce and recycle wastes, including: paper; glass; aluminum; oil; and grease.
 - v. Reduce the use of hazardous materials and waste by: using detergent-based or water-based cleaning systems; and avoid chlorinated compounds, petroleum distillates, phenols and formaldehyde.
 - w. Convey runoff safely from the tops of slopes and stabilize disturbed slopes.
 - x. Utilize natural drainage systems to the maximum extent practicable.
 - y. Control or reduce or eliminate flow to natural drainage systems to the maximum extent practicable.
 - z. Materials with the potential to contaminate stormwater must be: (1) placed in an enclosure such as, but not limited to, a cabinet, shed or similar stormwater conveyance system; or (2) protected by secondary containment structures such as berms, dikes, or curbs.
 - aa. The storage area must be paved and sufficiently impervious to contain leaks and spills.
 - bb. The storage area must have a roof or awning to minimize collection of stormwater within the secondary containment area.
21. **Increased Noise Levels (Parking Structure Ramps).** Concrete, not metal, shall be used for construction of parking ramps. The interior ramps shall be textured to prevent tire squeal at turning areas.

22. **Fire.** The requirements of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features:

- a. Fire lanes, where required, shall be a minimum of 20 feet in width;
- b. All structures shall be within 300 feet of an approved fire hydrant;
- c. Entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.

23. **Solid Waste.** Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. These bins shall be emptied and appropriately recycled as a part of the projects regular solid waste removal program.

C. Conditions Volunteered by the Applicant.

24. **Cultural Resources.** Prior to any disturbance to the Walk of Fame, a City of Los Angeles designated Historic Cultural Landmark (HCM No. 194), the project applicant shall contact the Hollywood Chamber of Commerce directly via letter detailing the location of the proposed project, its potential impact on the Walk of Fame, project timeline, list of effected stars and surrounding sidewalk area, proposed procedures for removal of stars, where and for how long the stars will be stored, how they will be secured and other relevant details. The Chamber will reply via letter with the required procedures related to alterations to the Walk of Fame and a list of contractors approved for such work. Additionally, the Chamber will request a formal in-person meeting between the property owner and Chamber officials to discuss the process in greater depth. The Chamber's contact person for written correspondence is Ms. Anna Holler (stargirl@hollywoodchamber.net), who can be reached via telephone at 323-469-8311. Hollywood Chamber of Commerce, 7018 Hollywood Boulevard, Hollywood, CA 90028. Accepting that specific details for removal, storage and replacement of effected stars and terrazzo will be determined through coordination with the Chamber, the following general procedures shall be implemented:

- a. Photographic and documentary recordation of the location of each Walk of Fame star potentially impacted by project construction shall be completed by a qualified architectural historian;
 - b. Prior to any construction or demolition activities that have the potential to damage the sidewalk along Vine Street, each section of sidewalk containing a star that cannot be reasonably protected in place shall be cut and carefully removed within its respective bronze-bordered square as specifically directed by Chamber procedures. Each effected star shall be promptly crated and stored, at a secured off site location; and,
 - c. Following completion of project construction, reinstallation of each effected star at its original documented location shall occur within a newly poured, color-matched terrazzo sidewalk with work completed to the satisfaction of the Chamber.
- 25. Archaeology.** Prior to removal of parking lot pavement, a qualified archaeologist who meets the Secretary of the Interior Standards for Archaeology (prehistoric and historical-period) (36 CFR 61) shall be retained by the Applicant and approved by the City of Los Angeles to perform a site inspection of the ground beneath the pavement. This inspection, to be initiated upon removal of the parking lot paving, shall include survey of exposed ground surfaces, and may include sample screening of sediment disturbed by the parking lot removal and limited sub-surface testing if deemed appropriate by the qualified archaeologist. If archaeological resources are identified, the archaeologist shall have the authority to halt construction in order to assess the find, until assessment is complete. The archaeologist shall then prepare a report summarizing the results of the investigation including documentation and significance assessment of those cultural resources encountered. The results shall also include recommendations regarding which portions of the Project should be further monitored during construction, if any. If no archaeological resources are found, the inspecting archaeologist shall prepare a report summarizing survey methods and conclusions. This report also shall include recommendations with respect to the need for any further archaeological resource monitoring of earth-moving activities on the Project site.

If unknown archaeological and/or cultural materials are discovered during any remedial grading or excavation activity not monitored by a qualified archaeologist (as defined above), work shall stop in the immediate area and the applicant and City of Los Angeles

(City) shall be notified. A qualified archaeologist (as defined above) shall be consulted to determine the discovery's significance and, if necessary, develop a mitigation plan. This plan should include avoidance alternatives, if feasible, to mitigate impacts. Work will be allowed to resume in the area of the discovery only with the approval of the qualified archaeologist. If the discovered cultural materials are prehistoric in nature or include Native American remains, the Project archaeologist shall contact the City and arrange for a Native American monitor to be retained to assist in the identification of the resources or human remains. The Native American monitor shall be retained by the applicant from a list of suitable candidates from the Native American Heritage Commission.

26. **Construction Monitoring for Paleontological Resources.** A qualified paleontologist shall be retained by the Applicant and approved by the City of Los Angeles. At the onset of excavation or grading activity in sediments four feet or more below the original ground surface, the paleontologist shall determine if the sediments on-site exhibit high or low potential for encountering subsurface paleontological resources.

If sediment appropriate to produce vertebrate macrofossils is encountered, all excavation or grading activity in native sediments four feet or more below original ground level shall be monitored until rough grading is 50% complete. If no paleontological resources have been detected up to that point, monitoring can be reduced to part time or to on-call status, at the discretion of the paleontologist. If sediment appropriate to produce vertebrate microfossils is encountered, it shall be tested. If found to be fossiliferous, a standard sample (6,000 pounds) of each fossiliferous horizon shall be stockpiled, and later processed for recovery of vertebrate microfossils. If fossils are found during monitoring, the paleontologist shall prepare a report summarizing the results of the monitoring program including methods of fossil recovery, preparation, and curation, and a description of the fossils collected and their significance. A copy of the report shall be provided to the Applicant and to the City of Los Angeles. The fossils and a copy of the report will be deposited in an accredited curation facility. In the event the paleontologist determines that the site exhibits low potential for encountering resources, excavation need not be monitored. If potential resources are encountered without the paleontologist on site, work in the area shall be halted until the area can be evaluated by the paleontologist and any necessary follow-up procedures implemented.

If human remains are encountered unexpectedly during construction excavation and grading activities, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code (PRC) Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the Native American Heritage Commission (NAHC). The NAHC will then identify the person(s) thought to be the Most Likely Descendent of the deceased Native American, who will then help determine what course of action should be taken in dealing with the remains.

D. Administrative Conditions of Approval.

- 27. 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 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.
- 28. 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.
- 28. Code Compliance.** Los Angeles Municipal Code area, height, open space and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions are more restrictive.
- 29. Covenant.** The Department of Building and Safety shall not issue any building permit for construction on a lot or lots within the Specific Plan area until the owner of the property has executed and recorded with the County Recorder a Covenant and Agreement acknowledging and accepting the contents and limitations of this Specific Plan. The covenant and agreement shall be executed by all fee owners of the property, shall run

with the land and shall be binding on future owners, successors, heirs, or assignees of the owners. A certified copy of the recorded covenant shall be delivered to the Departments of City Planning and Building and Safety prior to the issuance of any building permit(s).

30. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public offices, legislation or their successors, designees or amendment to any legislation.
31. **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.
32. **Building Plans.** Page 1 of the grant and all the conditions of approval shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety.
33. **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 to impose additional corrective conditions, if, in the Commission's opinion, such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
34. **Utilization of Entitlement.** The applicant/owner shall have a period of two years from the effective date of the subject grant to effectuate the terms of this entitlement by either securing a building permit or a certificate of occupancy for the authorized use, or unless prior to the expiration of the time period to utilize the privileges, the applicant files a written request and is granted an extension to the termination period for up to one additional year pursuant to Section 12.24 J of the Municipal code. Thereafter, the entitlement shall be deemed terminated and the property owner shall be required to secure a new authorization for the use.

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 Improvements. Prior to the issuance of any building permits, public improvements and dedications for streets and other rights-of-way adjoining the subject property shall be guaranteed to the satisfaction of the Bureau of Engineering, Department of Transportation, Fire Department (and other responsible City, regional, and Federal government agencies, as may be necessary). The Vine Street frontage has been exempted from these requirements for dedications and improvements because of its Historic Cultural Monument status. (HCM No. 194).

A. 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 the project design required by a public agency shall be documented in writing and submitted for review by the Department of City Planning.

B. Street Dedications and Improvements.

1. Dedications Required:

Vine Street (Major Highway Class II) - None.

Selma Avenue (Local Street) - None.

Argyle Avenue (Local Street) - None.

2. Improvements Required:

Vine Street - None.

Selma Avenue - Remove and reconstruct existing curb, gutter and sidewalk. Contact the Urban Forestry Division of the Bureau of Street Services to determine if the existing trees require removal or root trimming.

Argyle Avenue - Repair any broken, off-grade or bad order concrete curb, gutter and sidewalk to the satisfaction of the City Engineer. Close any unused driveways.

- C. Sewer lines exist along Vine Street, Selma and Argyle Avenues to serve this project. Extension of the 6-inch house connection laterals to the new property line will be required. All Sewerage Facilities Charges and Bonded Sewer Fees are to be paid prior to obtaining a Building Permit. An investigation by the Bureau of Sanitation may be necessary to determine the capacity of the existing sewers to accommodate the additional flow that will be generated by the proposed development. Submit a request to the Bureau of Engineering Central District public counter located at 201 N. Figueroa Street, 3rd floor.
- D. No major drainage problems are involved. Roof drainage and surface run-off from the project site shall be collected and treated at the site and directed to the streets via drain systems constructed under the sidewalk and through the curb drains connected to the catch basins.
- E. Street Lighting: Installation of street lights to the satisfaction of the Bureau of Street Lighting. If new street light(s) are required, the property within the boundary of the development shall be formed or annexed into a Street Lighting Maintenance Assessment District prior to final recordation or issuance of the Certificate of Occupancy.
- F. Install tree wells with root barriers and plant trees satisfactory to the City Engineer and

the Urban Forestry Division of the Bureau of Street Services. Some tree removal may be required in conjunction with the street improvements and may require Board of Public Works approval. The applicant should contact the Urban Forestry Division for further information at (213) 458-5675.

- G. Submit a parking area and driveway plan to the Central District Office of the Bureau of Engineering and the Department of Transportation for review and approval.
- H. Preparation of a plot plan to the satisfaction of the Fire Department.
- I. Making any necessary arrangements with the appropriate cable television franchise holder to assure that cable television facilities will be installed in City rights-of-way in the same manner as is required of other facilities, pursuant to Municipal Code Section 17.05 N, to the satisfaction of the Department of Telecommunications.
- J. Recreation and Parks Dedication. Per Section 12.33 of the Los Angeles Municipal Code, the applicant shall dedicate land for park and recreational purposes or pay the applicable Quimby fees for construction of condominiums, or Recreation and Park fees for construction of apartment buildings.
- K. The applicant shall pay school fees to the Los Angeles Unified School District to offset the impact of additional student enrollment at schools serving the project area.
- L. Prior to the issuance of a clearance letter to the department of City Planning, all engineering fees pertaining to Ordinance 176,077 adopted by the Los Angeles City Council must be paid in full at this office.

Notice. If conditions dictate, connections to the public sewer system may be postponed until adequate capacity is available.

Notice. Certificates of Occupancies for the subject property will not be issued by the City until the construction of all the public improvements (streets, sewers, storm drains, etc.), as required herein, are completed to the satisfaction of the City Engineer.

CONDITIONS OF APPROVAL

- A. Conditional use Permit (CUB) - Type 41 License Beer & Wine Sales, with Food Service, On or Off-Site Consumption, Minors Allowed (Conditions as Volunteered by the Applicant).**
1. There shall be no business operations between the hours of 12:00 a.m. and 6:00 a.m. including but not limited to private events and promotional events.
 2. The sale of beer and wine for on-site consumption shall be permitted only in three locations within the grocery market: a 50-seat cafe, a six-seat seafood counter and a wine/cheese and antipasta tasting lounge with a 36-person capacity, where wine tasting events may be held (a Type 42 license is being sought). Please refer to the floor plan for exact locations. The consumption of beer and wine as well as the presence of open containers shall be permitted only in these three locations.
 3. Petitioner(s) shall not require an admission charge or cover charge at the cafe or seafood counter, nor shall there be a requirement to purchase a minimum number of drinks at any of the three designated locations. Petitioner(s) may require a charge to participate in wine tasting events that will take place in the wine/cheese/antipasta tasting lounge.
 4. The quarterly gross sale of alcoholic beverages shall not exceed the gross sales of food during the same period. The Petitioner(s) shall at all times maintain records which reflect separately the gross sales of food and the gross sales of alcoholic beverages of the licensed business. Said records shall be kept no less frequently than on a quarterly basis and shall be made available to the police department upon demand.
 5. The subject alcoholic beverage license shall not be exchanged for a public premise type license.
 6. There shall be no service, sales or possession of an alcoholic beverage in any patio or on any sidewalk area.
 7. Beer and wine for consumption on-site shall be stored behind a counter and shall be served by trained grocery market employees.
 8. The premises shall be maintained as a bona fide food market which will maintain several areas where prepared food will be sold for on-site consumption. There are five seating areas including a cafe, wine/cheese/antipasta tasting lounge and a seafood counter at which beer and wine will be sold as well as a coffee and tea lounge and a general

seating area where prepared foods purchased on-site may be consumed. Beer and wine shall not be sold and shall not be consumed in the coffee and tea lounge or in the general seating area. The cafe and seafood counter operations include small kitchens and food preparation areas. A menu containing an assortment of foods shall be available at all times during normal operating hours when beer and wine are offered. Petitioner(s) may permit patrons to order beer and wine without a food order.

9. No "Happy Hour" or reduced price alcoholic beverage promotions shall be allowed in the cafe or seafood counter areas.
10. No pay phone will be maintained on the exterior of the premises.
11. There shall be no exterior advertising sign of any kind or type, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. Interior displays of alcoholic beverages or signs which are clearly visible to the exterior shall constitute a violation of this condition.
12. There shall be no Adult Entertainment of any type pursuant to L.A.M.C. Section 12.70.
13. There shall be no live entertainment of any type, including but not limited to; live music, Disc jockey or Karaoke nights in the cafe or seafood counter areas.
14. No dancing shall be allowed at the location.
15. No pool or billiard tables may be maintained on the premises.
16. There shall be no coin-operated games or video machines maintained upon the premises at any time.
17. Any graffiti painted or marked upon the premises or on any adjacent area under the control of the Petitioner(s) shall be removed or painted over within 24 hours of being applied.
18. The rear/side door(s) of the premises shall be equipped on the inside with an automatic locking device and shall be kept closed at all times. This door(s) shall not be used as a means of access by patrons to and from the premises. Temporary use of this door(s) for delivery of supplies does not constitute a violation. Said door(s) are not to consist solely of a screen or ventilated security door.
19. Petitioner(s) shall be responsible for maintaining free of litter, the areas over which they have control and which are adjacent to the premises.
20. Any music, sound or noise emitted that is under the control of the Petitioner(s) shall not violate Section 116.1 of the Los Angeles Municipal Code.
21. Petitioner(s) shall provide off-street parking spaces for vehicles used by patrons of the premises as per the City of Los Angeles Zoning Regulations.
22. Petitioner(s) shall maintain security as determined necessary by the Los Angeles Police Department. During the hours of operation of the business, the Petitioner(s) shall provide

- at least one security officer, primarily for monitoring the parking area. Additional guards shall be provided to monitor the inside of the premises, if needed. All security personnel shall maintain order therein and prevent any activity that would interfere with the quiet enjoyment of their property by nearby residents. Said personnel shall be licensed consistent with State law and Los Angeles Police Commission standards and maintain an active American Red Cross first-aid card. The security personnel shall be dressed in such a manner as to be readily identifiable to patrons and law enforcement personnel.
23. Petitioner(s) shall install and maintain security cameras and a one-month video library that covers all common areas of the business, high-risk areas and entrances or exits. The videotapes shall be made available to police upon request.
 24. Electronic age verification device(s) which can be used to determine the age of any individual attempting to purchase alcoholic beverages or tobacco products shall be installed on the premises at each point-of-sale location. The device(s) shall be maintained in an operational condition and all employees shall be instructed in their use prior to the sale of any alcoholic beverage or tobacco product.
 25. All personnel acting in the capacity of a manager of the premises and all personnel who serve alcoholic beverages shall attend the Standardized Training for Alcohol Retailers (STAR) sponsored by the Los Angeles Police Department at the session immediately following the opening of the food market. All employees who serve alcoholic beverages shall attend follow-up STAR classes every 24 months.
 26. Petitioner(s) shall maintain on the premises and present upon request to any law enforcement officer, a copy of the Business Permit, Insurance information and a valid emergency contact phone number for the Valet service(s) used by the Petitioner(s).
 27. Petitioner(s) shall maintain on the premises and present upon request to any law enforcement officer, a copy of the Business Permit, Insurance information and a valid emergency contact phone number for the Security Company service(s) used by the Petitioner(s).
 28. Petitioner(s) shall maintain on the premises and present upon request to any Neighborhood Council and/or immediate neighbor(s) the valid, current, name, phone number, and any other contact information needed to facilitate timely communication with the representative responsible for the food market.
 29. Any future operator or owner for this site must file a new Plan Approval application to allow the City of Los Angeles to review the "mode and character" of the usage.
 30. If at any time during the period of the grant, should documented evidence be submitted showing continued violation(s) of any condition(s) of the grant, resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the

Zoning Administrator will have the right to require the Petitioner(s) to file for a Plan Approval application together with the associated fees and to hold a public hearing to review the Petitioner(s) compliance with and the effectiveness of the conditions of the grant. The Petitioner(s) shall submit a summary and supporting documentation of how compliance with each condition of the grant has been attained.

31. The Central Hollywood Neighborhood Council shall be notified should there be an attempt to modify or add any conditions to the existing conditions for this project.

B. Conditional use Permit (CUB) - Type 42 License Beer & Wine Sales, On or Off-Site Consumption, Minors Not Allowed (Conditions as Volunteered by the Applicant).

32. There shall be no business operations between the hours of 12:00 a.m. and 6:00 a.m. including but not limited to private events and promotional events.
33. Petitioner(s) may require a charge to participate in wine tasting events that will take place in the wine/cheese/antipasta tasting lounge, to cover the cost of tasting. Wine will also be sold by the glass in this area. No requirement to purchase a minimum number of drinks shall be allowed.
34. No "Happy Hour" or reduced price alcoholic beverage promotions shall be allowed in the wine/cheese and antipasta tasting lounge.
35. Sales and delivery of alcoholic beverages to customers shall be made from behind a counter where a clerk will obtain the product. No self-service of alcoholic beverages will be permitted.
36. No person under 21 years of age shall sell or deliver alcoholic beverages.
37. There shall be no service, sales or possession of an alcoholic beverage in any patio or on any sidewalk area.
38. There shall be no Adult Entertainment of any type pursuant to L.A.M.C. Section 12.70. 8. Petitioner(s) may offer limited live entertainment during wine tasting events, including acoustic instrumental and vocal performances by individuals or small groups, but not including amplified live music, Disc jockey or Karaoke nights.
39. No pay phone will be maintained on the exterior of the premises.
40. There shall be no exterior advertising sign of any kind or type, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. Interior displays of alcoholic beverages or signs which are clearly visible to the exterior shall constitute a violation of this condition.
41. No dancing shall be allowed at the location.

42. No pool or billiard tables may be maintained on the premises.
43. There shall be no coin-operated games or video machines maintained upon the premises at any time.
44. Any graffiti painted or marked upon the premises or on any adjacent area under the control of the Petitioner(s) shall be removed or painted over within 24 hours of being applied.
45. The rear/side door(s) of the premises shall be equipped on the inside with an automatic locking device and shall be kept closed at all times. This door(s) shall not be used as a means of access by patrons to and from the premises. Temporary use of this door(s) for delivery of supplies does not constitute a violation. Said door(s) are not to consist solely of a screen or ventilated security door.
46. Petitioner(s) shall be responsible for maintaining free of litter, the areas over which they have control and which are adjacent to the premises.
47. Any music, sound or noise emitted that is under the control of the Petitioner(s) shall not violate Section 116.1 of the Los Angeles Municipal Code.
48. Petitioner(s) shall provide off-street parking spaces for vehicles used by patrons of the premises as per the City of Los Angeles Zoning Regulations.
49. Petitioner(s) shall maintain security as determined necessary by the Los Angeles Police Department. During the hours of operation of the business, the Petitioner(s) shall provide at least one security officer, primarily for monitoring the parking area. Additional guards shall be provided to monitor the inside of the premises, if needed. One additional security officer will supervise wine tasting events and will monitor access to the wine tasting lounge area. All security personnel shall maintain order therein and prevent any activity that would interfere with the quiet enjoyment of their property by nearby residents. Said personnel shall be licensed consistent with State law and Los Angeles Police Commission standards and maintain an active American Red Cross first-aid card. The security personnel shall be dressed in such a manner as to be readily identifiable to patrons and law enforcement personnel.
50. Petitioner(s) shall install and maintain security cameras and a one-month video library that covers all common areas of the business, high-risk areas and entrances or exits. The videotapes shall be made available to police upon request.
51. Electronic age verification device(s) which can be used to determine the age of any individual attempting to purchase alcoholic beverages or tobacco products shall be installed on the premises at each point-of-sale location. The device(s) shall be maintained in an operational condition and all employees shall be instructed in their use prior to the sale of any alcoholic beverage or tobacco product.

52. All personnel acting in the capacity of a manager of the premises and all personnel who serve alcoholic beverages shall attend the Standardized Training for Alcohol Retailers (STAR) sponsored by the Los Angeles Police Department at the session immediately following the opening of the food market. All employees who serve alcoholic beverages shall attend follow-up STAR classes every 24 months.
 53. Petitioner(s) shall maintain on the premises and present upon request to any law enforcement officer, a copy of the Business Permit, Insurance information and a valid emergency contact phone number for the Valet service(s) used by the Petitioner(s).
 54. Petitioner(s) shall maintain on the premises and present upon request to any law enforcement officer, a copy of the Business Permit, Insurance information and a valid emergency contact phone number for the Security Company service(s) used by the Petitioner(s).
 55. Any future operator or owner for this site must file a new Plan Approval application to allow the City of Los Angeles to review the "mode and character" of the usage.
 56. If at any time during the period of the grant, should documented evidence be submitted showing continued violation(s) of any condition(s) of the grant, resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Zoning Administrator will have the right to require The Petitioner(s) to file for a Plan Approval application together with the associated fees and to hold a public hearing to review the Petitioner(s) compliance with and the effectiveness of the conditions of the grant. The Petitioner(s) shall submit a summary and supporting documentation of how compliance with each condition of the grant has been attained.
 57. Petitioner(s) shall maintain on the premises and present upon request to any Neighborhood Council and/or immediate neighbor(s) the valid, current, name, phone number, and any other contact information needed to facilitate timely communication with the representative responsible for the food market.
 58. The Central Hollywood Neighborhood Council shall be notified should there be an attempt to modify or add any conditions to the existing conditions for this project.
- C. Conditional use Permit (CUB) - Type 21 License Sale of Beer, Wine & Distilled Spirits, Off-Site Consumption, Minors Allowed (Conditions as Volunteered by the Applicant).**
59. There shall be no business operations between the hours of 12:00 a.m. and 6:00 a.m. including but not limited to private events and promotional events.
 60. No pay phone will be maintained on the exterior of the premises.

61. There shall be no coin-operated games or video machines maintained upon the premises at any time.
62. Any graffiti painted or marked upon the premises or on any adjacent area under the control of the Petitioner(s) shall be removed or painted over within 24 hours of being applied.
63. Petitioner(s) shall be responsible for maintaining free of litter, the areas over which they have control and which are adjacent to the premises.
64. Petitioner(s) shall install and maintain security cameras and a one-month video library that covers all common areas of the business, high-risk areas and entrances or exits. The videotapes shall be made available to police upon request.
65. Electronic age verification device(s) which can be used to determine the age of any individual attempting to purchase alcoholic beverages or tobacco products shall be installed on the premises at each point-of-sale location. The device(s) shall be maintained in an operational condition and all employees shall be instructed in their use prior to the sale of any alcoholic beverage or tobacco product.
66. Any future operator or owner for this site must file a new Plan Approval application to allow the City of Los Angeles to review the "mode and character" of the usage.
67. If at any time during the period of the grant, should documented evidence be submitted showing continued violation(s) of any condition(s) of the grant, resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Zoning Administrator will have the right to require The Petitioner(s) to file for a Plan Approval application together with the associated fees and to hold a public hearing to review the Petitioner(s) compliance with and the effectiveness of the conditions of the grant. The Petitioner(s) shall submit a summary and supporting documentation of how compliance with each condition of the grant has been attained.
68. Sales of beer shall be limited to "6" or "12" packs, except that the sale of hand-crafted artisan micro beers or similar, not typically available by the "6" or "12" pack, may be permitted.
69. The Petitioner(s) shall not allow their property to be used as overflow parking for the public or nightclub valet services.
70. The Central Hollywood Neighborhood Council shall be notified should there be an attempt to modify or add any conditions to the existing conditions for this project.

FINDINGS

General Plan Land Use Designation. The subject property is located within the Hollywood Community Plan, which was adopted by the City Council on Dec. 13, 1988 (Case No. CPC 18473). The Plan map designates the subject property Regional Center Commercial, with corresponding zones of C4, C2, P and PB.

A. Entitlement Findings.

1. **Zone Change Findings.** *Pursuant to Section 12.32C7 of the Municipal Code, and based on these findings, the recommended action is deemed consistent with public necessity, convenience, general welfare and good zoning practice.*

a. The requested zone change to C4-2-SN is in keeping with the prevailing zoning of the immediate area, and is within the range of permitted/corresponding zones (which include C2, C4, P and PB) for the existing General Plan Land Use designation of Regional Center Commercial.

The existing "D" Limitation limits the total floor area contained in all buildings on a lot to no more than three (3) times the buildable area of the lot. It allows development in excess of 3:1 FAR provided that:

- a.) The Community Redevelopment Agency Board finds that the project conforms to: (1) the Hollywood Redevelopment Plan, (2) a Transportation Program adopted by the Community Redevelopment Agency Board and, if applicable, (3) any Designs for Development adopted pursuant to Section 503 of the Redevelopment Plan; and
- b.) A Disposition and Development Agreement or Owner Participation Agreement has been executed by the Community Redevelopment Agency Board; and the Project is approved by the City Planning Commission, or City Council on appeal.

The proposed project is located within both the CRA Redevelopment Project Area and the Hollywood Community Plan area. The recommended zone change from C4-2D-SN to (T)(Q)C4-2-SN, will permit a development which complements the existing zoning and development pattern already established on adjacent properties to the north of the subject site along Hollywood Boulevard. The requested Zone Change to eliminate the D (Development) Limitation, (limiting maximum FAR to 3:1), will be in keeping with the intent of the Hollywood Community Plan, and the Redevelopment Project Plan, which both allow for an FAR of 4.5:1. Section 506.2.3 of the Redevelopment Plan provides that for development in the Regional Center Commercial area the density shall not exceed the FAR of 4.5:1 as a by-right threshold. Which compliments the maximum 4.5: 1 FAR allowed by the Community Plan within the Regional Center Commercial area. The Applicant proposes a development that will have a 4.5: 1 FAR, which will exceed the 3: 1 FAR set by the D Limitation, but meets the 4.5: 1 FAR permitted by right in the Redevelopment Plan and Hollywood Community Plan.

The existing D Limitation conflicts with the Redevelopment Plan and the Community Plan. The Hollywood Community Plan is currently being updated and will effectively resolve issues such as this. The proposed project is consistent with proposed plans to encourage redevelopment within the Hollywood Plan area. Additionally, the existing D Limitation supposes the adoption of plans that as of the date of this request, have not been adopted, such as a Transportation Program (to be adopted by the CRA), a Hollywood Boulevard District urban design plan, and Designs for Development also to be adopted by the CRA. The current D Limitation also requires that an Agreement with the CRA Board be executed to obtain any additional FAR over 3:1. The subject Project does not require an Agreement with the CRA because no public assistance is being requested for the Project. The Project will be submitted to the CRA for review as part of this Project application, and is subject to all applicable requirements of the Redevelopment Project Area Plan.

- b. The action, as recommended, has been made contingent upon compliance with the "T" and "Q" conditions imposed herein. Such limitations are necessary to protect the best interests of and to assure a development more compatible with surrounding properties, 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.

2. Conditional Use Findings. Pursuant to Section 12.24 E of the Municipal Code, and based on

these findings, the recommended action is deemed consistent with public necessity, convenience, general welfare and good zoning practice.

a. The location of the project will be desirable to the public convenience and welfare.

The location of the project will be desirable to the public convenience and welfare as it augments existing uses and the intent of the redevelopment of the community to bring mixed use development consisting of residential and neighborhood serving uses into the Hollywood Community. The addition of residential uses and neighborhood serving retail will contribute to a 24-hour street presence, creating an environment active at all hours of the day, rather than just during peak retail and restaurant times

The proposed Whole Foods Market will combine a full-service food market with a cafe, a florist, a deli, wine/cheese/antipasta tasting venue, and a coffee and tea lounge, enabling shoppers to accomplish many shopping tasks in one location. Whole Foods proposes to sell beer, wine and a limited amount of high-end, distilled spirits through typical grocery sales for off-site consumption. Beer and wine only will be served in three (3) areas of the food market, including the wine tasting area, cafe, and seafood counter. The wine tasting area will be properly located in the rear of the store where it can provide wine sampling service to customers in an enclosed space without being visible from the outside of the store. Wine tasting activities will occur entirely within the food market and wine will not be sold in open, 'to-go' containers

The sale of limited alcoholic beverages in the cafe will be conducted adjacent to the wine tasting area, and will not be visible from the street. Enclosed within a small area at the eastern end of the market, the seafood counter will only be accessible through double doors, and will be monitored by a separate cashier. The on-site consumption of alcohol will only be permitted in the expressly designated areas of the cafe, seafood counter, and wine tasting area. The proposed wine/cheese/antipasta tasting area, cafe, and seafood counter will be open for lunch service to attract pedestrian traffic, which will help to stimulate economic activity for small businesses located near the Project. Finally, the limited seating availability in the dining areas, and adequacy of on-site parking make these uses compatible with the food market and the surrounding community.

Further, the proposed food market and included wine/cheese/antipasta tasting venue, cafe and seafood counter are desirable to the public convenience because they are examples of

neighborhood-serving retail, catering to the needs of project residents as well as residents in the surrounding neighborhoods that have access to the food market through public transportation or personal vehicles. The location of the food market is desirable to the public convenience and welfare because the area is well served by public transit, is ripe for mixed-use, higher intensity development and has no similar services in a walkable radius or that are otherwise easily accessible. Working closely with the CRA, the Applicant has designed the Project to maximize the use of public transportation. The proposed Project is located approximately 650 feet from the MTA Red Line Hollywood and Vine station and is also proximate to a major bus depot across Selma Avenue to the north of the Project. Additionally, major bus routes exist on Vine Street and on Hollywood Boulevard and Sunset Boulevard, one block north and south of the Project, respectively. There are ample public transportation opportunities which encourage surrounding community members to access the Project site for their shopping needs. The market is therefore also convenient to those who intend to sample and purchase wine as well as other food and beverage items in the market, and its inclusion in the Project will help ensure success of this commercial outlet and will help to infuse capital into the area. Further, the high level of accessibility by public transit contributes to decreasing reliance on personal vehicles, consequently reducing the demand for parking as well as automobile congestion in the area.

The location of the food market is also desirable to the public convenience and welfare, because such a commercial outlet is appropriate for the mixed-use, urban character of the area. The population density of the area, which will likely continue to increase, requires that needed services be conveniently located and accessible to community members. Lastly, the location of the food market serves the public convenience and welfare because there are no similar services in the vicinity. The closest food market of a similar caliber is over a half-mile from the Project location.

b. The proposed project will be proper in relation to adjacent uses or the development of the community.

The proposed project will be proper in relation to adjacent uses because surrounding land uses include other mixed-use developments (existing and proposed) and other uses which support the Project's aim to create a more vibrant mixed-use area. Currently, the area is dominated by retail and restaurant uses. The location is also proper in relation to adjacent uses because surrounding land uses are of a similar scale, intensity and look as the proposed Project. The Applicant, working with the CRA, the Council Office and the Design Review Committee took care to design a project which complimented the existing uses in the area and preserved

important view corridors.

The building, which incorporates articulated facades and open air common areas at different levels, is designed to minimize the visual impact of the building and to downplay its scale and intensity through architectural design elements. Accordingly, the building, while one of the larger buildings in the area, remains compatible with the smaller surrounding buildings. The design of the proposed food market, which is architecturally separated from the residential levels above, draws down the scale of the building, relating the ground floor uses to the street level and creating a pedestrian-scale street frontage. The facade of the Project as well as the proposed food market entrance' on the corner of Selma and Vine mimic the scale and character of other retail establishments in the area, making the building a natural extension of the nearby commercial corridors.

The food market will also contribute to, and is proper in relation to the development of the community because it brings a high-quality, neighborhood-serving use to the area. Providing services, such as a food market, make the area attractive to individuals who live and work in the area and need such amenities nearby. The food market, and the Project in general, help to create a sense of community and bring a real neighborhood feel to the area by supporting the goal of bringing mixed use development to the Hollywood area, thereby adding another dimension to the primarily retail and entertainment uses in the area.

c. The Project will not be detrimental to the character of development in the immediate neighborhood and will be in harmony with the various elements of the General Plan.

The Project will not be detrimental to the character of development in the area because the proposed uses are in keeping with surrounding uses. Other mixed-use developments are located in the immediate vicinity and the area is characterized by a mix of retail outlets and service-oriented businesses. In fact, the caliber of the services provided by the food market, as well as the residential component of the Project, will positively contribute to the character of development in the immediate neighborhood. The proposed Project will significantly improve the value of the Property and is expected to stimulate additional investment in the area, both of which will contribute positively to the character of development in the neighborhood.

The scale and intensity of the proposed building is compatible with surrounding buildings and is appropriate for an urban area served by public transit. As mentioned above, the building was designed to maximize use of the space while remaining compatible with all development in the

area. Design elements are incorporated which minimize the visual impact of the building and control its scale and intensity. The design of the food market, including the architectural separation from the residential levels above and the proposed street-level retail entrance, mimics the scale and character of other buildings in the area, creating a complementary addition to the other establishments along the nearby commercial corridors.

The wine tasting event area will be located at the rear of the store in the southeast corner, and will not be within view of the sole street entrance at the western frontage of the store. Also, the cafe, which will serve limited alcoholic beverages, will be located in the southern portion of the market, substantially enclosed with controlled entry and exit by cashiers on the south side and away from the view of passing pedestrians. Furthermore, both of these features will be located where wines are stocked, and the wine tasting area will be cordoned off to prevent customers from "crashing" any events. Enclosed within a small area at the eastern end of the market, the seafood counter will only be accessible through double doors, and will be monitored by a separate cashier. Furthermore, the 36-person limit at wine tasting events precludes a large crowd in relation to the typical level of business conducted in the food market.

The Project is in harmony with the General Plan through its support of the goals of the Hollywood Community Plan. The Project will help facilitate the Plan's goal of developing Hollywood as a hub of retail and entertainment, by providing 306 market rate units which will provide needed housing in the area. Further, the Project, which includes the Whole Foods Market, will expand the existing retail services in the area. The Project will make efficient use of this under developed space in the Hollywood area and maximize the Property's potential by transforming the underutilized surface parking lot into 306 residential units with 67,500 square feet of retail space. The Project allocates this commercial space for grocery store and limited dining uses, needed services in the surrounding area, and will turn an existing surface parking lot into a thriving neighborhood retail and residential community, thereby encouraging economic well being and public convenience for the Hollywood community. Further, the commercial aspect of the Project, which will likely have a regional draw, is appropriately located adjacent to the major thoroughfares of Sunset and Hollywood Boulevards and the Hollywood and Vine transit hub, allowing much of the region to contribute to the economic vitality of the Hollywood area.

d. The approval of the Conditional Use at this location will not adversely affect the welfare of the pertinent community.

Approval of the Conditional Use Permit (the "CUB") will not adversely affect the welfare of the community because the specialty food market, is a service in the area, currently not provided by any other outlet of a similar scope or caliber. The food market will provide approximately 225 new jobs for City and area residents as between 70 and 80 employees are expected to be required on site at all times for its operation. The approval of the CUB, which will allow the sale of alcohol as an ancillary use to a grocery store, will merely ensure that the food market provides the full range of products expected of such a commercial establishment. The sale and limited on-site consumption of alcohol at this location will not impact the welfare of the community since proper identification will be checked by trained store employees prior to all wine tasting events and prior to sale at the cafe and seafood counter dining areas, the Property will remain well lighted and well maintained, and Whole Foods Market maintains a good working relationship with the Los Angeles Police Department ("LAPD"). Conditions of Approval, volunteered by the Applicant, were developed in conjunction with the Los Angeles Police Department to ensure the safety of customers, the community and the operation of the use in compliance with established guidelines and requirements.

The CUB approval will contribute to the enhancement of the level of services available to the surrounding community inherent in providing a quality full-service supermarket, and will not affect the physical appearance of the property in any way. The presence of these commodities as well as the Project as a whole, will improve the livability and consequently the desirability, of the area, which in turn translates directly to a positive contribution to the welfare of the community. The food market will not only make the area a more desirable place to reside, but will also be successful in drawing surrounding community members to the neighborhood. Individuals within the neighborhood and communities beyond, facilitated by the nearby public transportation system, will have easy access the food market. The food market will draw many customers, infusing new capital into the area.

e. The granting of the application will 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.

Though the granting of the CUB will contribute to the over-concentration of establishments dispensing alcoholic beverages for consumption off premises, the public convenience and welfare will be served by its issuance and there will not be a detrimental affect on the community. The granting of the CUB in conjunction with the development of a full-service food market with more than 60,000 square feet of floor area, will in fact, as previously noted, contribute positively to the public convenience and welfare and the economic vitality of the region.

The area has been identified as an area which has an over-concentration of alcoholic beverage licenses. The Applicant has discussed the Project, and the benefits of the food market specifically, with the CRA, the Council Office and the LAPD. The Applicant's representative contacted an investigator from the Los Angeles/Metro field office of the State Alcoholic Beverage Control Board (ABC). According to the investigator, Census Tract 1910 (the "Census Tract"), which includes a population of 3,036, has issued twenty-seven existing on-site and five existing off-site licenses. The allowance for licenses was set at three on-site and two off-site licenses, and as such, the area is deemed to have an over-concentration of licenses. LAPD statistics as reported by ABC in connection with crime in District No. 647, which encompasses the Food Market, show that a total of 791 crimes were reported in 2005 compared to a citywide high average of 349 crimes per district. An undue concentration may exist when there are 20 percent more reported crimes in the district than the average number reported crimes from all crime reporting districts in the City.

The applicant's representatives contacted LAPD staff regarding crimes and disturbances in the general area. Officer Rose confirmed that there have not been excessive calls to the police department originating in the area around the Property. The LAPD also stated to the Applicant's representatives that the proposed use at this site would not tend to create a law enforcement problem as long as Whole Foods Market operated as a responsible alcohol retailer. The Conditions of Approval submitted and volunteered by the Applicant were developed in conjunction with the LAPD and reflect and compliment the current requirements of law enforcement and the ABC.

The pure sale of alcohol at the food market would be considered off-site sales, for which Whole Foods will request a Type 21 license to sell beer and wine, and a limited selection of distilled spirits. With a total of five existing off-site licenses for the Census tract, and an allowance of two,

an off-site sale license is not highly over-concentrated in the area. Without such a license, the grocery store would likely be considered deficient. The purchase of tickets for wine tasting events would involve limited on-site sale and consumption of wines in an enclosed area, and requires a special Type 42 license. A Type 41 license would be requested for the cafe and seafood counter dining areas where a limited selection of alcoholic beverages chosen to complement food items will be offered. Although there may be a high concentration of permits for on-site consumption of alcohol in the Hollywood area, unlike those licensed venues, Whole Foods' focus will be on the sale of food to grocery shoppers, and not the sale of alcohol in an entertainment environment. The number of persons who will be served alcohol on the premises at anyone time will be very limited in relation to the total number of persons that may be shopping in the food market at any time. Further, as an ancillary use to a grocery store, the sale of alcohol is not associated with undesirable activities which might otherwise be connected to alcohol sales. In this instance, the sale of alcohol enhances the level of services available, through a full service market, to the surrounding community members.

The Hollywood community has always been one of the City's entertainment centers. Consequently, large numbers of alcohol licenses are found in the Community's Census Tract, and will be found in other census tracts throughout Hollywood. The Project will provide a residential and commercial destination in the community and will benefit community welfare. Few other locations provide the mixture of uses proposed within the residential and food market components of the Project. Though the approval of the CUB requested herein does contribute to an undue concentration of alcohol licenses in the area, no detriment will result and public convenience will be served.

f. The proposed use will not detrimentally affect nearby residentially zoned communities in the area of the City involved, after giving consideration of 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.

Approval of the CUB will not detrimentally affect the residential character of the area as residential development in the area consists of other mixed-use buildings and the area maintains a mix of commercial uses. The food market and its related uses fit appropriately with nearby properties in terms of scale and character and complement the goods and services offered in the area. As mentioned, no other existing establishments within a half-mile vicinity offer similar amenities to those proposed in this Project. As such, the approval of the CUB and

the food market will supply much needed amenities for residents of the building, the area and surrounding communities. In this way, the proposed use will enhance public convenience and contribute positively to the livability of the area and to the residential environment.

The area is urban in character and there is no single family development abutting the Property. Thus, the full-service food market poses no detrimental effect(s) for surrounding residential properties. The food market, with its cafe, coffee lounge, seafood counter, florist and wine/cheese/antipasta tasting venue, will enhance the quality of life for residents of the area by adding much needed amenities. The proposed use combines residential development and proposes a full-service market with sales of alcoholic beverages. The proposed use is not an entertainment use or a free standing restaurant, but attempts to enhance the services ancillary to a full service market. Parking will be provided on-site for customers and residents.

2. Site Plan Review Findings. Pursuant to Section 16.05 F of the Municipal Code.

a. The project complies with all applicable provisions of the Los Angeles Municipal Code, Planning and Zoning Section and any applicable specific plan.

The Project complies with all applicable provisions of the Planning and Zoning Code, except as may be conditioned herein.

b. The project is consistent with the General Plan.

The zoning and General Plan are consistent with each other. The Property is zoned C4 which is a commercial designation and the General Plan is Regional Center Commercial. The C4 zone permits residential and commercial land uses similar to and consistent with the proposed Project.

The Project is consistent with the Hollywood Community Plan Area of the General Plan as follows:

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

The Project will provide 306 critically needed residential units as well as a critical neighborhood

commercial use. The residential component consists of market rate units in an area that will provide opportunities for residents to live near employment of the Hollywood entertainment center. The commercial component consists of a food market in an area where such a retail service is absent and where local residents may use the nearby public transit opportunities to reach the market.

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 306 market rate apartments. The units are dispersed into studio, one and two bedroom units. This combination results in a wide variety of housing choices that satisfy various income levels and sizes of units.

To promote economic well being and public convenience through allocating and distributing commercial lands for retail service and office facilities in quantities and patterns based on accepted planning principals and standards.

This Project will serve to meet this goal by developing a mixed-use project on an underutilized parcel adjacent to major pedestrian oriented thoroughfares of Sunset and Hollywood Boulevards and adjacent to a public transit hub at Hollywood and Vine. The proposed Project will turn an existing surface parking lot into a thriving neighborhood retail and residential community, thereby encouraging economic well being and public convenience for the Hollywood Center community.

c. The project is consistent with any applicable adopted redevelopment plan.

The Project is consistent with the Hollywood Redevelopment Plan. Section 506.2.3 of the Hollywood Redevelopment Plan provides that for development in the Regional Center Commercial area the density shall not exceed the FAR of 4.5: 1. The Project density is proposed to be 4.5:1 FAR which is consistent with the maximum allowable FAR of 4.5:1. In addition to maintaining the Project FAR within the FAR set forth in the applicable section of the Redevelopment Plan, a number of the goals and objectives of the Plan are met as follows:

To concentrate high intensity and or density development in areas with reasonable proximity or direct access to high capacity transportation facilities or which effectively utilize transportation demand management programs.

The Project is located approximately 650 feet from the MT A subway portal at the Hollywood and Vine Red Line station as well as a major bus depot across Selma Avenue to the north of the Project. Also, major bus routes exist on Vine Street and on Hollywood Boulevard and Sunset Boulevard, one block north and south of the Project, respectively. All of these immediate transportation outlets provide maximum opportunity for residents to utilize mass transportation facilities for shopping and traveling to nearby job centers in Hollywood, the San Fernando Valley, and downtown Los Angeles. Moreover, they provide maximum opportunity for other community residents to utilize mass transit for grocery shopping at the Project's Whole Foods Market.

To attract essential neighborhood commercial services such as food markets.

The proposed Project provides an approximately 67,500 square foot food market operated by the nationwide Whole Foods Market, which will realize the critical need of a neighborhood food market for the core Hollywood neighborhoods. The Project's new food market will promote community revitalization by providing a neighborhood oriented use in a location which is currently underutilized as a vacant surface parking lot. The food market will be compatible with nearby residential uses and neighborhoods because as part of a mixed-use development, it must be designed to be compatible with the residential uses in the same structure. The Project's food market will conform with the goals and objectives of the Redevelopment Plan.

To provide for new development which complements the existing buildings in areas having architecturally and/or historically significant structures and to encourage appropriate development in areas that do not have architecturally and/or historically significant buildings.

Although contemporary in design, the architecture of the structure is designed to be compatible with the significant building architecture in the vicinity with building surfaces that modulate with varying textures, colors, decks, openings and insets that add interest. The Project's E-shaped form, unified by a concrete spine, courtyards and terraces is reminiscent of the style of buildings designed in California in the 1920s and 1930s. The Project showcases a renaissance of a design style recalling buildings of the time. The Project is a contemporized version with clean, simple lines, using glass to create open spaces, and varied textures. The E-shaped design gives nearly every room views to either the Hollywood Hills or downtown Los Angeles.

To encourage the development of residential uses within the Regional Center Commercial land use designation.

The proposed Project consists of a mix of commercial and residential uses and provides 306 residential apartments consisting of studio, one and two bedroom units. The Project provides pedestrian access points to the residential components from the pedestrian oriented, Vine Street and from the northeast corner of the Property at Selma and Argyle to provide closer access to the public transportation opportunities one block north of the Project site.

To provide substantial public open space in the project area.

The proposed project does not incorporate any public open space. The Applicant is proposing a design that will complement the surrounding area and provides 34,700 square feet of open space pursuant to the LAMC.

d. The project consists of an arrangement of buildings and structures (including height, bulk and setbacks), off-street parking facilities, load areas, lighting, landscaping, trash collections, and other such pertinent improvements, which is or will be compatible with existing and future developments, on the neighboring properties.

Bulk, height and setbacks

The structure is designed to be consistent with the residential density of the R5 Zone as permitted by LAMC Section 12.22A18(a). With one dwelling unit per 200 square feet of lot area and 85,729 square feet of lot area, approximately 428 dwelling units could be built on the Property; however only 306 dwelling units are proposed. There are no setbacks required for commercial uses in the C4 Zone. There are no residential setbacks required for mixed-use projects when the ground floor is dedicated to commercial uses or provides access to the residential uses also as permitted by LAMC Section 12.22A18(a). The Project's height will be 11 stories and reach approximately 145 feet. Further, the visual quality of the design has varied and articulated surfaces consisting of hard surfaces, mixed textures and glass. The roofline is varied with structural architectural details of curves and shapes that break up a potentially uninteresting, flat surface.

The Project's development components are compatible with existing and proposed developments on the neighboring properties. Several high-rise buildings are present in the vicinity, including the adjacent 22-story Sunset Media Tower and the 18-story Sunset and Vine Tower to the south as well as the 12-story Taft Building, the Equitable Building, Hollywood

Broadway Building, and the Capitol Records Building to the north. Additionally, the development on the adjacent site to the north by the Legacy Partners Group is estimated to be developed at heights of 75 - 130 feet. Further, the proposed mixed retail and residential uses of the Project would be compatible with the existing uses in the area, including the Sunset and Vine mixed-use building to the west, and the future Legacy Partners mixed-use Project to the north. The Project would provide neighborhood serving retail to serve nearby residential neighborhoods and would introduce new residential uses to support existing commercial uses.

Off-street parking

There are a total of 800 off-street parking spaces provided in two subterranean levels and three above-ground levels. The two subterranean levels are dedicated for the food market purposes and the three above-ground levels are dedicated to the residential component of the Project. The Project consists of studios, one and two bedroom units. There will be 550 spaces dedicated for 306 residential units. Therefore, the Project provides approximately 1.8 parking spaces per dwelling unit, including the studio and one bedroom units where the LAMC only requires 1 to 1.5 parking spaces for studio and one bedroom apartment units.

The Project also provides 250 parking spaces for the 67,500 square feet of food market uses. The LAMC requires only 2 parking spaces for each 1,000 square feet of combined gross floor area of commercial office, business, retail, restaurant, bar, and related uses on any lot in the Hollywood Redevelopment Plan area. With 67,500 square feet of commercial retail uses, the Project only requires 133 parking spaces. Therefore, with 250 parking spaces provided and only 133 required, the Project provides a more than adequate supply of parking for its commercial component. In addition, the Project is located in close proximity of the MTA subway portal at Hollywood and Vine as well as major bus routes on Vine Street, Hollywood Boulevard and Sunset Boulevard therefore reducing the need to drive to or from the Property.

Loading areas

The commercial component of the Project will provide commercial loading off of Argyle Avenue as pre-approved by the Los Angeles Department of Transportation (the "LADOT"). The residential component of the Project also allows a curbside loading area off of Argyle Avenue to serve larger vehicles used for furniture transport. The location of the loading areas off of Argyle Avenue provides the least conflict with pedestrian and vehicle traffic around the Project site. Both Vine Street and Selma Avenue are more heavily traveled due to their pedestrian orientation and access to the public transit facilities at Hollywood and Vine.

Lighting

Security and architectural lighting will be provided to protect the Project's food market customers and residents and accent the building structure. All such lighting will be directed onsite to avoid any harsh glare or reflections to surrounding properties.

Landscaping

The public open space will be landscaped with trees, shrubs and ground cover and street trees will be provided per City requirements and in conformance with the Hollywood street trees.

Trash collection

The trash collection facilities will be located at the southeast corner of the Project inside of the ground level retail with access from Argyle Avenue and hidden from view by surrounding property owners.

e. The project incorporates feasible mitigation measures, monitoring measures when necessary, or alternatives identified in the environmental review, which would substantially lessen the significant environmental effects of the project, and/or any additional findings as may be required by CEQA.

A Mitigated Negative Declaration (ENV-2006-3872-MND) was prepared for the proposed project. On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that, with imposition of the mitigation measures described in the MND, there is no substantial evidence that the proposed project will have a significant effect on the environment. The attached Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are with the Environmental Review Section of the Planning Department in Room 750, 200 North Spring Street. I hereby adopt that the Mitigated Negative Declaration, imposed the conditions shown in that document on this approval.

f. Any project containing residential uses provides its residents with appropriate type and placement of recreational facilities and service amenities in order to improve habitability for the residents and minimize impacts on neighboring properties where appropriate. (For Residential Projects Only.)

The Project incorporates 18,800 square feet of open courtyards and 3,000 square feet of

recreation area containing facilities available for use by the residents including a deck area with swimming pool and spa. There is also 12,900 square feet of private deck areas for a total of 34,700 square feet of open space area.

- B. The **Transportation Element** of the General Plan will be affected by the recommended action herein. However, any necessary dedication and /or improvement of adjoining street will ensure compliance with this Element of the General Plan and with the City's street improvement standards pursuant to Municipal Code Section 17.05.
- C. The **Sewerage Facilities Element** of the General Plan will be affected by the recommended action. However, requirements for construction of sewer facilities to serve the subject project and complete the City Sewer system for the health and safety of City inhabitants will assure compliance with the goals of this General Plan Element.
- D. **CEQA Findings.** A Mitigated Negative Declaration (ENV-2006-3872-MND) was prepared for the proposed project. On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that, with imposition of the mitigation measures described in the MND, there is no substantial evidence that the proposed project will have a significant effect on the environment. The attached Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are with the Environmental Review Section of the Planning Department in Room 750, 200 North Spring Street. I hereby adopt that the Mitigated Negative Declaration, imposed the conditions shown in that document on this approval.

PUBLIC HEARING AND COMMUNICATIONS

The public hearing for the subject request was held on January 12, 2007. Approximately 12 people were in attendance. Six speakers presented testimony. All speakers were in support of the proposed project with a Representative from Hollywood Heritage presenting and submitting comments. The comments related to the lack of parking in the general area and the effect of possible loss of existing surface parking on historic properties. Additional comments were made related to the FEIR for the Hollywood Redevelopment Project Area. The comments and a response are included in the staff report as a part of EXHIBIT E-9, ENV 2006-3782 MND).

The applicant's representative spoke and gave a general background of the proposed project and presented testimony supporting a wavier of dedication and improvements along Vine Street as recommended in the Bureau of Engineering memo dated September 21, 2006, contained in the administrative file. Staff has recommended approval of the wavier request as a portion of the Hollywood Walk of Fame is located along the Vine Street frontage of the subject site and conditions of approval have been attached to the request to ensure protection of the historic street walk.

A representative was present from Council District 13. The representative indicated that the proposed project is an example of the spirit of redevelopment within the Hollywood area and that the applicants have worked with their office and the Design Review Committee to obtain the final design of the project. The representative also indicated that the Public Art component (1% for Arts Fee) should be paid for development of the project. The Arts Development Fee (ADF) is administered by the Public Arts Division, and applicable to projects for a commercial or industrial building for which the total value of all construction or work for which the permit is issued is \$500,000 or more. The representative also indicated support for the requested wavier, continued work with the applicant's regarding a possible affordable housing component and provision of surplus parking at the site for the general public.

Representatives were present from the Central Hollywood Neighborhood Council and the Hollywood Chamber of Commerce, and presented testimony in support of the project.

VICINITY MAP

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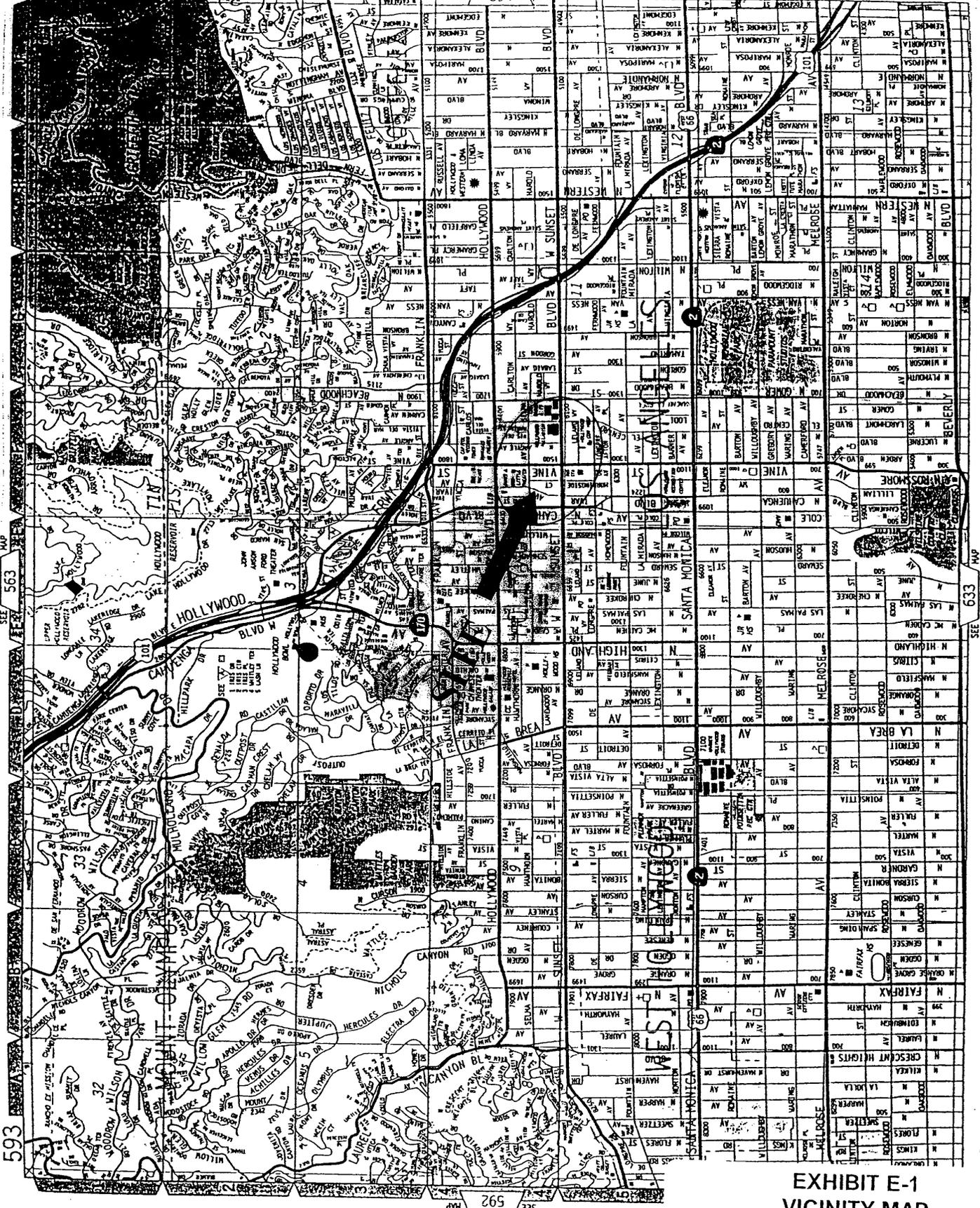
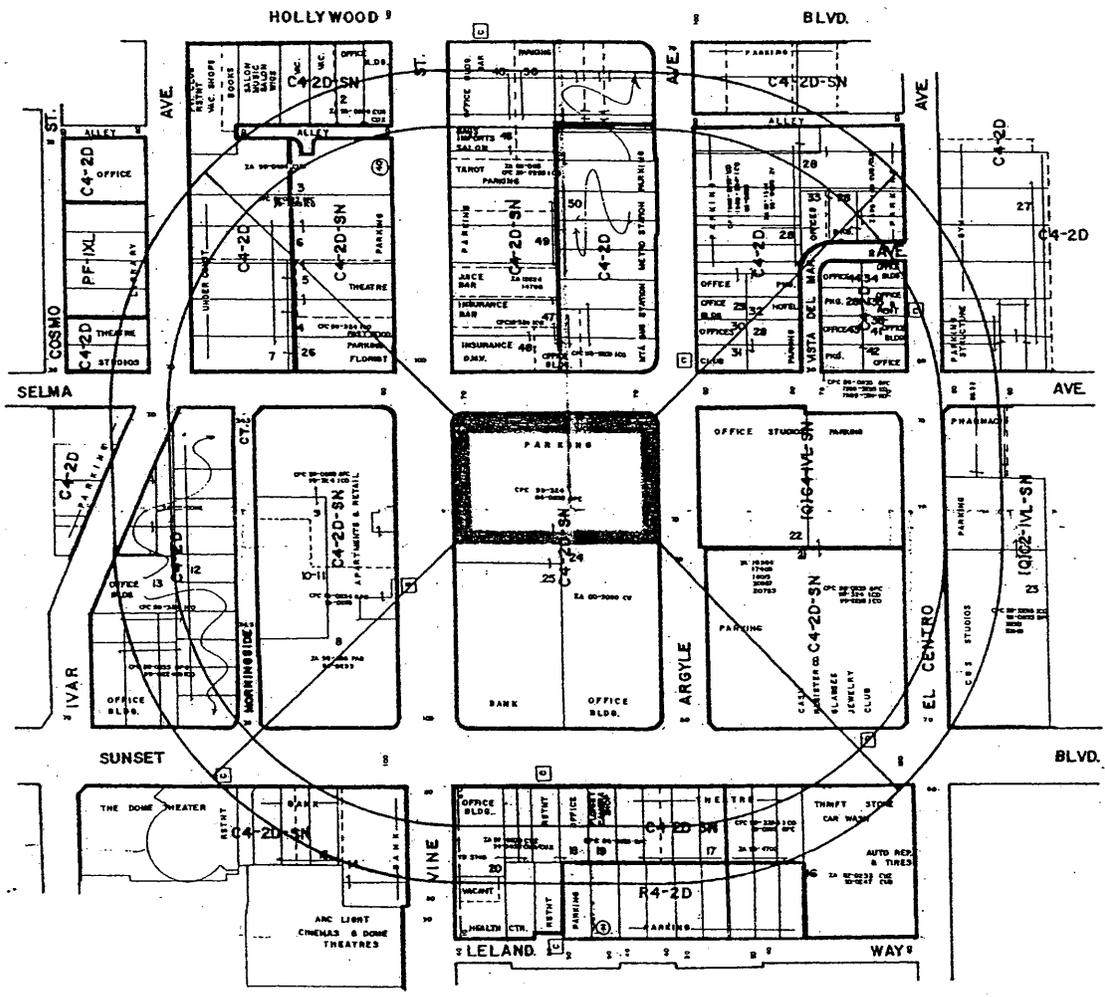


EXHIBIT E-1
VICINITY MAP

APCC 2006 3871



ZONE CHANGE REQUEST
C4-2D-SN TO C4-2-SN

**EXHIBIT E-2
RADIUS MAP
CPC-2006-3781-ZC-CUB-SPR**

**ZONE CHANGE, CONDITIONAL USE,
SITE PLAN REVIEW,**

OMS
Quality Mapping Service
Testing Consultants
14549 Archwood St, Suite 301
Van Nuys, California 91405
Phone (818) 997-7949 - Fax (818) 997-0351

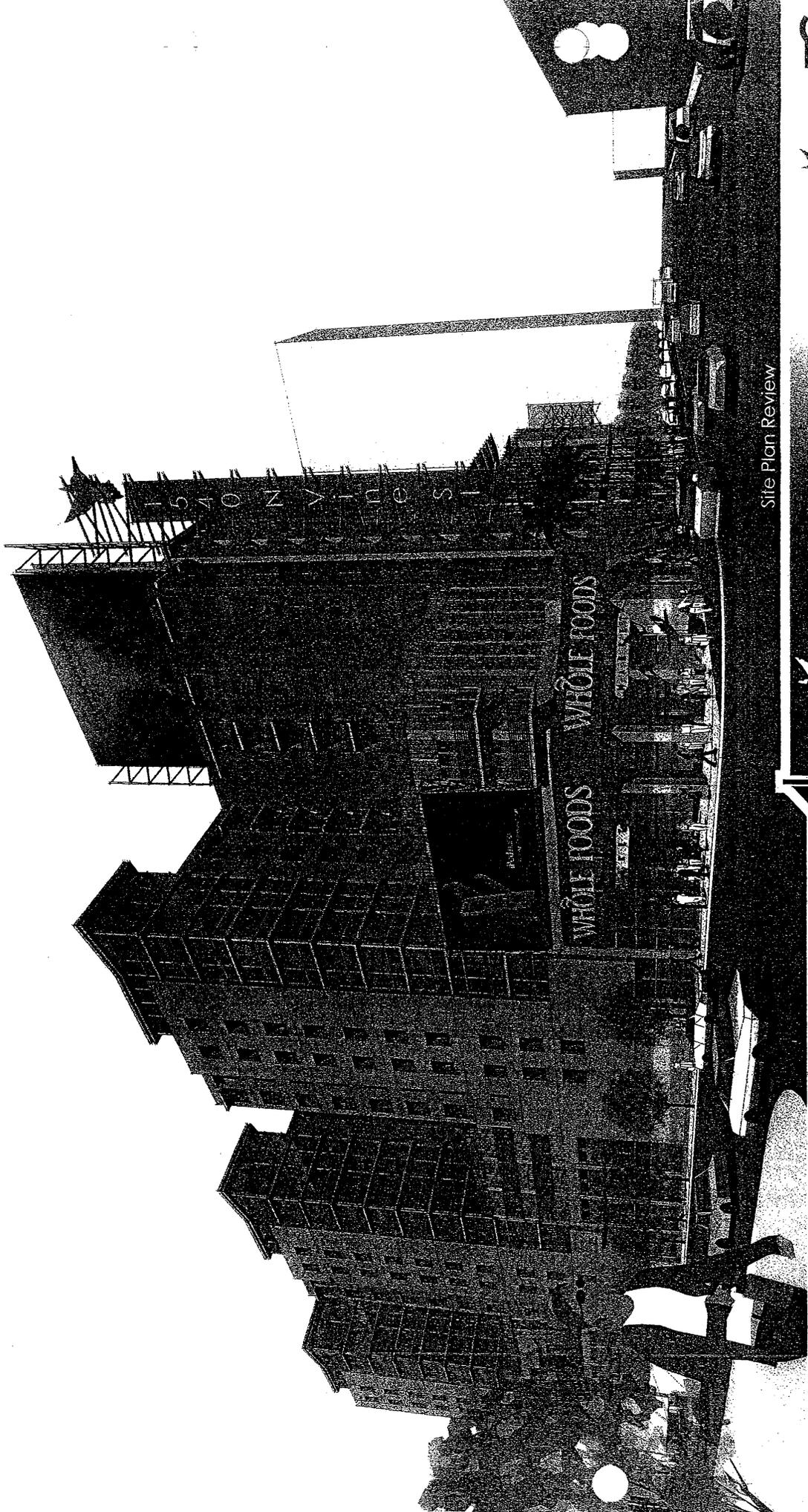
DRAWN BY:

THOMAS BROTHERS
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LEGAL
LOT: POR. LOT C
TRACT: PARCEL MAP 1983
BK 27-25
SEE APPS.
CONTACT: ALLEN MATKINS

CD: 13
CT: 1910.00
PA: 107 (HOLLYWOOD)
USES: FIELD
CASE NO.:
APCC 2006 3871
SCALE: 1" = 100'
D.M.: 148-5A189
PHONE: 213-955-6632

Updated:
RELEASER:

NORTH
06-476C
GMS



Site Plan Review

HOLLYWOOD

1540

NORTH VINE STREET

CAMDEN



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Architects, Inc.
www.tcu-arch.com

April 14, 2006 #2004-091

APCC 2006 3871

Sheet Index

Cover	Project Data
GS.0.0	Project Data
AS.0.0	Context Plan
A1.0.0	Prelim Plan
A1.0.1	Subterranean Garage Level B - Retail Parking
A1.0.2	Subterranean Garage Level A - Retail Parking
A1.0.3	1st Floor Plan - Residential Parking
A1.0.4	2nd Floor Plan - Residential Parking
A1.0.5	3rd Floor Plan - Residential Parking
A1.0.6	4th Floor Plan - Residential Parking
A1.0.7	5th Floor Plan - Residential Parking
A1.0.8	6th Floor Plan - Residential
A1.0.9	7th Floor Plan - Residential
A1.0.10	8th Floor Plan - Residential
A1.0.11	9th Floor Plan - Residential
A1.0.12	10th Floor Plan - Residential
A1.0.13	11th Floor Plan - Residential
A1.0.14	Roof Plan
AS.0.0	Prospective Renderings
AS.0.1	Vine Street Elevation
A2.0.1	Salma Avenue Elevation
A2.0.2	Argyle Avenue Elevation
A2.0.3	South Elevation
A3.0.1	Building Section A
A3.0.2	Building Section B
A3.0.3	Building Section C
A3.0.4	Building Section D
A4.0.1	Unit Plans
A4.0.2	Unit Plans
A4.0.3	Unit Plans
L1.0.1	Landscape Plan - Street Level
L1.0.2	Landscape Plan - Courtyard Level
L1.0.3	Section at Pool
L1.0.4	Landscaping Concepts
M.0.1	Roof Mechanical Plan
S1.0.1	Structural Plans

36 Sheets

Project Summary

Lite, retail and multi-family residential development with 308 apartments in an 11 story building, 145 feet in height, atop three floors of residential parking over a ground floor Whole Foods supermarket and garage with two levels of subterranean parking.

Project Address: 1540 North Vine Street, Los Angeles, California 90020

Legal Description: Lot C of Parcel Map 1983 in the City of Los Angeles, County of Los Angeles, State of California

Land Area: 1.97 AC or 85,729 SF

Zoning: C4-2D-SN (Existing), C4-2-SN (Proposed)

Proposed FAR: 4.5

No. of Stories: 11

Height: 145'

No. of Units: 308

Retail SF: 67,600 SF

Residential Side Yard Req'd: None per sec. 12.22.A 18 (r)(3)

Lot Area in RS lot area of 1 DU per 200 SF per LAMC sec. 12.22.A 18 (r)

No. of Existing Parking Spaces: 333

Storage entitlements will be requested under separate application.

Unit Summary:

3rd Floor	4th Floor	5th Floor	6th Floor	7th Floor	8th Floor	9th Floor	10th Floor	11th Floor	Total
81	1	4	2	2	2	2	2	2	18
82	1	6	6	6	6	6	6	6	54
83	1	1	1	1	1	1	1	1	9
84	1	1	1	1	1	1	1	1	9
A1	1	1	1	1	1	1	1	1	9
A2	1	1	1	1	1	1	1	1	9
A3	1	1	1	1	1	1	1	1	9
A4	1	1	1	1	1	1	1	1	9
A5	1	1	1	1	1	1	1	1	9
A6	1	1	1	1	1	1	1	1	9
A7	1	1	1	1	1	1	1	1	9
A8	1	1	1	1	1	1	1	1	9
A9	1	1	1	1	1	1	1	1	9
A10	1	1	1	1	1	1	1	1	9
A11	1	1	1	1	1	1	1	1	9
A12	1	1	1	1	1	1	1	1	9
B1	1	1	1	1	1	1	1	1	9
B2	1	1	1	1	1	1	1	1	9
B3	1	1	1	1	1	1	1	1	9
B4	1	1	1	1	1	1	1	1	9
B5	1	1	1	1	1	1	1	1	9
B6	1	1	1	1	1	1	1	1	9
B7	1	1	1	1	1	1	1	1	9
B8	1	1	1	1	1	1	1	1	9
B9	1	1	1	1	1	1	1	1	9
B10	1	1	1	1	1	1	1	1	9
Total B	0	0	11	10	10	10	10	10	61
Total A	3	3	21	20	20	20	20	20	147
Total B	1	1	9	14	14	14	14	14	86
Total	4	4	41	44	47	47	47	47	308

Area Calculations:

Category	Area (sq ft)
Lot Area	159,300
Subtotal	159,300
Roof Deck	18,800
Subtotal	178,100
Common O.S.	17,113
Max. sec. O.S.	9,595
Subtotal	187,613
Private	20
Deck	50
Units without parking	48
Total private O.S.	118
Total Provided	308

Open Spaces Summary:

Unit	Num.	Equation	SF Req.
3 rooms (S.A., A3)	193	100	19,300
3 rooms (A3, B1, B7)	97	128	12,416
3 rooms (B3)	16	173	2,768
Total Required	306		34,484
Min. common O.S.		0.5	17,113
Max. sec. O.S.		0.25	9,595

Open spaces provided:

Common O.S.	18,800
Roof Decks	19,800
Subtotal	38,600
Common (Sec.)	3,000
Subtotal	3,000
Total Common O.S.	41,600
Min. amount of common O.S. to be provided:	21,800
Private	20
Deck	50
Units without parking	48
Total private O.S.	118
Total Provided	308

* Decks must have min. 6" dimension and be min. 50sq/ to be counted.
* Max. 50sq may be counted per deck.

Partina Summary:

Level	Regular	Compact	Transam	H/C	Total
Residential 1 (2nd floor)	100	0	0	7	107
Residential 2 (3rd floor)	100	0	0	0	100
Residential 3 (4th floor)	100	0	0	0	100
Total Residential	300	0	0	7	307
Sublevel A Retail	83	89	0	0	172
Sublevel B Retail	80	32	0	0	112
Total Retail	163	121	0	0	284
Total	463	121	0	7	591

F.A.R. Summary:

City Calculated Floor Area:	428,423
Building Floor Area:	3,205
Projecting Decks (subtracted):	27,143
Senior Walk Area (subtracted):	17,181
Sale and Eq. Rooms (subtracted):	38,472
Total City Calculated Floor Area:	384,822

Project Data

City Calculated Floor Area:	428,423
Building Floor Area:	3,205
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Senior Walk Area (subtracted):	17,181
Sale and Eq. Rooms (subtracted):	38,472
Total City Calculated Floor Area:	384,822

GO.0.0



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1540

NORTH VINE STREET

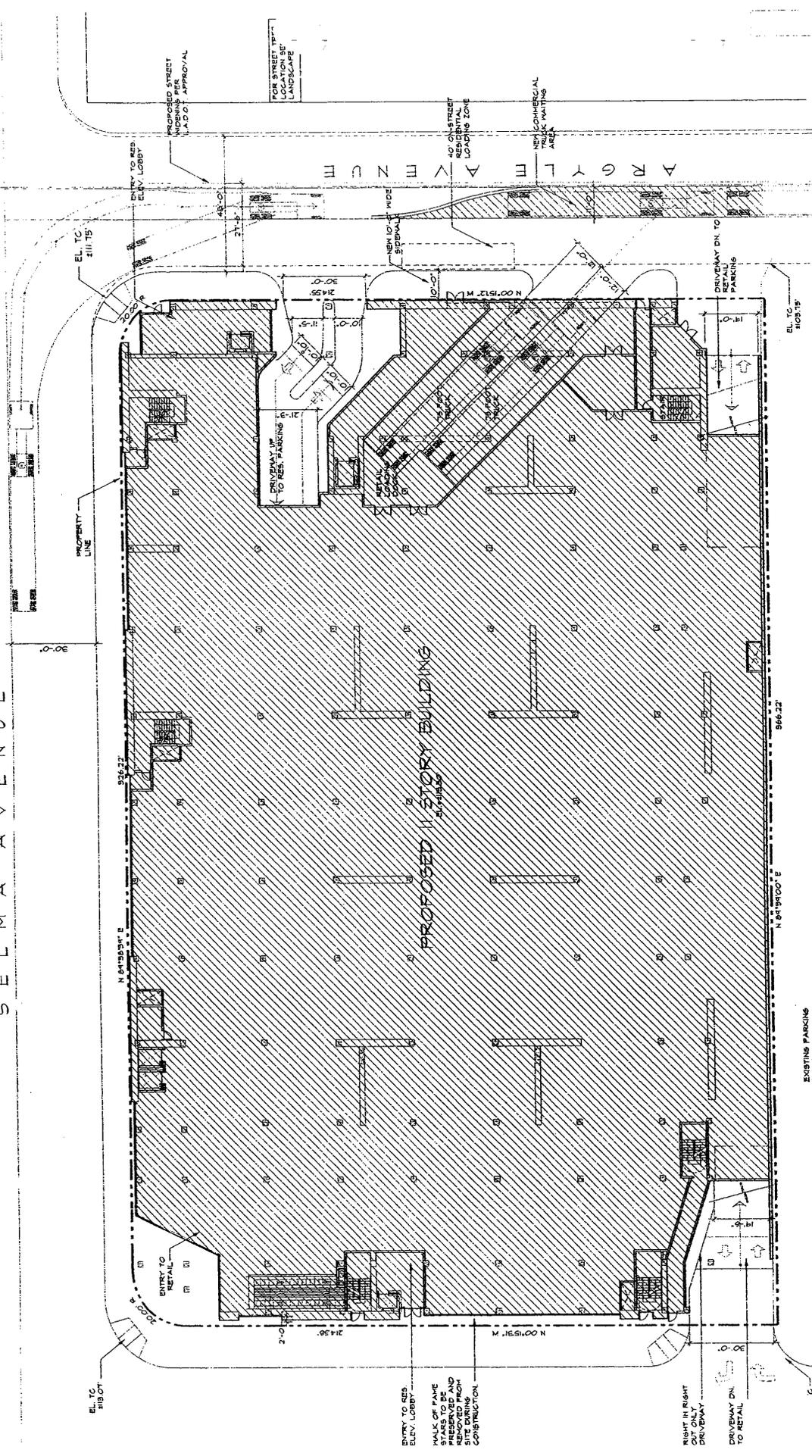
HOLLYWOOD



CAMDEN

Project Data

SELMA AVENUE



A1.0.0

Plot Plan SCALE: 1/8" = 1'-0"

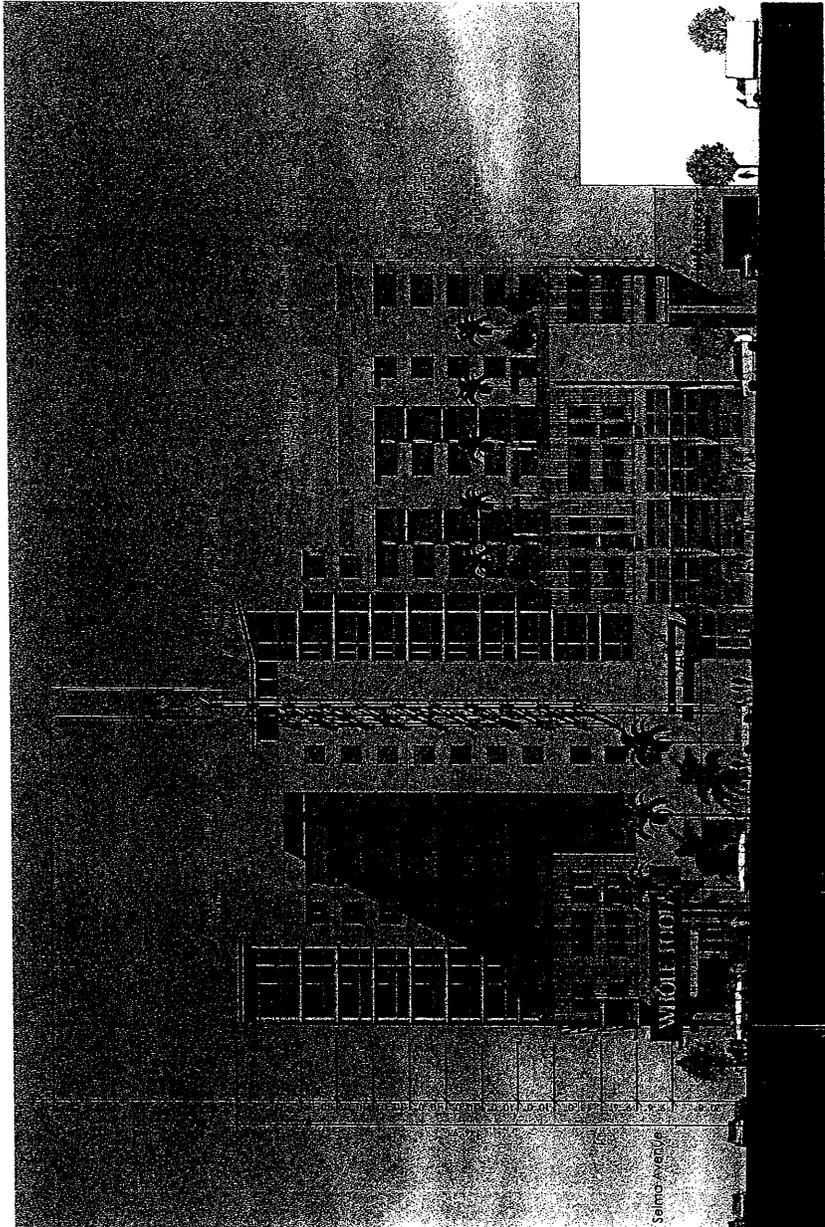
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NORTH VINE STREET

HOLLYWOOD

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EXHIBIT E-3
CONTEXT/PLOT
CPC-2006-3781-ZC-CUB-S



A2.0.1

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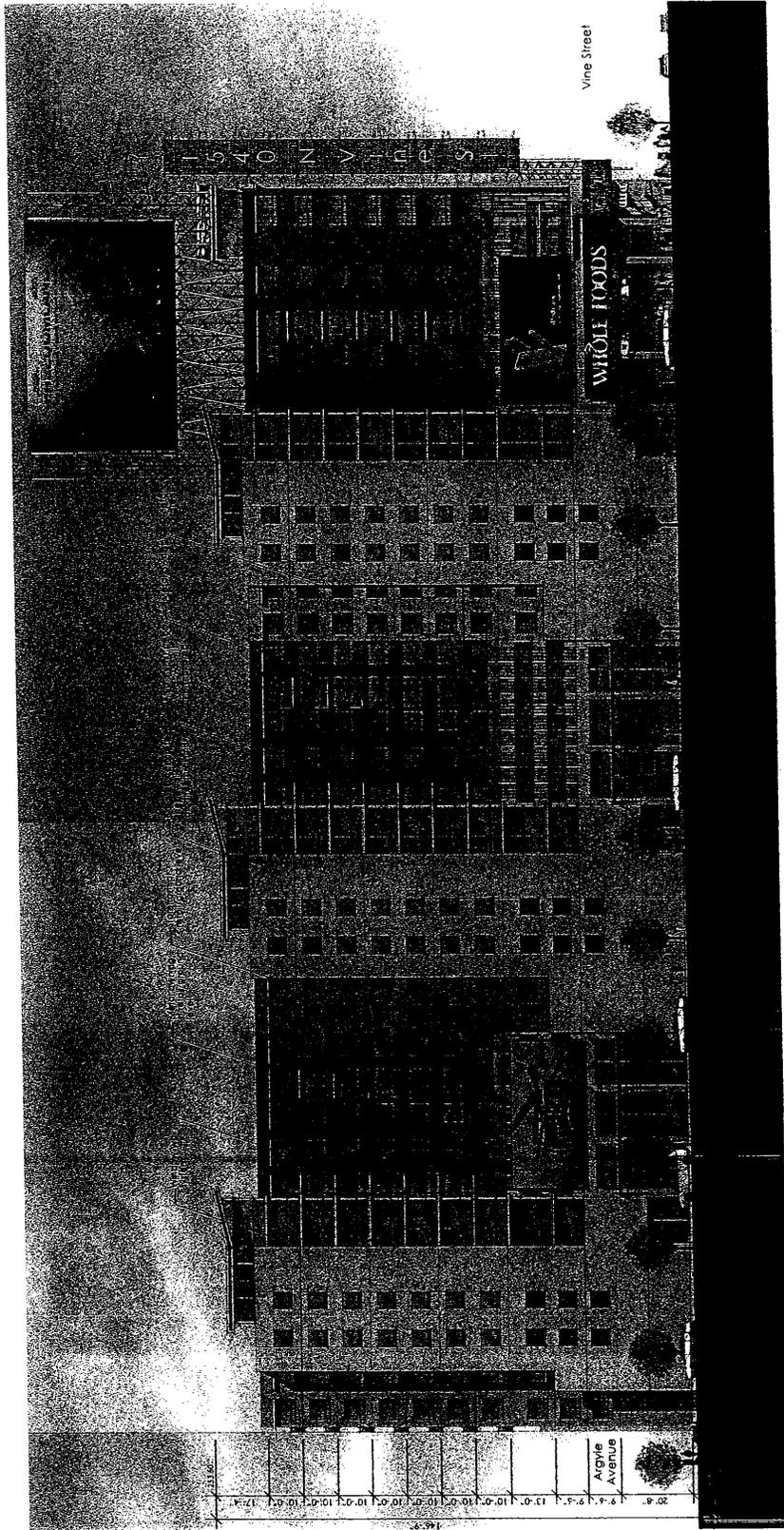
Vine Street Elevation Scale: 1/8" = 1'-0"



April 14, 2006 #2004-091

EXHIBIT E-4
ELEVATION
CPC-2006-3781-ZC-CUB-SPR

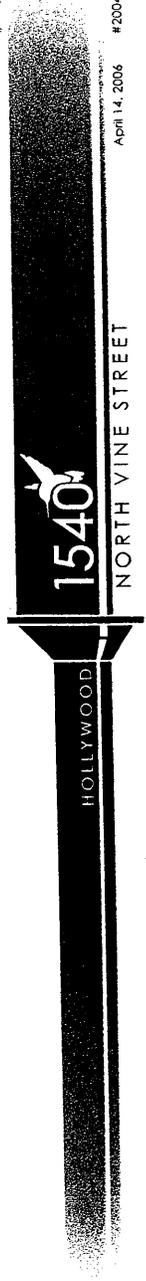
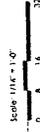
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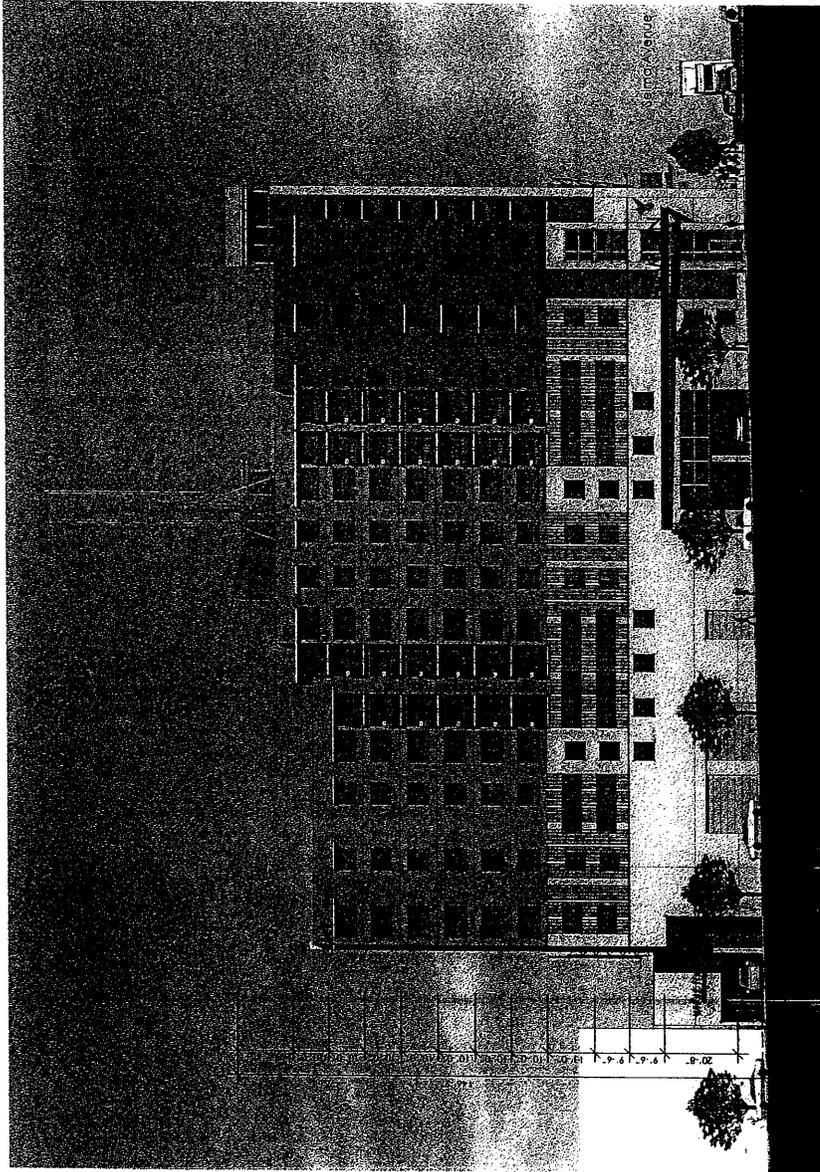
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Selma Avenue Elevation



April 14, 2006 #2004-091

EXHIBIT E-4
ELEVATION
CPC-2006-3781-ZC-CUB-SPR



A2.0.3

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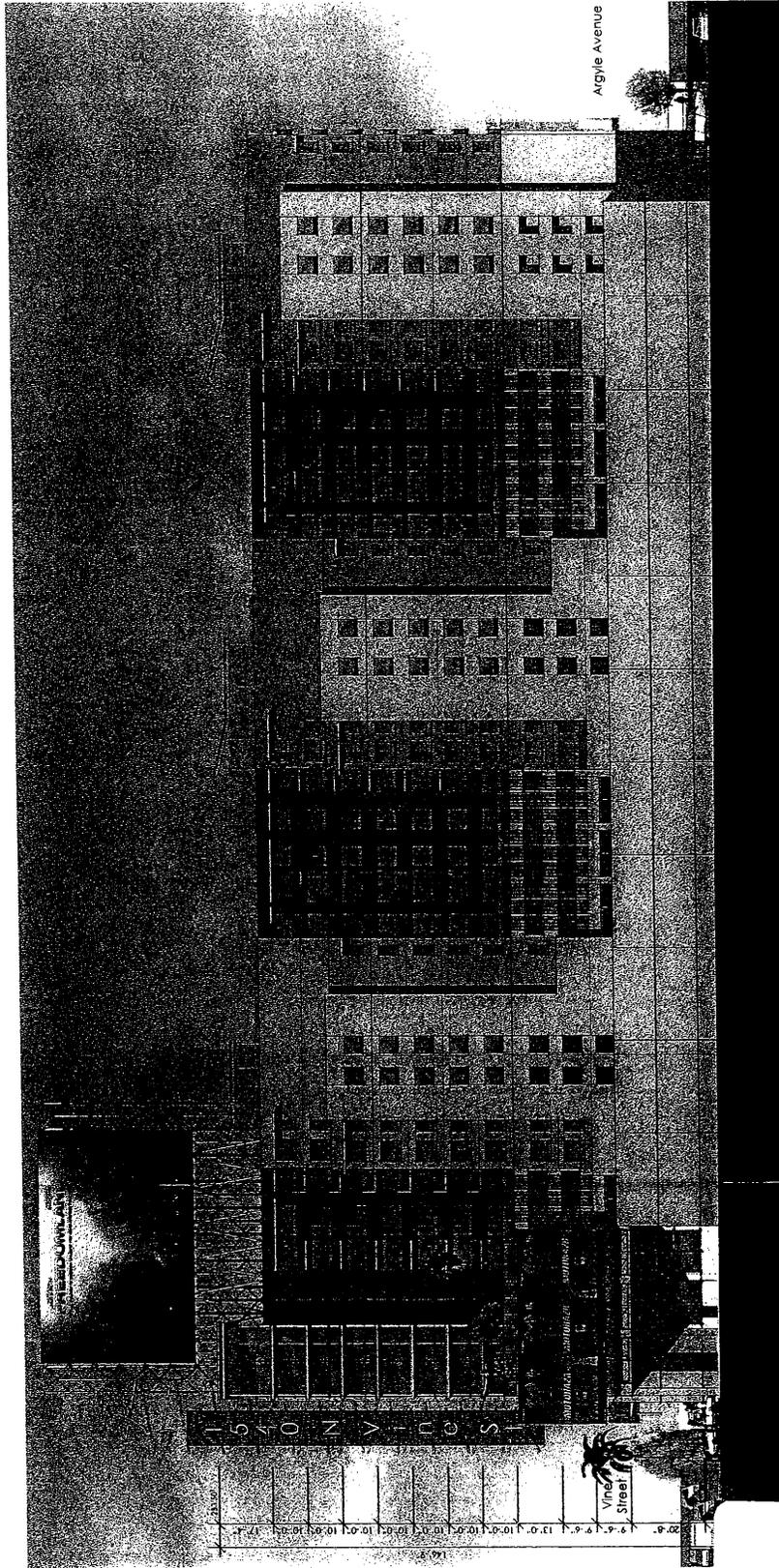
Argyle Avenue Elevation Scale: 1/16" = 1'-0"

1540
NORTH VINE STREET

HOLLYWOOD

April 14, 2006 #2004-091

EXHIBIT E-4
ELEVATION
CPC-2006-3781-ZC-CUB-SPR



A2.0.4

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South Elevation

Scale: 1/4" = 1'-0"

1540

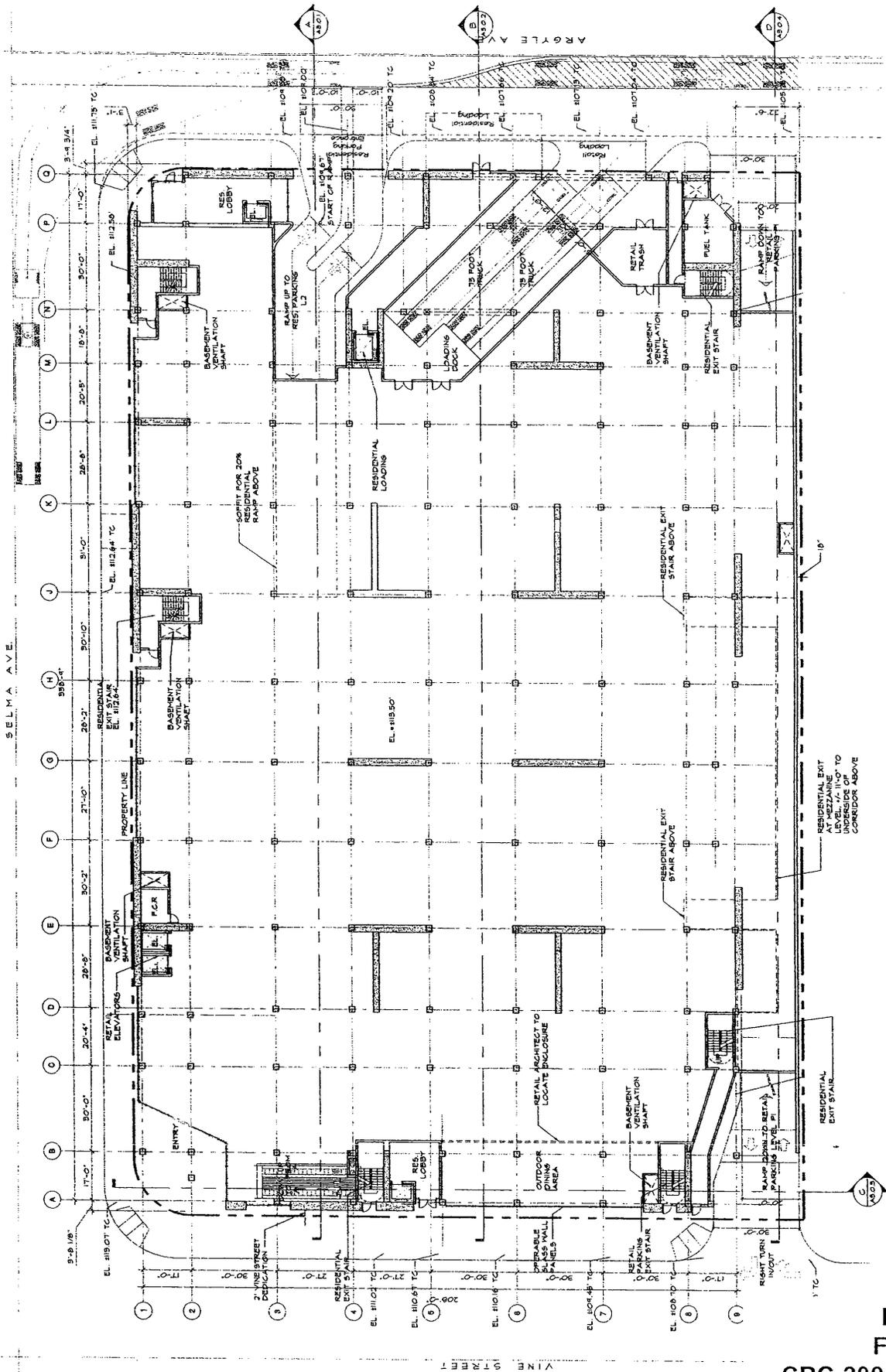
NORTH VINE STREET

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April 14, 2006 #2004-091

EXHIBIT E-4
ELEVATION
CPC-2006-3781-ZC-CUB-SPF

CA



A1.0.3

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1st Floor - Retail Scale 1/8" = 1'-0"

1540
NORTH VINE STREET

HOLLYWOOD

April 14, 2006 #2004-091

EXHIBIT E-5
FLOOR PLAN
CPC-2006-3781-ZC-CUB-SPI

C

PROJECT NAME:
WHOLE FOODS MARKET
SELMA/VINE
DATE: APRIL 21, 2006
SCALE: 1/4" = 1'0"

Whole Foods Market
SoPac Regional Construction
15315 Magnolia Blvd, Suite 320
Sherman Oaks, CA 91403

ENLARGED PLAN

AT SEAFOOD EATING

APCC 2006 3871

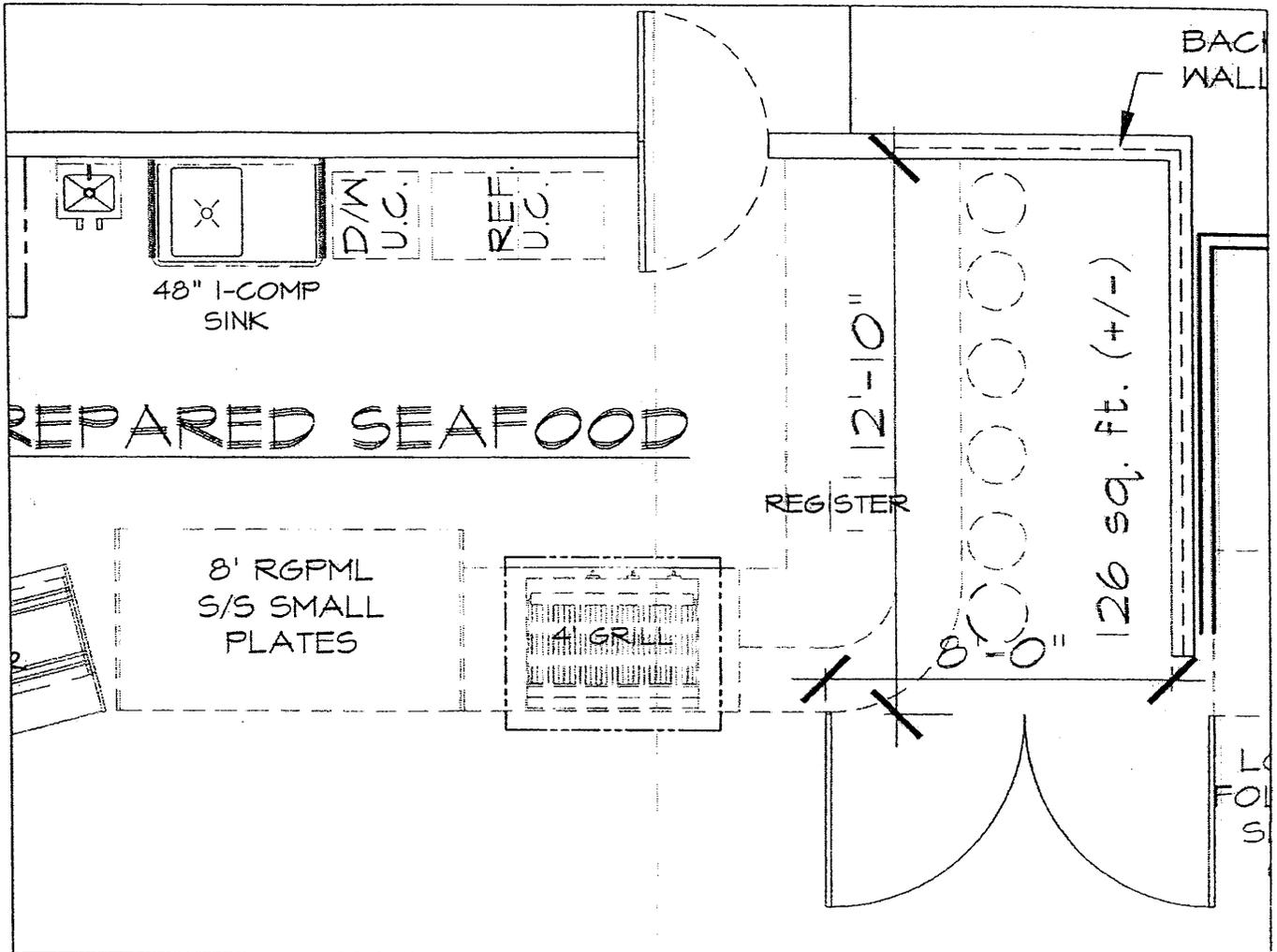


EXHIBIT E-5
FLOOR PLAN
CPC-2006-3781-ZC-CUB-SPR

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WHOLE FOODS MARKET
SELMA WINE

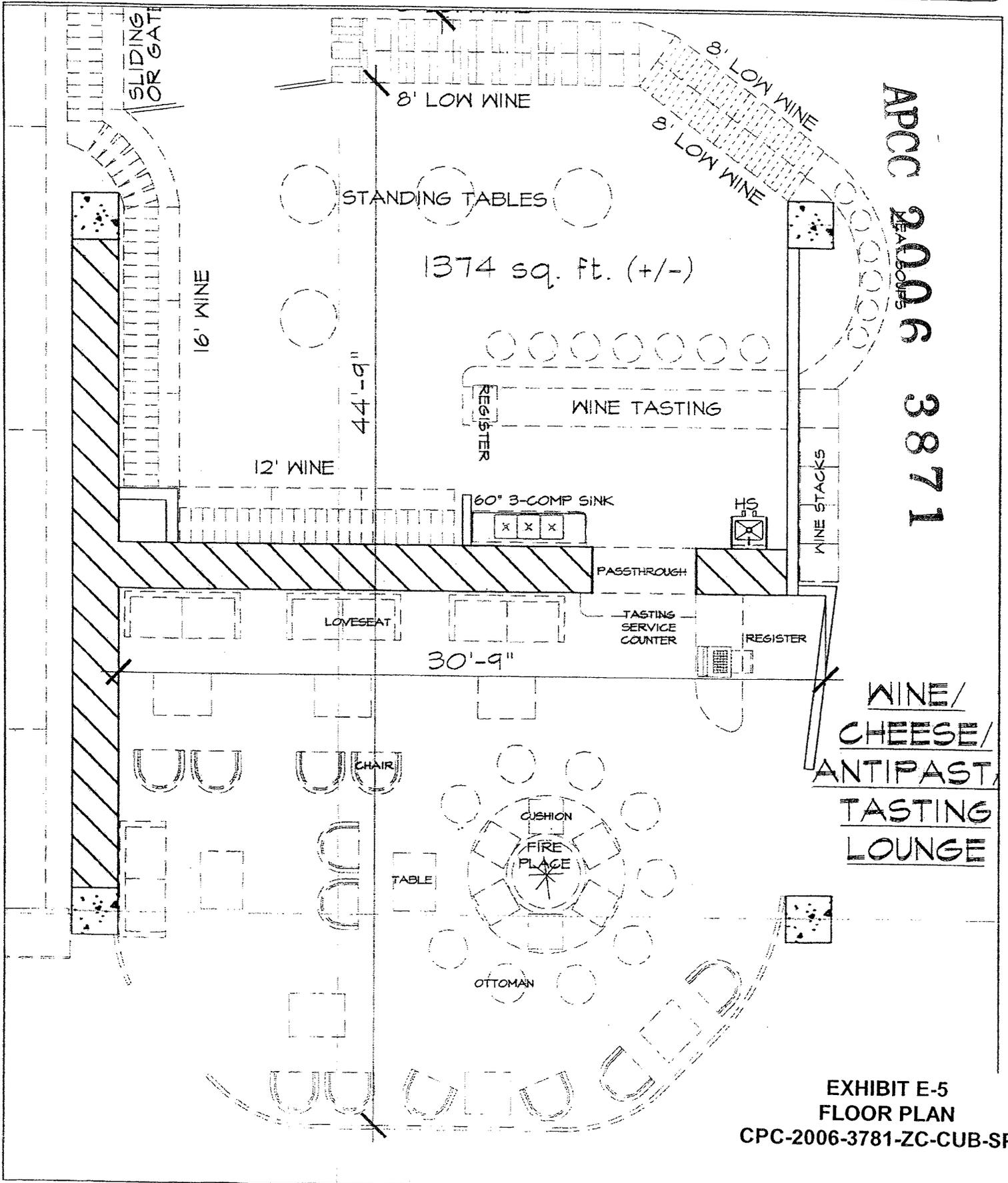
DATE:
APRIL 21, 2006

SCALE:
3/16" = 1'0"

Whole Foods Market
SoPac Regional Construction
15315 Magnolia Blvd, Suite 320
Sherman Oaks, CA 91403

ENLARGED PLAN

AT WINE TASTING



APCC
MEASUREMENTS
2006 3871

WINE/
CHEESE/
ANTIPAST,
TASTING
LOUNGE

EXHIBIT E-5
FLOOR PLAN
CPC-2006-3781-ZC-CUB-SPF

PROJECT NAME:
WHOLE FOODS MARKET
SELMA/VINE
DATE: APRIL 21, 2006
SCALE: 3/16" = 1'0"

Whole Foods Market
SoPac Regional Construction
15315 Magnolia Blvd, Suite 320
Sherman Oaks, CA 91403

ENLARGED PLAN

AT EATING AREA

APCC 2006 3871

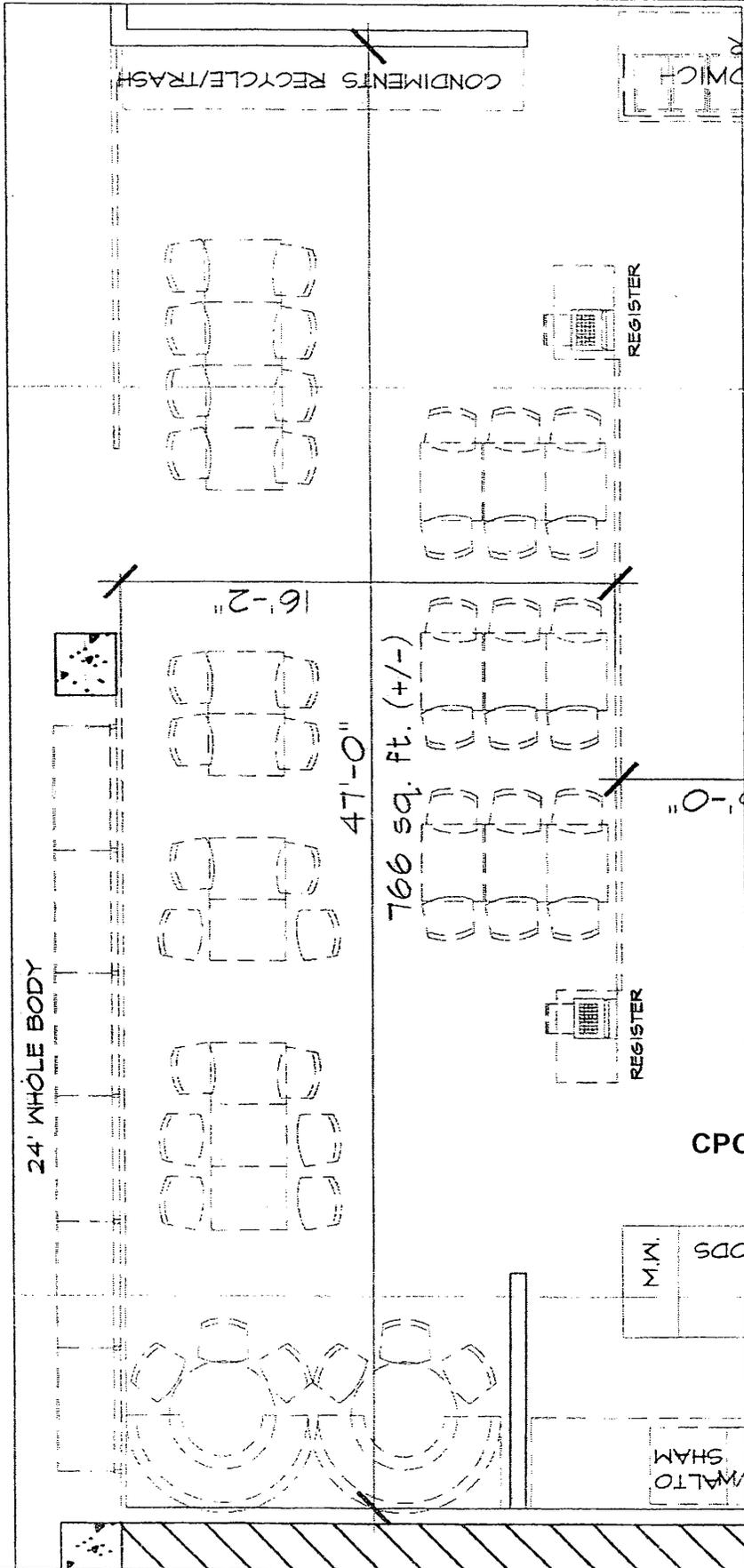
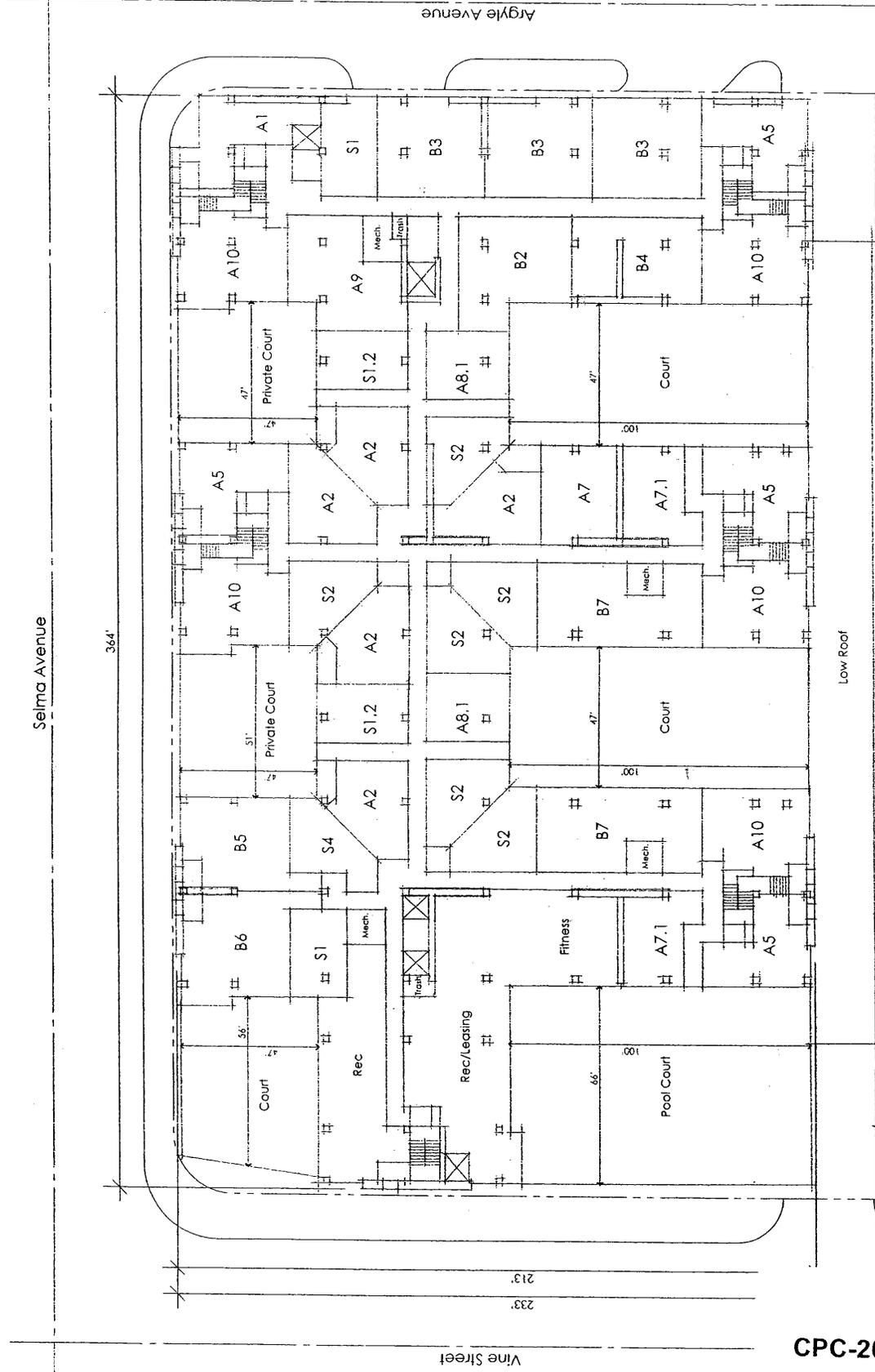


EXHIBIT E-5
FLOOR PLAN
CPC-2006-3781-ZC-CUB-SPF



Unit Summary

Unit	Count
A1	1
A2	1
A3	1
A4	1
A5	1
A6	1
A7	1
A8	1
A9	1
A10	1
A10.1	1
B1	1
B2	1
B3	1
B4	1
B5	1
B6	1
B7	1
S1	1
S1.2	1
S2	1
S4	1
Mech.	1
Stairs	1
Pool Court	1
Fitness	1
Rec/Leasing	1
Courtyards	1
Other	1
Total	21

A1.0.7

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5th Floor Plan - Residential/Courtyard Level

1540

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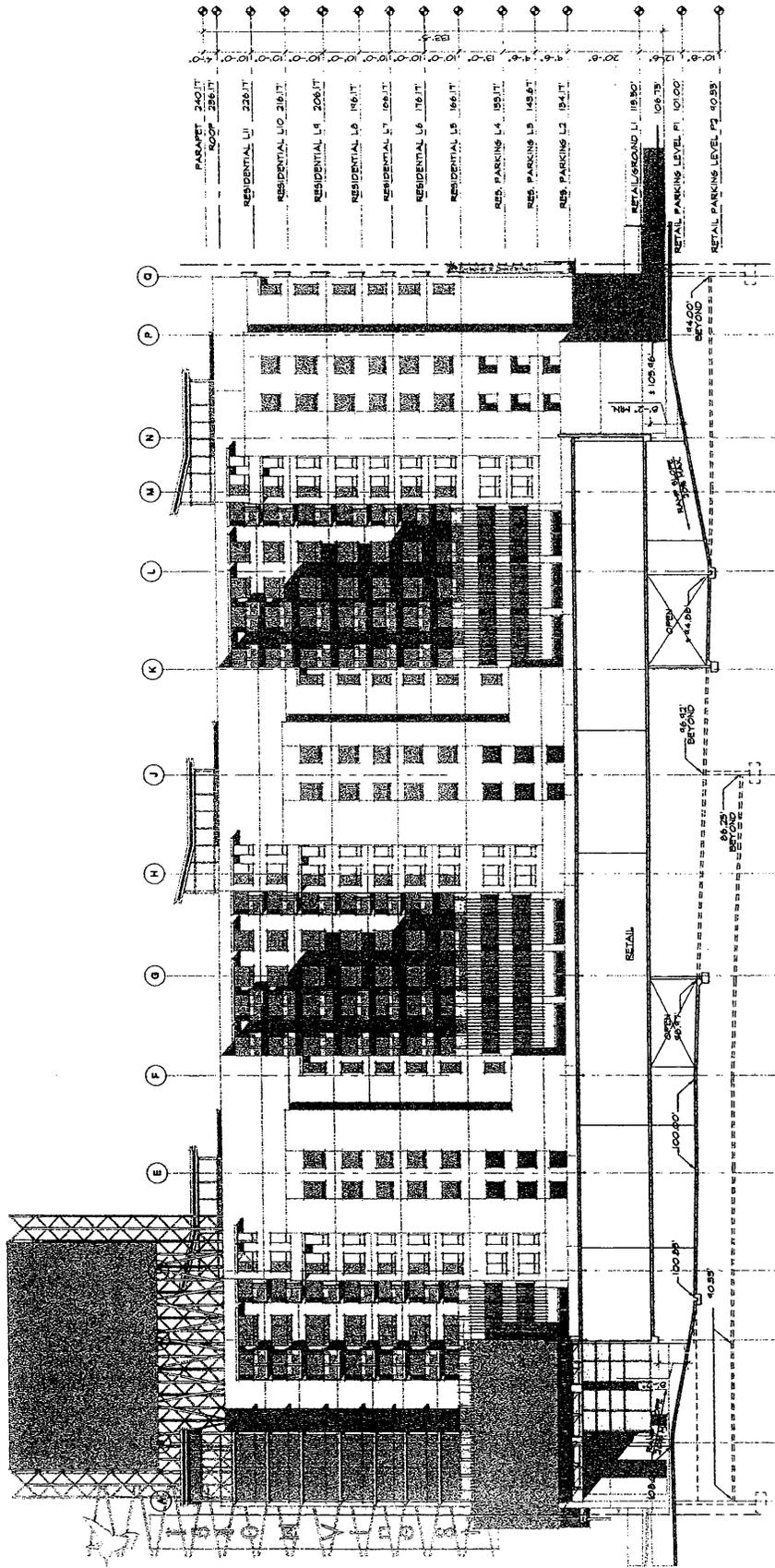
HOLLYWOOD

April 14, 2006 #2004-001

EXHIBIT E-5 FLOOR PLAN

CPC-2006-3781-ZC-CUB-SPR

CA



SECTION THRU RETAIL
DRIVEWAY
LOOKING NORTH

EXHIBIT E-8
SECTION
CPC-2006-3781-ZC-CUB-SPR

A3.0.4

Building Section D
Scale: 1/8" = 1'-0"

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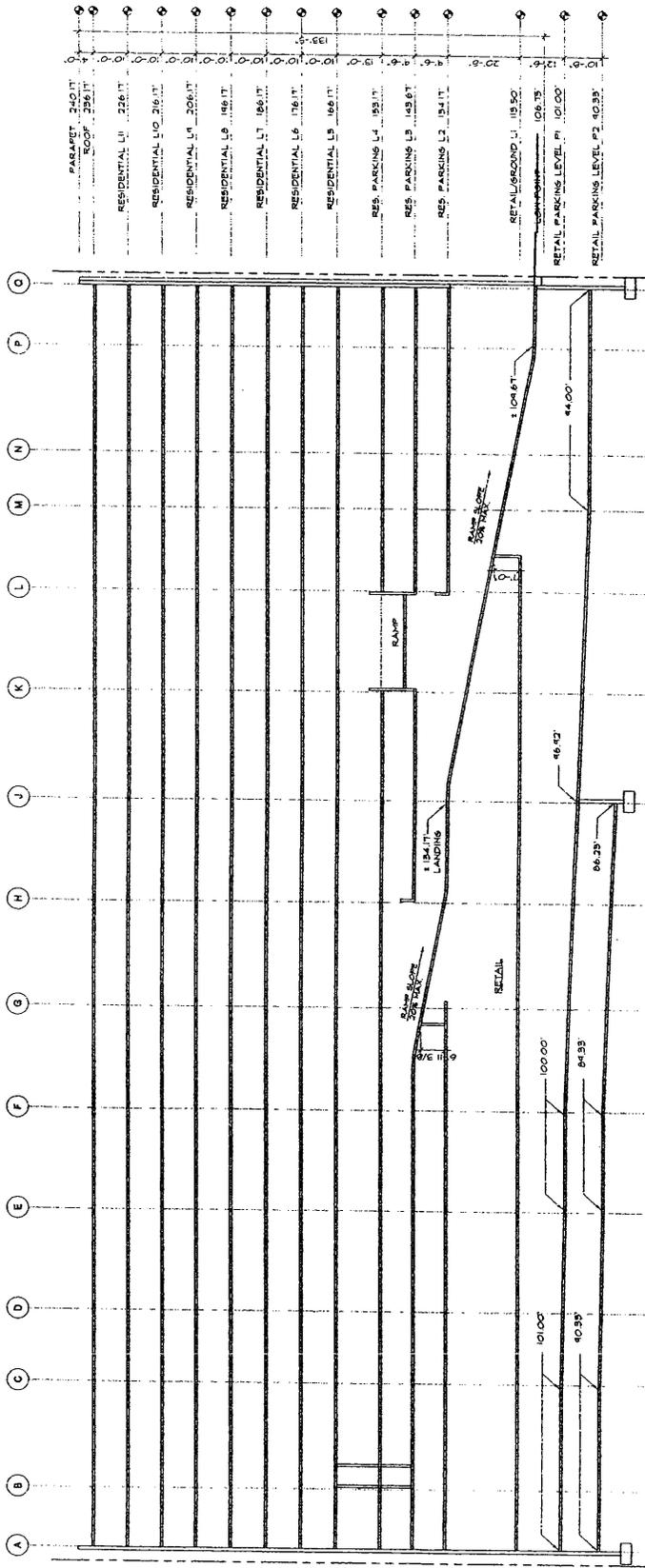
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NORTH VINE STREET

April 14, 2006 #2004-001

CA



SECTION BETWEEN 3 & 4
LOOKING NORTH

A3.0.1

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Building Section A

Scale 1/8" = 1'-0"



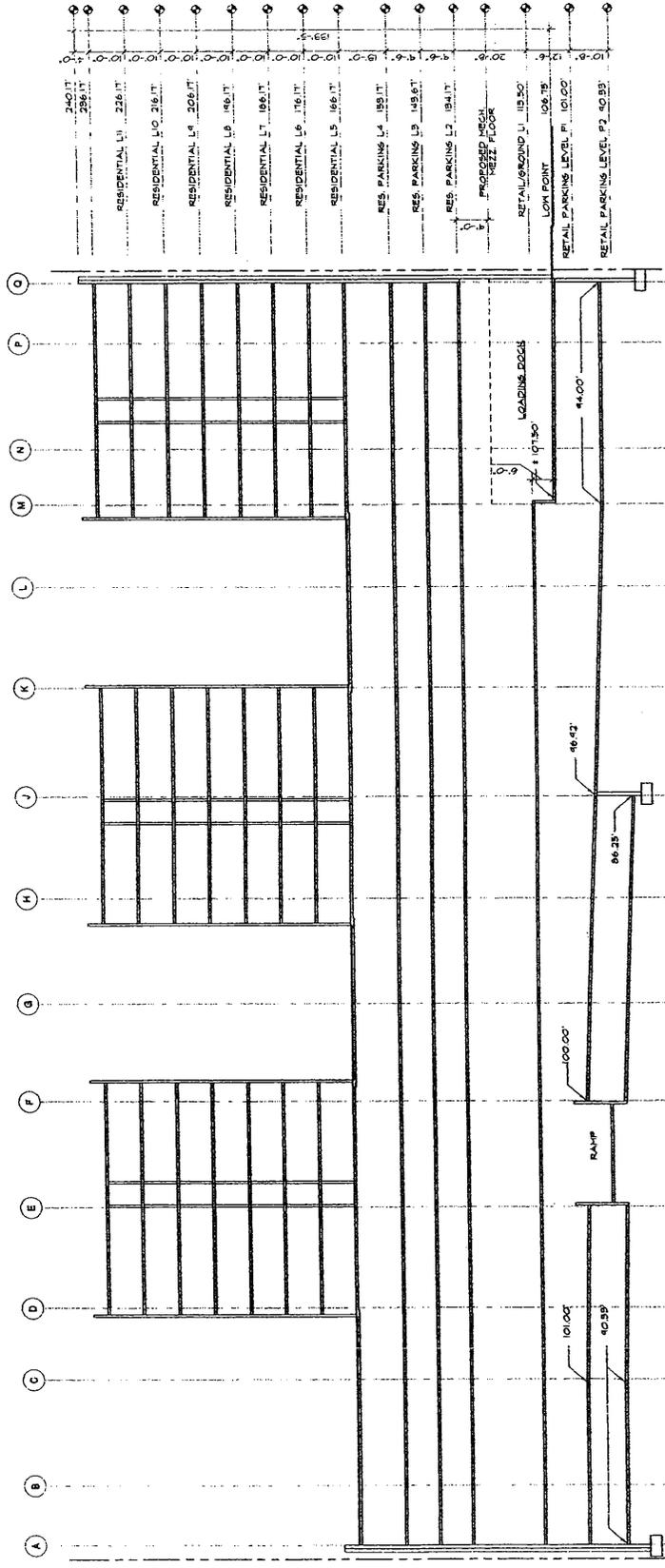
1540
HOLLYWOOD

NORTH VINE STREET

April 14, 2005 #2004-091

EXHIBIT E-6
SECTION
CPC-2006-3781-ZC-CUB-SPR

CA



SECTION BETWEEN 5 & 6
LOOKING NORTH

Building Section B
Scale: 1/8" = 1'-0"

1540
NORTH VINE STREET

HOLLYWOOD

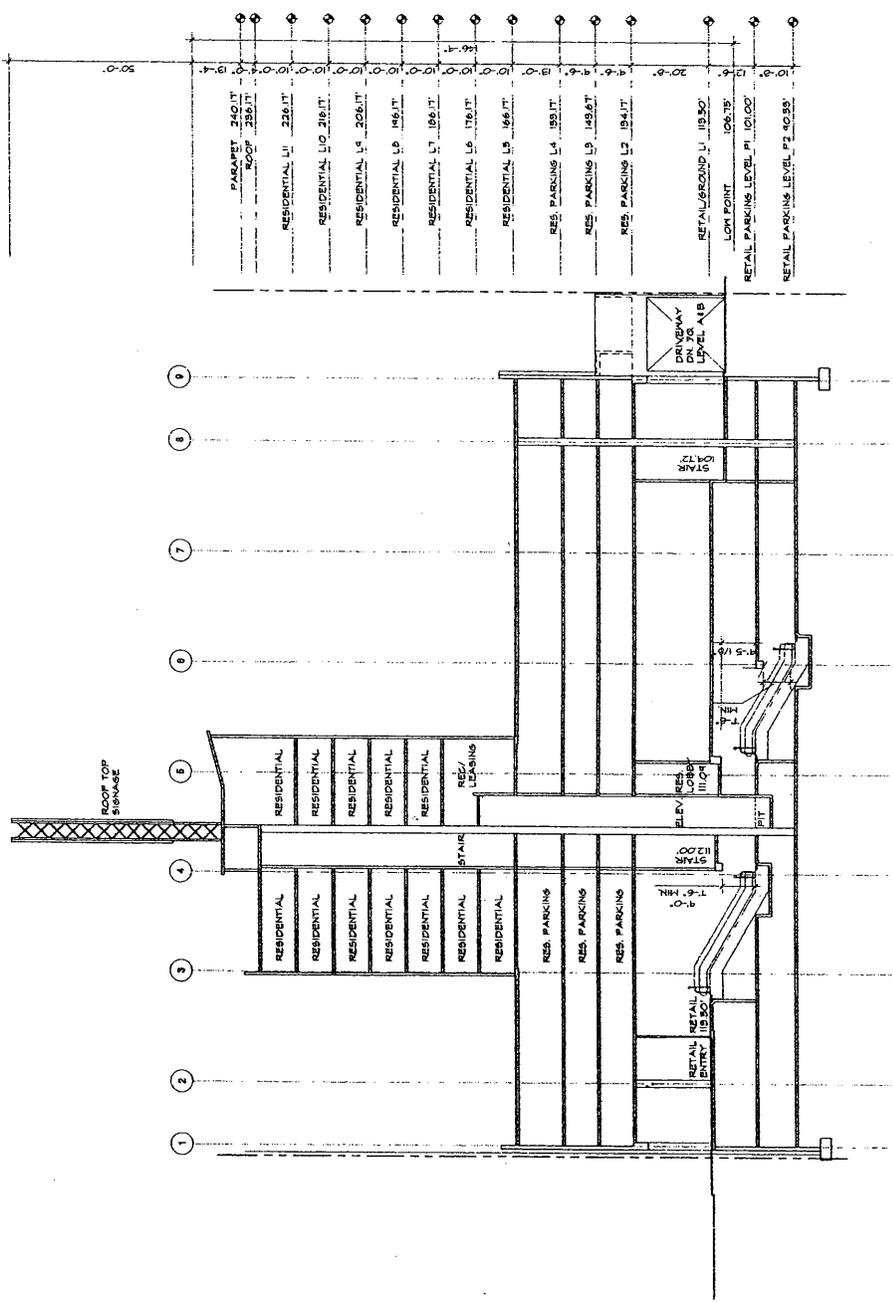
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SECTION
CPC-2006-3781-ZC-CUB-SPR

A3.0.2

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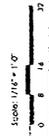
April 14, 2006 #2004-091

Cf



SECTION BETWEEN A & B
LOOKING EAST

Building Section C



A3.0.3

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1540
HOLLYWOOD
NORTH VINE STREET

April 14, 2006 #2004-091

EXHIBIT E-6
SECTION
CPC-2006-3781-ZC-CUB-SPR

CA

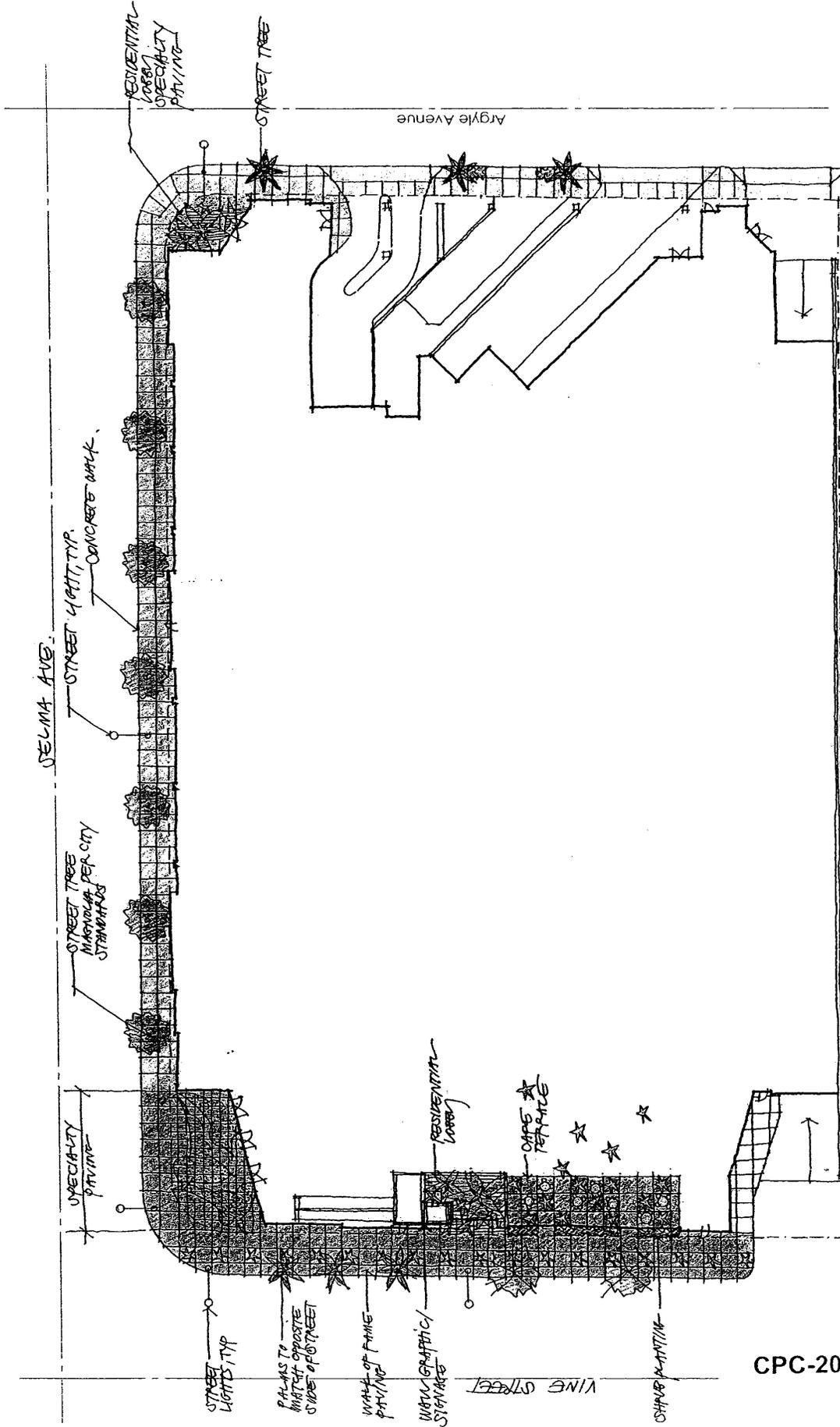


EXHIBIT E-7
 LANDSCAPE
 CPC-2006-3871-ZC-CUB-SPR

L1.0.1

Landscape Plan - Street Level



FRIS CLEMENT HAILE STUDIOS

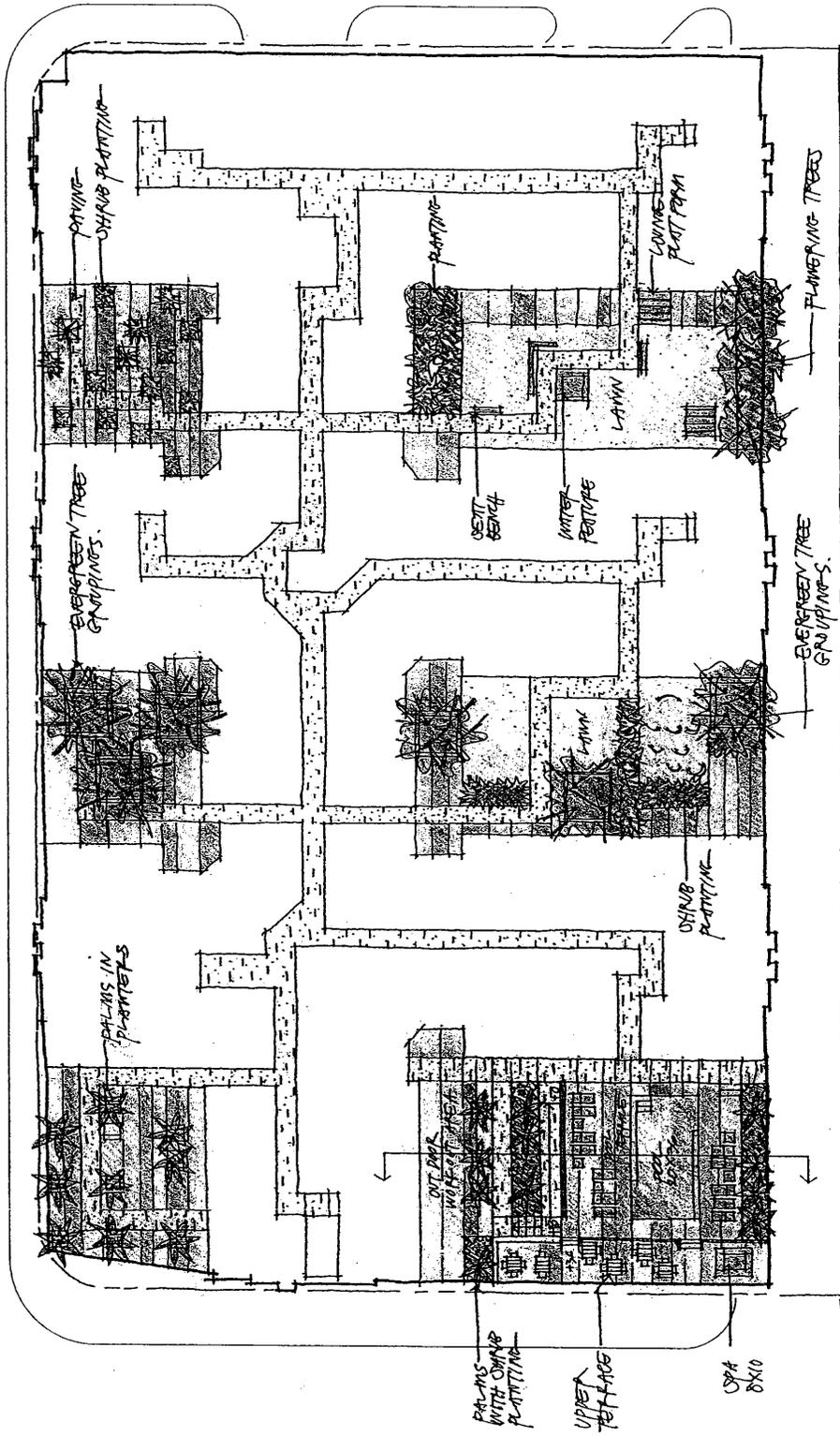
April 14, 2006 #2004.091

CAN

Selma Avenue

Argyle Avenue

Vine Street



L1.0.2

Landscape Plan - Courtyard Level. SCALE: 1/8" = 1'-0"

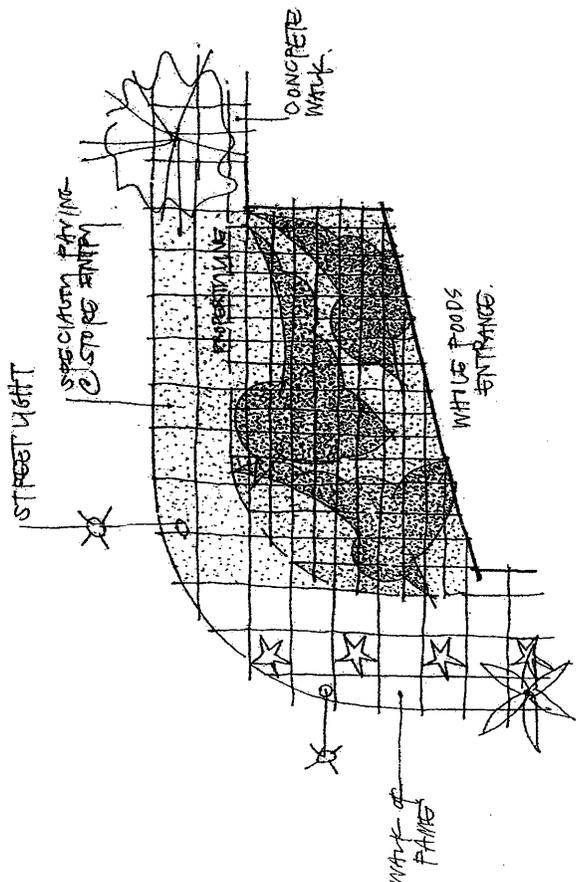


NORTH VINE STREET

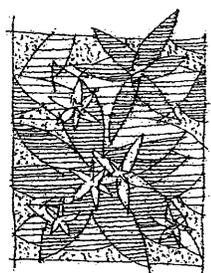
RIOS CLEMENTI HALE STUDIOS

April 14, 2006 #2004-091

EXHIBIT E-7
 LANDSCAPE
 CPC-2006-3871-ZC-CUB-SPR

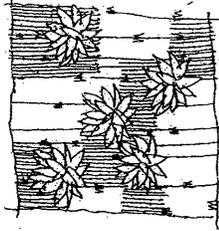


ACCENT PAVING @ WHOLE FOODS ENTRANCE

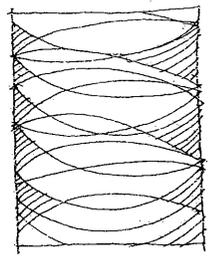


ARMY SICKLE

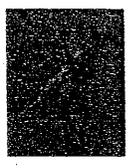
ACCENT PAVING - OPTIONS



ORANGE SPOTS
REMINISCENT OF



LEAF



ACCENT PAVING, PATTERN AND COLOR INSPIRATION

EXHIBIT E-7
LANDSCAPE
CPC-2006-3871-ZC-CUB-SPI

L1.0.4

Landscape Concepts

1540
NORTH VINE STREET

HOLLYWOOD

FRIS CLEMENTHALE STUDIOS
April 14, 2006 #2004-091

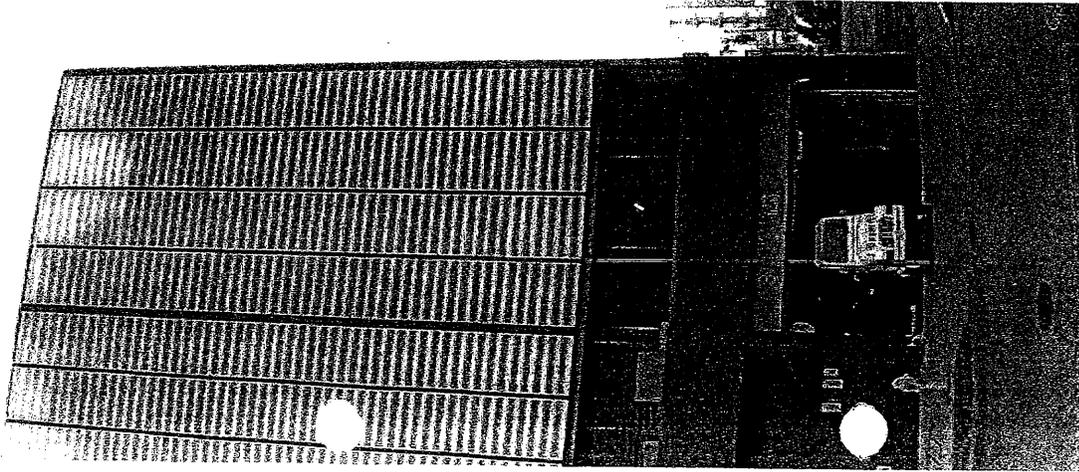
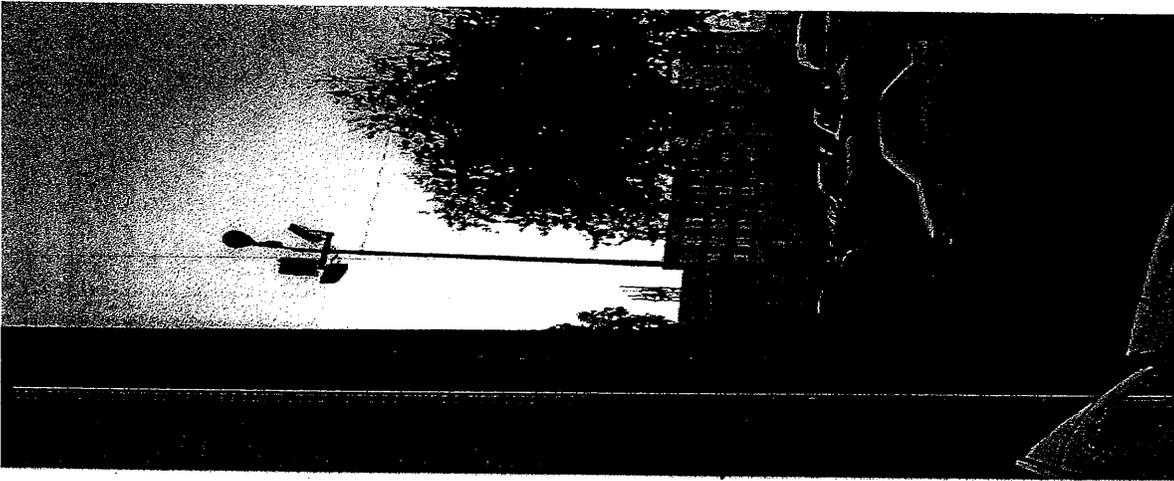
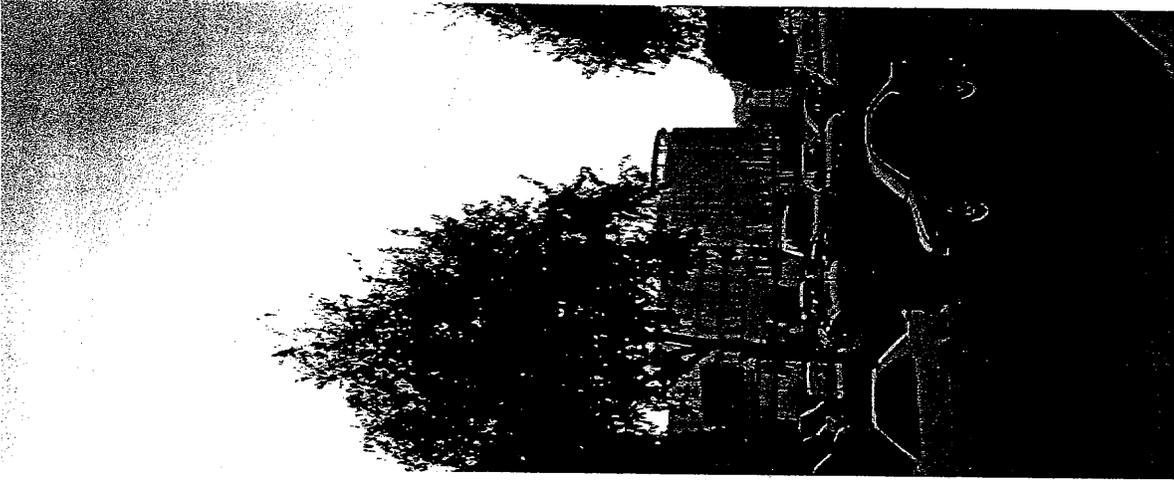


EXHIBIT E-8
PHOTO

CPC-2006-3871-ZC-CUB-SPR

PARTIAL ARGYLE AVENUE ELEVATION

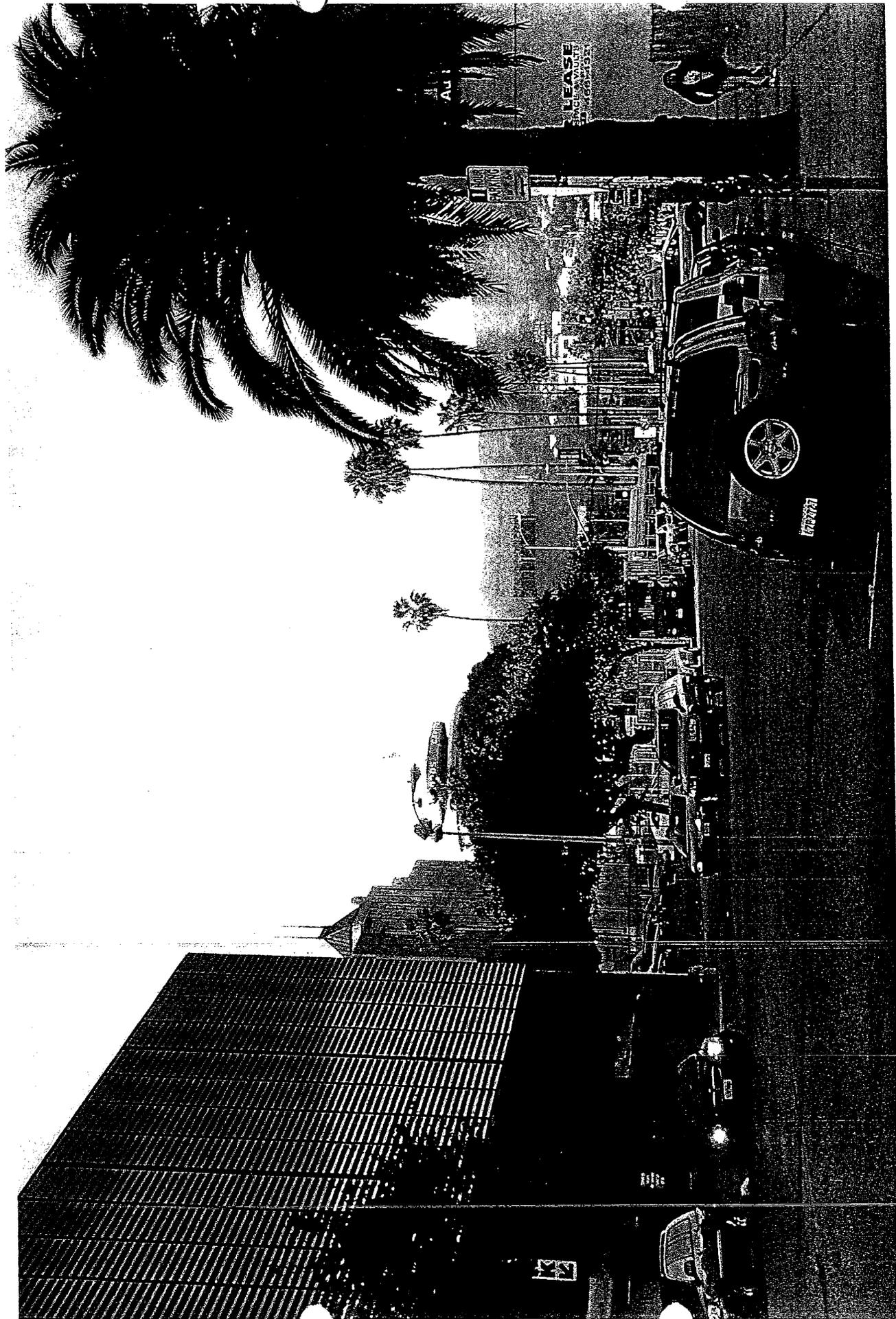


EXHIBIT E-8
PHOTO
CPC-2006-3871-ZC-CUB-SPR

LOOKING NORTH ON ARGYLE AVENUE

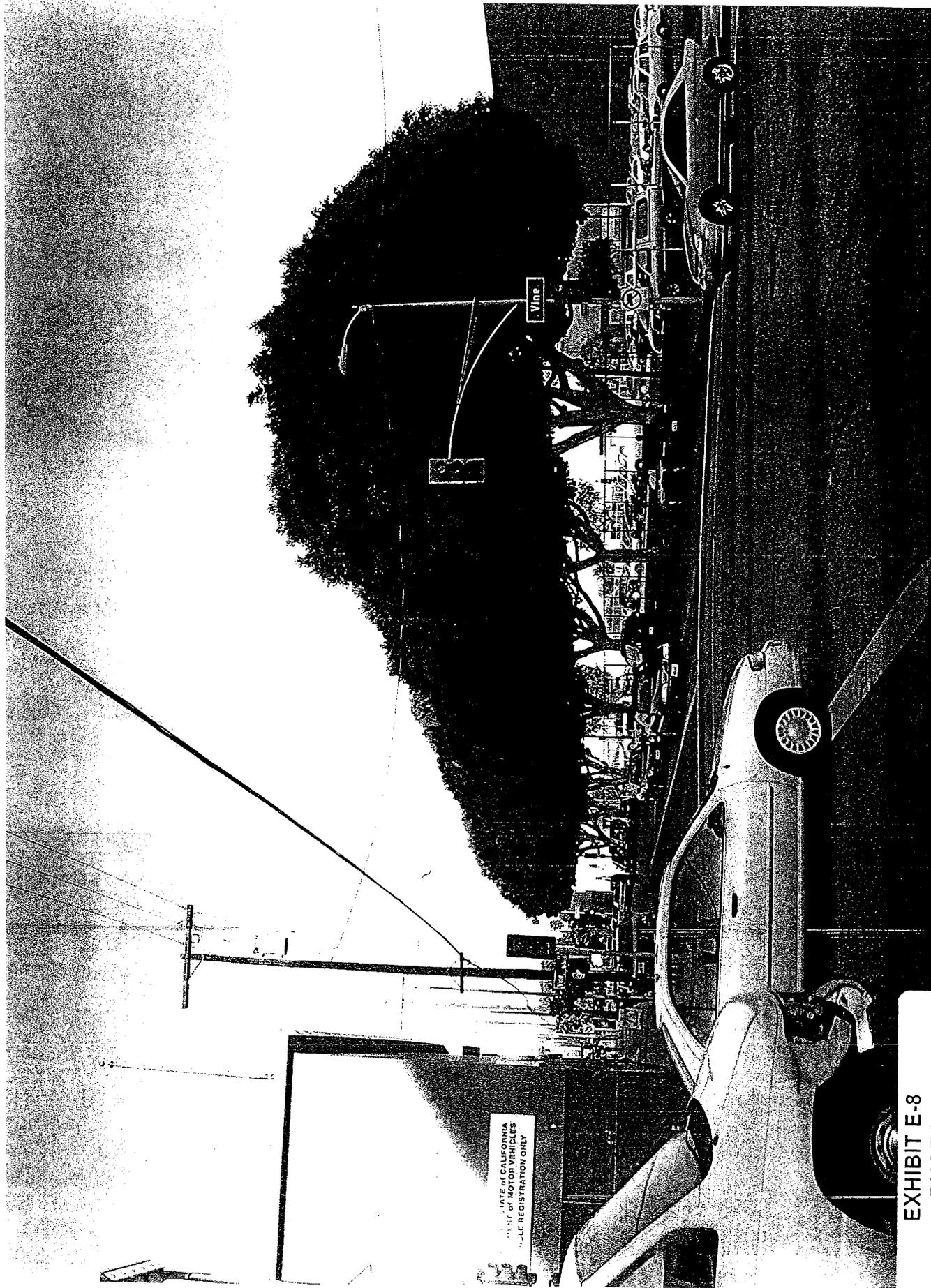
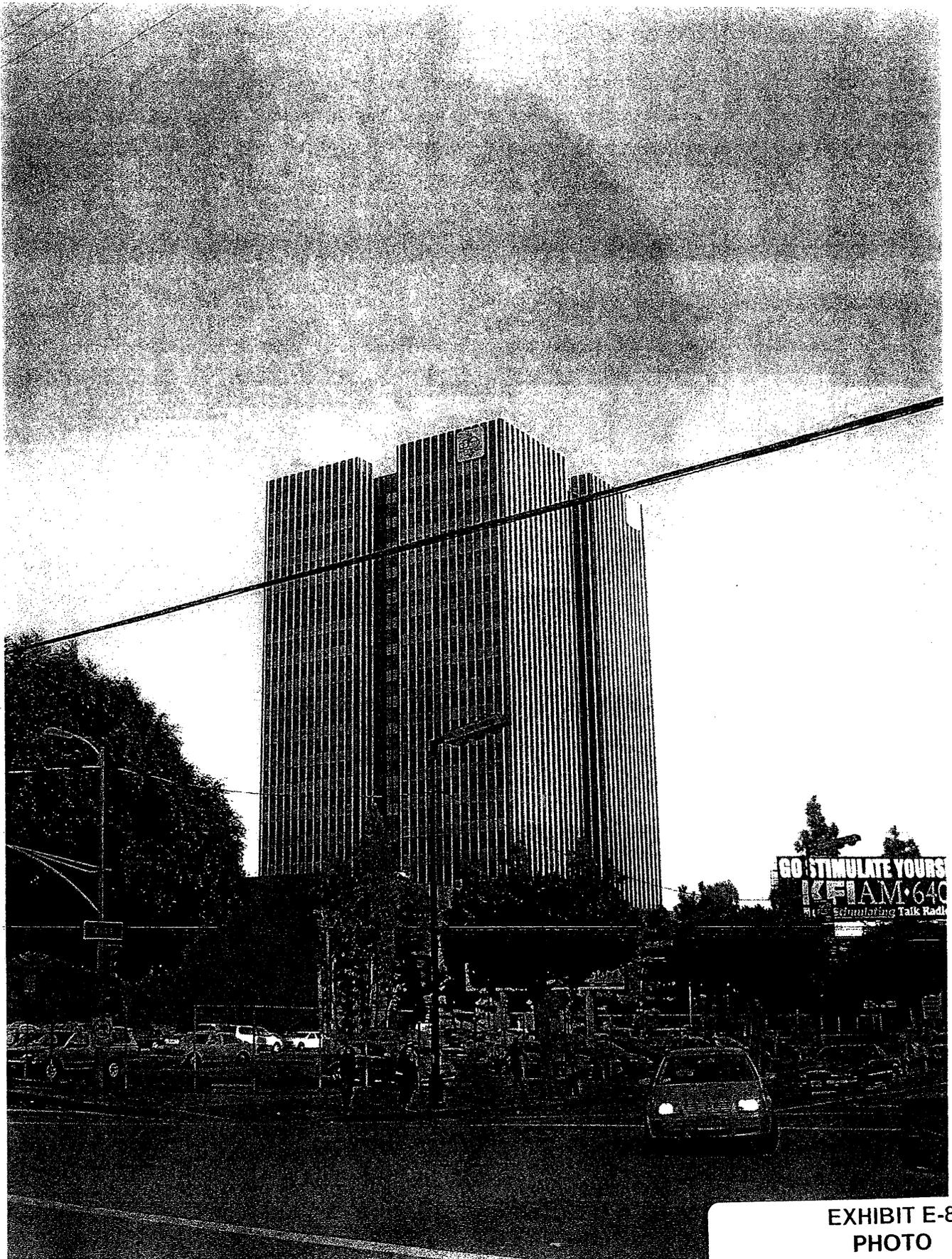


EXHIBIT E-8

PHOTO

CPC-2006-3871-ZC-CUB-SPR

CORNER OF VINE STREET AND SELMA AVENUE 2



CORNER OF VINE STREET AND SELMA AVE

EXHIBIT E-8
PHOTO
CPC-2006-3871-ZC-CUB-SP

CITY OF LOS ANGELES
 OFFICE OF THE CITY CLERK
 ROOM 395, CITY HALL
 LOS ANGELES, CALIFORNIA 90012
 CALIFORNIA ENVIRONMENTAL QUALITY ACT
PROPOSED MITIGATED NEGATIVE DECLARATION

LEAD CITY AGENCY LOS ANGELES CITY PLANNING DEPARTMENT	COUNCIL DISTRICT 13
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PROJECT TITLE ENV-2006-3872-MND	CASE NO. CPC-2006-3871-ZC-CUB-SPR
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PROJECT LOCATION
1540 N VINE STREET; HOLLYWOOD

PROJECT DESCRIPTION
 PROJECT INVOLVES A ZONE CHANGE TO REMOVE D LIMITATION CURRENTLY RESTRICTING THE SITE TO A 3:1 FLOOR AREA RATIO WITH A REQUEST FOR 4.5:1, SITE PLAN REVIEW FOR APPROXIMATELY 428,423 GROSS SQUARE-FEET OF FLOOR AREA (MIXED USE WITH MULTI-FAMILY AND COMMERCIAL-RETAIL) CONSISTING OF 306 APARTMENT UNITS AND A GROCERY FOOD MARKET WITH A HEIGHT OF 11 STORIES/145-FEET. THE APPLICATION ALSO INCLUDES A CONDITIONAL USE COMPONENT FOR SEVERAL TYPES OF ALCOHOLIC BEVERAGE CONTROL LICENSES CONSISTING OF WINE TASTING ASSOCIATED WITH A 36-SEAT SITTING SPACE, TWO PROPOSED DINING AREAS, A 50-SEAT ENCLOSED DINING AREA, AND A SIX-SEAT COUNTER AREA IDENTIFIED FOR SPECIFIC LOCATIONS THROUGHOUT THE DEVELOPMENT. THE PARCEL IS 85,729 SQUARE-FEET AND CURRENTLY ZONED C4-2D-SN/REGIONAL CENTER COMMERCIAL. THE PROJECT WILL RESULT IN THE REMOVAL OF TREES ON THE PUBLIC RIGHT-OF-WAY AND IS IDENTIFIED AS BEING IN FIRE DISTRICT NOS. 1 AND 2. AN ESTIMATED 52,541 CUBIC YARDS OF OFF-SITE HAULING IS ANTICIPATED.

NAME AND ADDRESS OF APPLICANT IF OTHER THAN CITY AGENCY
 RICK HOLCOMB - CAMDEN USA, INC.
 120 NEWPORT CENTER DRIVE, SUITE 160
 NEWPORT BEACH, CA 92660

FINDING:
 The City Planning Department of the City of Los Angeles has Proposed that a mitigated negative declaration be adopted for this project because the mitigation measure(s) outlined on the attached page(s) will reduce any potential significant adverse effects to a level of insignificance

(CONTINUED ON PAGE 2)

SEE ATTACHED SHEET(S) FOR ANY MITIGATION MEASURES IMPOSED.

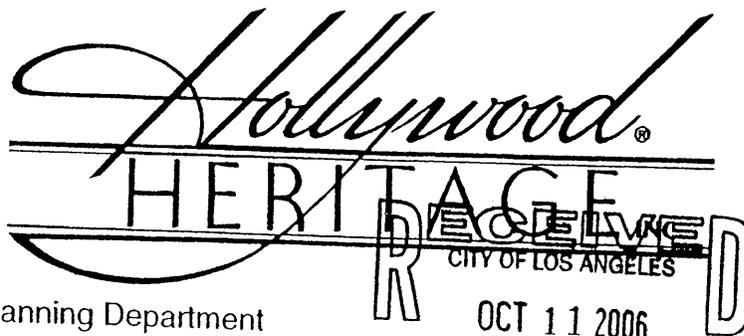
Any written comments received during the public review period are attached together with the response of the Lead City Agency. The project decision-maker may adopt the mitigated negative declaration, amend it, or require preparation of an EIR. Any changes made should be supported by substantial evidence in the record and appropriate findings made.

THE INITIAL STUDY PREPARED FOR THIS PROJECT IS ATTACHED.

NAME OF PERSON PREPARING THIS FORM	TITLE	TELEPHONE NUMBER
ALFREDO PEREZ	CITY PLANNING ASSISTANT	(213) 978-1353

ADDRESS	SIGNATURE (Official)	DATE
200 N. SPRING STREET, 7th FLOOR LOS ANGELES, CA. 90012		09/21/2006

EXHIBIT E-9
ENV 2006-3872 MND
CPC-2006-3871-ZC-CUB-SPR



Los Angeles City Planning Department
200 South Spring St.
Los Angeles, California 90013

OCT 11 2006

CITY PLANNING
DIVISION OF LAND

October 11, 2006

Re: Response to a Mitigated Negative Declaration (MND) for 1540 N. Vine Street, Hollywood, California. ENV2006-3872 MND Case #813-06-PL

The size and impact of the proposed project is far beyond that which would require an Environmental Impact Report (EIR) under CEQA. It also is unable to meet the required conditions of the 1986 and 2003 Hollywood Redevelopment Plans and their respective FEIRs.

To meet the conditions of CEQA, the 1986 and 2003 FEIRS were to rely on a number of required reports and essential information to make valid findings and conclusions. These were to have been done 2-3 years after the certification of the 1986 FEIR, but were never done (what work was performed on some was deemed unusable by the city and not adopted as such).

In the February 2003 FEIR are comments from Hollywood Heritage questioning when they would be done (comment Letter 13). The response (pages A-47 and 48) stated:

“The lead agency (ed. Note CRA) has included funding for preparation of this Plan (sic) in its work program for the current fiscal year and the following fiscal year. These plans are expected to be completed within this time frame.”

It is now over 2½ years since this was published and nothing has happened. To put this in perspective, one must look at the entire scenario. First, the reports, especially traffic and parking, should have been included in the 1986 FEIR. How can one evaluate an 1100 acre project in the middle of Los Angeles with several million square feet of proposed development over a 40 year period and not consider traffic and parking impacts and get a CEQA approval? There is absolutely no legal nor even fanciful way to have allowed this. But it was done with the conditional agreement to provide them at a later, agreed to, date 2-3 years later (depending on the report).

Then comes the 2003 FEIR and once again approval was asked for this document under CEQA and once again the required reports/sections are missing or unusable. This FEIR now states that the CRA has 5 years to prepare them from the 2003 amended Redevelopment Plan adoption.

But in the meantime, projects are proposed as coming under conditional approval of the 2003 (or earlier 1986) FEIR that is, admittedly incomplete, and can be so for another 5-years. How then can approval be granted, as through this MND, if no complete FEIR (especially concerning traffic and parking plans) exists?

The 2003 Hollywood Redevelopment Plan answers this, in the traffic and parking section, as follows:

“No application for any grading, foundation, demolition, building or any other kind of permit filed with the city shall be considered to conform with this Redevelopment Plan unless and until the requirements of this section are satisfied.” (page 37—emphasis added)

As no requirements yet exist, since the plans to create them have not been done, it is impossible to conform to the Redevelopment Plan as stated and as required. Therefore to issue an MND under the guise of utilizing the CRA 2003 FEIR is false and without basis. The only legal response to this under CEQA is to require the preparation of a full EIR to fully evaluate traffic and parking conditions both here and in their cumulative impacts. Again the 2003 FEIR referred to in the MND does not contain such information and is thereby unable to act as any type of supplementary document.

The compliance of the project with the CRA’s Hollywood Redevelopment Plan is not a condition of CEQA. It should be noted that until the traffic and parking studies are created and approved by the City Council, there is no way to comply with the Plan’s requirements, unless one intends to prove, beyond reasonable doubt, psychic abilities.

Hollywood Heritage performed its due diligence in the 2003 FEIR by our comment letter, as cited and responded to in the 2003 FEIR. By failing to prepare the required documents in time for the 1986 FEIR, by failing to prepare them as then allowed for in that document, by then failing to prepare them for the 2003 FEIR and by further failing to prepare them as per their response to the 2003 FEIR comment letter, one can only conclude bad faith on the parts of the CRA and the city.

Therefore, until all the conditions of the Redevelopment Plan and the FEIR have been met, project approvals cannot be allowed as meeting the conditions of the Plan. Furthermore, no project can meet the requirements of CEQA by an MND if an EIR would be required had the Redevelopment Project not existed.

In addition, before more parking lots in this area are developed, the CRA and the city must evaluate this MND/EIR on its impacts to historic buildings, at least those as designated as such by the 2003 FEIR. Most impacted are the numerous theaters within three blocks of this site, as almost all surface parking lots are now planned for existing development rights. These theaters have no permanent parking and have depended on surface lots since the 1920s. Removal of these lots constitutes a severe negative impact on these historic structures under CEQA.

This impact is a result of this project and the cumulative impacts from neighboring sites approved or targeted for development, often with reduced parking requirements which will only magnify these negative impacts. As the parking disappears for the area, the theaters will be (are) severely impacted in their ability to function, especially in their uniquely designed purpose, as theaters.

It is estimated that these theaters (Pantages, Montalban, Ivar, Avalon, Music Box) require about 2,500 parking spaces, and this parking demand can occur at the same time, making historic use impractical. These impacts from the proposed project are not in the MND and therefore the MND is deficient under CEQA.

Hollywood Heritage further demands that the CRA provide a detailed and factual accounting of the number of housing units approved or “in the pipeline” (as they refer to it) since and including 2002 (when the 2003 FEIR calculations were made). The 2003 FEIR project description includes a maximum of 3,000 housing units to be constructed within the project area as the basis for the

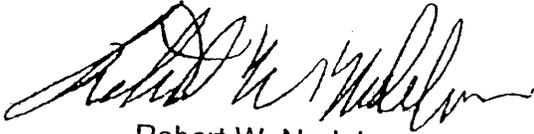
computation of the FEIR (pages II-10 and 11). It should be remembered that this housing cap goes to May 2026 (Page II-9).

As the 2003 FEIR and the Hollywood Redevelopment Plan are based on this key figure of 3,000 housing units, any figure above that has not been evaluated under CEQA. Additionally, any approval above 3,000 without amending the 2003 FEIR and the Hollywood Redevelopment Plan would invalidate the effectiveness, purpose, and legality of these documents as all calculations within them, especially the CEQA computations, are based on this figure. This is the basis for the FEIR's statistics, conclusions, and its ability to conform with CEQA.

Therefore it is of the utmost importance that the number of housing units built, approved, or in the pipeline be reviewed to determine if the 2003 FEIR maximum has been met or even exceeded. This is especially important as the CRA and others have announced figures as high as 7,000 housing units being built or in the pipeline. And that is in 2006, not 2026. Such figures invalidate the FEIR and its findings and conclusions under CEQA.

For the above reasons of fact, Hollywood Heritage demands that the MND be rejected and a full EIR be prepared as required for this project under CEQA.

Sincerely,



Robert W. Nudelman
Director of Preservation Issues
Hollywood Heritage

jc/RWN

I b2. Aesthetics (Landscaping)

Environmental impacts to the character and aesthetics of the neighborhood may result from project implementation. However, the potential impacts will be mitigated to a level of insignificance by the following measure:

- 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.

I b4. Aesthetics (Graffiti)

Environmental impacts may result from project implementation due to graffiti and accumulation of rubbish and debris along the wall(s) adjacent to public rights-of-way. However, this potential impact will be mitigated to a level of insignificance by the following measures:

- Every building, structure, or portion thereof, shall be maintained in a safe and sanitary condition and good repair, and free from graffiti, debris, rubbish, garbage, trash, overgrown vegetation or other similar material, pursuant to Municipal Code Section 91.8104.
- The exterior of all buildings and fences shall be free from graffiti when such graffiti is visible from a public street or alley, pursuant to Municipal Code Section 91,8104.15.

I b5. Aesthetics (Signage)

Environmental impacts may result from project implementation due to on-site signage in excess of that allowed under the Los Angeles Municipal Code Section 91.6205. However, the potential impact will be mitigated to a level of insignificance by the following measures:

- On-site signs shall be limited to the maximum allowable under the Code.
- Multiple temporary signs in the store windows and along the building walls are not permitted.

I c1. Aesthetics (Light)

Environmental impacts to the adjacent residential properties may result due to excessive illumination on the project site. However, the potential impacts will be mitigated to a level of insignificance by the following measure:

- Outdoor lighting shall be designed and installed with shielding, so that the light source cannot be seen from adjacent residential properties.

I c2. Aesthetics (Glare)

Environmental impacts to adjacent residential properties may result from glare from the proposed project. However, the potential impacts will be mitigated to a level of insignificance by the following measure:

- The exterior of the proposed building shall be constructed of materials such as high-performance tinted non-reflective glass and pre-cast concrete or fabricated wall surfaces.

III d1. Air Pollution (Stationary)

Adverse impacts upon future occupants may result from the project implementation due to existing ambient air pollution levels in the project vicinity. However, this impact can be mitigated to a level of insignificance by the following measure:

- COMMERCIAL/INSTITUTIONAL - The applicant shall install air filters capable of achieving a Minimum Efficiency Rating Value (MERV) of at least 11 or better in order to reduce the effects of diminished air quality on the occupants of the project.

IV f. Tree Removal (Non-Protected Trees)

Environmental impacts from project implementation may result due to the loss of significant trees on the site. However, the potential impacts will be mitigated to a level of insignificance by the following measures:

- The genus or genera of the tree(s) shall provide a minimum crown of 30'- 50'. Please refer to City of Los Angeles Landscape Ordinance (Ord. No.170,978), Guidelines K - Vehicular Use Areas.
- Note: Removal of all trees in the public right-of-way shall require approval of the Board of Public Works. Contact: Urban Forestry Division at: 213-485-5675.

V b. Cultural Resources (Archaeological)

Environmental impacts may result from project implementation due to the project's location in an area likely to yield unrecorded archaeological sites. However, the potential impacts will be mitigated to a level of insignificance by the following measures:

- If any archaeological materials are encountered during the course of the project development, the project shall be halted. The services of an archaeologist shall be secured by contacting the Center for Public Archaeology - Cal State University Fullerton, or a member of the Society of Professional Archaeologist (SOPA) or a SOPA-qualified archaeologist to assess the resources and evaluate the impact.

- Copies of the archaeological survey, study or report shall be submitted to the UCLA Archaeological Information Center.
- A covenant and agreement shall be recorded prior to obtaining a grading permit.

V c. Cultural Resources (Paleontological)

Environmental impacts may result from project implementation due to the project's location in an area likely to yield unrecorded paleontological sites. However, the potential impacts will be mitigated to a level of insignificance by the following measures:

- If any paleontological materials are encountered during the course of the project development, the project shall be halted.
- The services of a paleontologist shall be secured by contacting the Center for Public Paleontology - USC, UCLA, Cal State Los Angeles, Cal State Long Beach, or the Los Angeles County Natural History Museum to assess the resources and evaluate the impact.
- Copies of the paleontological survey, study or report shall be submitted to the Los Angeles County Natural History Museum.
- A covenant and agreement shall be recorded prior to obtaining a grading permit.

VI aii. Seismic

Environmental impacts may result to the safety of future occupants due to the project's location in an area of potential seismic activity. However, this potential impact will be mitigated to a level of insignificance by the following measure:

- The design and construction of the project shall conform to the Uniform Building Code seismic standards as approved by the Department of Building and Safety.

VI b2. Erosion/Grading/Short-Term Construction Impacts

Short-term air quality and noise impacts may result from the construction of the proposed project. However, these impacts can be mitigated to a level of insignificance by the following measures:

- **Air Quality**
- All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50 percent.
- The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by construction and hauling, and at all times provide reasonable control of dust caused by wind.
- All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- All clearing, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
- General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
- **Noise**
- The project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
- Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.
- Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously.
- The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- The project sponsor shall comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment.
- **General Construction**
- Sediment carries with it other work-site pollutants such as pesticides, cleaning solvents, cement wash, asphalt, and car fluids that are toxic to sea life.

- All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, wood, and vegetation. Non recyclable materials/wastes shall be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.
- Leaks, drips and spills shall be cleaned up immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- Pavement shall not be hosed down at material spills. Dry cleanup methods shall be used whenever possible.
- Dumpsters shall be covered and maintained. Uncovered dumpsters shall be placed under a roof or be covered with tarps or plastic sheeting.
- Gravel approaches shall be used where truck traffic is frequent to reduce soil compaction and the tracking of sediment into streets shall be limited.
- All vehicle/equipment maintenance, repair, and washing shall be conducted away from storm drains. All major repairs shall be conducted off-site. Drip pans or drop clothes shall be used to catch drips and spills.

VIII c3. Commercial & Industrial Development (Lot Size 100,000 sf)

Environmental impacts may result from the release of toxins into the stormwater drainage channels during the routine operation of commercial development projects. However, the potential impacts will be mitigated to a level of insignificance by incorporating stormwater pollution control measures. Ordinance No. 172,176 and Ordinance No. 173,494 specify Stormwater and Urban Runoff Pollution Control which requires the application of Best Management Practices (BMPs). Chapter IX, Division 70 of the Los Angeles Municipal Code addresses grading, excavations, and fills. Applicants must meet the requirements of the Standard Urban Stormwater Mitigation Plan (SUSMP) approved by Los Angeles Regional Water Quality Control Board, including the following: (A copy of the SUSMP can be downloaded at: <http://www.swrcb.ca.gov/rwqcb4/>).

- Project applicants are required to implement stormwater BMPs to retain or treat the runoff from a storm event producing 3/4 inch of rainfall in a 24 hour period. The design of structural BMPs shall be in accordance with the Development Best Management Practices Handbook Part B Planning Activities. A signed certificate from a California licensed civil engineer or licensed architect that the proposed BMPs meet this numerical threshold standard is required.
- Post development peak stormwater runoff discharge rates shall not exceed the estimated pre-development rates for developments where the increase peak stormwater discharge rate will result in increased potential for downstream erosion.
- Concentrate or cluster development on portions of a site while leaving the remaining land in a natural undisturbed condition.
- Limit clearing and grading of native vegetation at the project site to the minimum needed to build lots, allow access, and provide fire protection.
- Maximize trees and other vegetation at each site by planting additional vegetation, clustering tree areas, and promoting the use of native and/or drought tolerant plants.
- Reduce impervious surface area by using permeable pavement materials where appropriate, including: pervious concrete/asphalt; unit pavers, i.e. turf block; and granular materials, i.e. crushed aggregates, cobbles.
- Promote natural vegetation by using parking lot islands and other landscaped areas.
- Preserve riparian areas and wetlands.
- Cover loading dock areas or design drainage to minimize run-on and run-off of stormwater.
- Direct connections to storm drains from depressed loading docks (truck wells) are prohibited.
- Repair/maintenance bays must be indoors or designed in such a way that doesn't allow stormwater run-on or contact with stormwater runoff.
- Design repair/maintenance bay drainage system to capture all washwater, leaks and spills. Connect drains to a standard sump for collection and disposal. Direct connection of the repair/maintenance bays to the storm drain system is prohibited. If required, obtain an Industrial Waste Discharge Permit.
- Vehicle/equipment wash areas must be self-contained and/or covered, equipped with a clarifier, or other pretreatment facility, and properly connected to the sanitary sewer.
- Any connection to the sanitary sewer must have authorization from the Bureau of Sanitation.
- The following activities are to be conducted under proper cover with drain routed to the sanitary sewer.
- Storage of industrial wastes
- Handling or storage of hazardous wastes

MITIGATED NEGATIVE DECLARATION

ENV-2006-3872-MND

- Metal fabrication or Pre-cast concrete fabrication
- Welding, Cutting or Assembly
- Painting, Coating or Finishing
- Store above ground liquid storage tanks (drums and dumpsters) in areas with impervious surfaces in order to contain leaks and spills. Install a secondary containment system such as berms, dikes, liners, vaults, and double-wall tanks. Where used oil or dangerous waste is stored, a dead-end sump should be installed in the drain.
- Toxic wastes must be discarded at a licensed regulated disposal site. Store trash dumpsters either under cover and with drains routed to the sanitary sewer or use non-leaking and water-tight dumpsters with lids. Use drip pans or absorbent materials whenever grease containers are emptied. Wash containers in an area with properly connected sanitary sewer.
- Reduce and recycle wastes, including: paper; glass; aluminum; oil; and grease.
- Reduce the use of hazardous materials and waste by: using detergent-based or water-based cleaning systems; and avoid chlorinated compounds, petroleum distillates, phenols, and formaldehyde.
- Convey runoff safely from the tops of slopes and stabilize disturbed slopes.
- Utilize natural drainage systems to the maximum extent practicable.
- Control or reduce or eliminate flow to natural drainage systems to the maximum extent practicable.
- Stabilize permanent channel crossings.
- Protect slopes and channels and reduce run-off velocities by complying with Chapter IX, Division 70 of the Los Angeles Municipal Code and utilizing vegetation (grass, shrubs, vines, ground covers, and trees) to provide long-term stabilization of soil.
- Cleaning of vehicles and equipment to be performed within designated covered or bermed wash area paved with Portland concrete, sloped for wash water collection, and with a pretreatment facility for wash water before discharging to properly connected sanitary sewer with a CPI type oil/water separator. The separator unit must be: designed to handle the quantity of flows; removed for cleaning on a regular basis (at least twice a year) to remove any solids; and the oil absorbent pads must be replaced regularly, once in fall just before the wet season, and in accordance with manufacturer' specifications.
- All storm drain inlets and catch basins within the project area must be stenciled with prohibitive language (such as NO DUMPING - DRAINS TO OCEAN) and/or graphical icons to discourage illegal dumping.
- Signs and prohibitive language and/or graphical icons, which prohibit illegal dumping, must be posted at public access points along channels and creeks within the project area.
- Legibility of stencils and signs must be maintained.
- Materials with the potential to contaminate stormwater must be: (1) placed in an enclosure such as, but not limited to, a cabinet, shed, or similar stormwater conveyance system; or (2) protected by secondary containment structures such as berms, dikes, or curbs.
- The storage area must be paved and sufficiently impervious to contain leaks and spills.
- The storage area must have a roof or awning to minimize collection of stormwater within the secondary containment area.
- The owner(s) of the property will prepare and execute a covenant and agreement (Planning Department General form CP-6770) satisfactory to the Planning Department binding the owners to post construction maintenance on the structural BMPs in accordance with the Standard Urban Stormwater Mitigation Plan and or per manufacturer's instructions.

VIII c4. Food Service Industry (Restaurants, Bakeries, Food Processors)

Environmental impacts may result from the release of toxins into the stormwater drainage channels during the routine operation of restaurants, bakeries, and food producers. However, the potential impacts will be mitigated to a level of insignificance by incorporating stormwater pollution control measures. Ordinance No. 172,176 and Ordinance No. 173,494 specify Stormwater and Urban Runoff Pollution Control which requires the application of Best Management Practices (BMPs). Chapter IX, Division 70 of the Los Angeles Municipal Code addresses grading, excavations, and fills. Applicants must meet the requirements of the Standard Urban Stormwater Mitigation Plan (SUSMP) approved by Los Angeles Regional Water Quality Control Board, including the following: (A copy of the SUSMP can be downloaded at: <http://www.swrcb.ca.gov/rwqcb4/>).

- Project applicants are required to implement stormwater BMPs to retain or treat the runoff from a storm event producing 3/4 inch of rainfall in a 24 hour period. The design of structural BMPs shall be in accordance with the Development Best Management Practices Handbook Part B Planning Activities. A signed certificate from a California licensed civil engineer or licensed architect that the proposed BMPs meet this numerical threshold standard is required.
- Post development peak stormwater runoff discharge rates shall not exceed the estimated pre-development rate for developments where the increase peak stormwater discharge rate will result in increased potential for downstream erosion.
- Concentrate or cluster development on portions of a site while leaving the remaining land in a natural undisturbed condition.
- Maximize trees and other vegetation at each site by planning additional vegetation, clustering tree areas, and promoting the use of native and/or drought tolerant plants.
- Promote natural vegetation by using parking lot islands and other landscaped areas.
- Any connection to the sanitary sewer must have authorization from the Bureau of Sanitation.
- Cleaning of oily vents and equipment to be performed within designated covered area, sloped for wash water collection, and with a pretreatment facility for wash water before discharging to properly connected sanitary sewer with a CPI type oil/water separator. The separator unit must be: designed to handle the quantity of flows; removed for cleaning on a regular basis to remove any solids; and the oil absorbent pads must be replaced regularly according to manufacturer's specifications.
- Store trash dumpsters either under cover and with drains routed to the sanitary sewer or use non-leaking and water tight dumpsters with lids. Wash containers in an area with properly connected sanitary sewer.
- Reduce and recycle wastes, including oil and grease.
- Store liquid storage tanks (drums and dumpsters) in designated paved areas with impervious surfaces in order to contain leaks and spills. Install a secondary containment system such as berms, curbs, or dikes. Use drip pans or absorbent materials whenever grease containers are emptied.
- All storm drain inlets and catch basins within the project area must be stenciled with prohibitive language (such as NO DUMPING - DRAINS TO OCEAN) and/or graphical icons to discourage illegal dumping.
- Signs and prohibitive language and/or graphical icons, which prohibit illegal dumping, must be posted at public access points along channels and creeks within the project area.
- Legibility of stencils and signs must be maintained.
- Materials with the potential to contaminate stormwater must be: (1) placed in an enclosure such as, but not limited to, a cabinet, shed, or similar stormwater conveyance system; or (2) protected by secondary containment structures such as berms, dikes, or curbs.
- The owner(s) of the property will prepare and execute a covenant and agreement (Planning Department General form CP-6770) satisfactory to the Planning Department binding the owners to post construction maintenance on the structural BMPs in accordance with the Standard Urban Stormwater Mitigation Plan and or per manufacturer's instructions.
- Prescriptive Methods detailing BMPs specific to the "Restaurant" project category are available. Applicants are encouraged to incorporate the prescriptive methods into the design plans. These Prescriptive Methods can be obtained at the Public Counter or downloaded from the City's website at www.lastormwater.org. (See Exhibit A).

XI a2. Increased Noise Levels (Parking Structure Ramps)

Environmental impacts may result from project implementation due to noise from cars using the parking ramp. However, the potential impacts will be mitigated to a level of insignificance by the following measures:

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

XIII a. Public Services (Fire)

Environmental impacts may result from project implementation due to the location of the project in an area having marginal fire protection facilities. However, this potential impact will be mitigated to a level of insignificance by the following measure:

- The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.

EXHIBIT A

CITY OF LOS ANGELES – STORMWATER PROGRAM Prescriptive Method Standard Urban Stormwater Mitigation Plan

RESTAURANTS

OBJECTIVE

The prescriptive method described in this bulletin meets the minimum requirements of the Standard Urban Stormwater Mitigation Plan (SUSMP) for a "stand alone" restaurant (SIC Code 5812 – Eating Places). As a prescriptive method, all requirements specified herein shall be incorporated into the approved development plan. Should an alternate method of compliance or an alternate product/manufacturer be used, the applicant shall prepare a site-specific plan indicating the alternate and its details. Such plan must be submitted for review and approval.

REQUIREMENTS

Equipment/Accessory Wash Area

- For indoor wash area, provisions shall be made to properly connect to a sanitary sewer. For sewer connection, obtain Industrial Waste Discharge permit from Department of Public Works - Bureau of Sanitation – Industrial Waste Management Division.
- For outdoor wash area, area shall be bermed (berm height shall be ½ inch), equipped with a grease trap and rain diversion system, and connected to the sanitary sewer. A plumbing permit from Department of Building and Safety will be required for grease trap. IWD permit will be required from the Bureau of Sanitation – Industrial Waste Management Division for sewer connection. Refer to Appendix F of the *Development Planning Handbook* for the rain diversion system description.

Outdoor Material Storage Area (If Included)

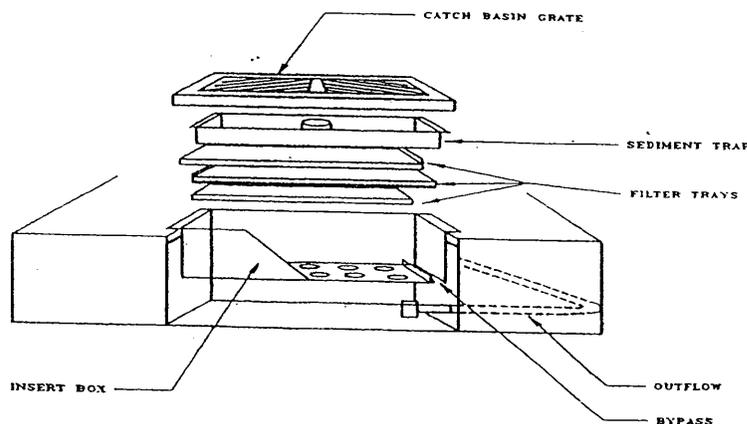
- Must be placed in an enclosure or bermed (secondary containment). The berm height shall be ½ inch.
- Must be paved to contain leaks and spills.

Trash Storage Area (If Included)

- Must be screened or walled to prevent off-site transport of trash.

FIGURE 1

Example Catch Basin Insert



CATCH BASIN INSERT

XIII c1. Public Services (Schools)

Environmental impacts may result from project implementation due to the location of the project in an area with insufficient school capacity. However, the potential impact will be mitigated to a level of insignificance by the following measure:

- The applicant shall pay school fees to the Los Angeles Unified School District to offset the impact of additional student enrollment at schools serving the project area.

XIII e. Public Services (Street Improvements Not Required By DOT)

Environmental impacts may result from project implementation due to the deterioration of street quality from increased traffic generation. However, the potential impact will be mitigated to a level of insignificance by the following measure:

- The project shall comply with the Bureau of Engineering's requirements for street dedications and improvements that will reduce traffic impacts in direct portion to those caused by the proposed project's implementation.

XIV a. Recreation (Increase Demand For Parks Or Recreational Facilities)

Environmental impacts may result from project implementation due to insufficient parks and/or recreational facilities. However, the potential impact will be mitigated by the following measure:

- Per Section 17. 12-A of the LA Municipal Code, the applicant shall pay the applicable Quimby fees for the construction of condominiums, or Recreation and Park fees for construction of apartment buildings.

XV d. Safety Hazards

Environmental impacts may result from project implementation due to hazards to safety from design features (e.g., sharp curves or dangerous intersections) or incompatible uses. However, the potential impacts can be mitigated to a level of insignificance by the following measure:

- The applicant shall submit a parking and driveway plan that incorporates design features that reduce accidents, to the Bureau of Engineering and the Department of Transportation for approval.

XV e. Inadequate Emergency Access

Environmental impacts may result from project implementation due to inadequate emergency access. However, these impacts can be mitigated to a level of insignificance by the following measure:

- The applicant shall submit a parking and driveway plan to the Bureau of Engineering and the Department of Transportation for approval that provides code-required emergency access.

XVI f. Utilities (Solid Waste)

Environmental impacts may result from project implementation due to the creation of additional solid waste. However, this potential impact will be mitigated to a level of insignificance by the following measure:

- Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.

XVII d. End

The conditions outlined in this proposed mitigated negative declaration which are not already required by law shall be required as condition(s) of approval by the decision-making body except as noted on the face page of this document.

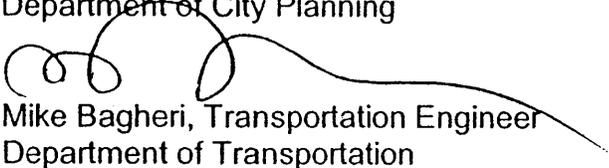
- Therefore, it is concluded that no significant impacts are apparent which might result from this project's implementation.

CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE

1540 N Vine St
DOT Case No. CEN 06-3058

Date: August 7, 2006

To: Hadar Plafkin, City Planner
Department of City Planning

From: 
Mike Bagheri, Transportation Engineer
Department of Transportation

Subject: **TRAFFIC IMPACT ANALYSIS FOR THE PROPOSED SELMA AND VINE
MIXED-USE PROJECT LOCATED AT 1540 NORTH VINE STREET (ENV-
2006-3872-EAF)**

The Los Angeles Department of Transportation (LADOT) has reviewed the traffic impact analysis proposed residential/retail mixed-use project, dated March 2006, prepared by traffic consultant Kaku Associates, Inc. The project is located on the southeast corner of Selma Avenue and Vine Street at 1540 North Vine Street within the Hollywood Redevelopment Project Area. The study analyzed nineteen intersections and determined that four of the study intersections would be significantly impacted by project related traffic (Attachment 1). With the traffic mitigations described herein, project related traffic impacts are expected to be reduced to a level of insignificance at four intersections. Except as noted, the study adequately evaluated the project-related traffic impacts on the surrounding community.

DISCUSSION AND FINDINGS

Project Description

The proposed project consists of approximately 306 residential apartment units and 67,500 square feet of ground floor retail use for a Whole Foods Market (Attachment 2). The project will provide a total of 790 parking spaces: 540 parking spaces for the apartments on three above-ground levels and 250 parking spaces on two subterranean levels for the retail use. A full-access driveway for residents will be provided on Argyle Avenue just south off Selma Avenue. Retail driveways will be located near the southerly property line off of Vine Street and Argyle Avenue. The driveway on Vine Street will be right-turn in/right-turn out only and the driveway on Argyle Avenue will be full access. A retail loading dock will be located between the residential and retail driveways on Argyle Avenue. The project is expected to be complete by 2010.

Trip Generation

The project will result in a net increase of approximately 3,049 daily trips with 136 trips in the AM peak hour and 294 trips in the PM peak hour (Attachment 3).

Significant Traffic Impact Locations

Per the DOT Traffic Study Policies and Procedures Revised March 2002, a significant impact is identified as an increase in the Critical Movement Analysis (CMA) value, due to project-related traffic, of 0.010 or more when the final ("with project") Level of Service (LOS) is LOS E or F; an increase of 0.020 or more when the final LOS is LOS D; or an increase of 0.040 or more when the final LOS is LOS C. The proposed project will experience significant traffic impacts at the following locations:

1. Vine Street and Hollywood Boulevard
2. Vine Street and Sunset Boulevard
3. Argyle Avenue and Sunset Boulevard
4. Gower Street and Sunset Boulevard

PROJECT REQUIREMENTS

A. Vine Street and Hollywood Boulevard Vine Street and Sunset Boulevard Argyle Avenue and Sunset Boulevard Gower Street and Sunset Boulevard

The project proposes to construct a proportionate share of the Hollywood ATCS and fund a proportionate share of the ATCS operation upgrade cost for installations/modifications of the existing traffic signals to mitigate the impact at the intersections above. This is acceptable to DOT. The proposed improvement will mitigate the impact to a level of insignificance. The Hollywood ATCS subsystem shall be implemented as described in Attachment 4.

B. Argyle Avenue Improvements

The proposed plan for the loading area of the retail development on Argyle Avenue will result in delivery trucks backing into the loading docks (Attachment 5). To minimize the resulting traffic impact, the following improvements have been proposed:

- Widen the west side of Argyle Avenue by 2 feet, from the existing 46-foot to the 48-foot roadway width and construct at minimum a 10-foot sidewalk along the project frontage for approximately 230 feet,
- Restripe Argyle Avenue to provide for a 19-foot southbound curb lane and an 11-foot painted median/reservoir area allowing truck alignment prior to backing-into the loading area,

- All delivery trucks shall travel southbound on Argyle Avenue to access the loading area,
- Deliveries shall be restricted to off-peak hours only,
- A dock manager and flagger person shall assist delivery vehicles accessing the loading docks.

The above proposed improvements are acceptable to LADOT. Conceptual plans for the proposed widening on Argyle have received preliminary approval from LADOT Design group (Attachment 6).

C. Construction Impacts

A construction work site traffic control plan should be submitted to LADOT's Hollywood-Wilshire District Office for review and approval prior to the start of any construction work. The plan should show the location of any roadway or sidewalk closures, traffic detours, haul routes, hours of operation, protective devices, warning signs and access to abutting properties. LADOT also recommends that all construction related traffic be restricted to off-peak hours.

D. Highway Dedication and Street Widening Requirements

Vine Street is classified as a Class II Major Highway, which requires a 40-foot half-width roadway on a 52-foot half-width right-of-way.

Argyle Avenue is classified as a Local Street, which requires a 20-foot half-width roadway on a 30-foot half-width right-of-way. The developer has agreed to widen the west side of Argyle Avenue beyond street standards to accommodate the loading area.

Selma Avenue is also classified as a Local Street.

E. Project Improvements Implementation

Unless otherwise specified, the proposed improvements shall be implemented through the BOE B-Permit process. Construction of the improvements to the satisfaction of LADOT and BOE must be completed before issuance of any certificate of occupancy. Should any improvement not receive required approval, the City may substitute an alternative measure of any equivalent cost and effectiveness. Prior to setting the bond amount, BOE shall require that the developer's engineer or contractor contact LADOT's B-Permit Coordinator, telephone 213-928-9663, to arrange a pre-design meeting to finalize the proposed design needed for the project.

F. Parking Requirements

The project proposes to provide a total of 790 parking spaces. The developer should check with the Department of Building and Safety on the number of Code required parking spaces needed for the project.

G. Driveway Access and Circulation

The review of this study does not constitute approval of the driveway access and circulation scheme. Those require separate review and approval and should be coordinated as soon as possible with LADOT's Citywide Planning Coordination Section (201 N. Figueroa Street, 4th Floor, Station 3 at 213-482-7024) to avoid delays in the building permit approval process. Any proposed gates on streets fronting the project should have at minimum a 40' reservoir space from the existing or the new property line. The driveway on Vine Street shall be restricted to right-turn in/right-turn out operations only.

If you have any questions, please contact Eileen Hunt of my staff at (213) 972-8481.

Attachments

P:\Letters\CEN06-3058_Selma & Vine Mixed-Use_TS_LTR.wpd

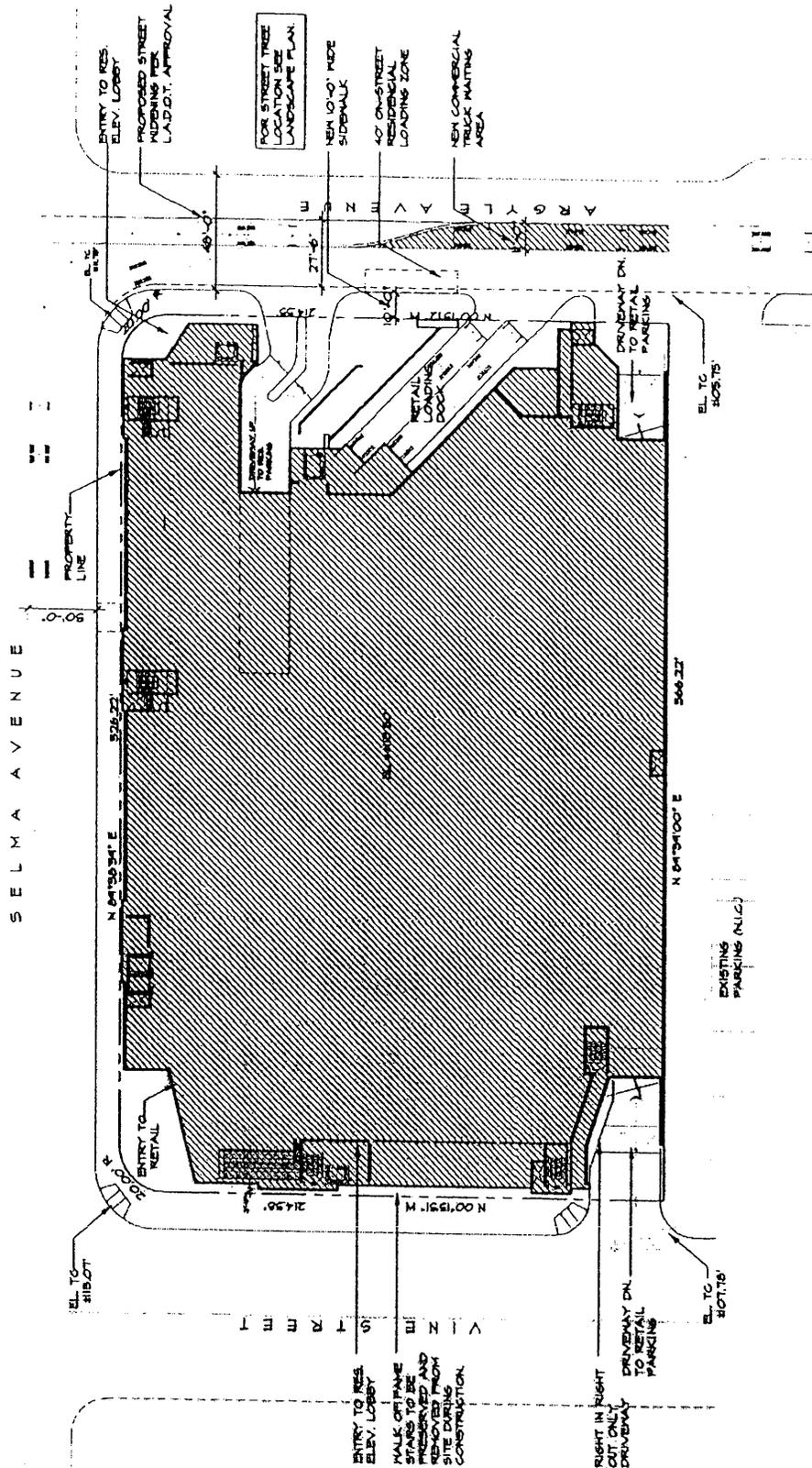
- c: Alison Becker, Council District No. 13
- Bob Camou, Hollywood-Wilshire District, DOT
- Judy Wong, Design Division, DOT
- Shu Hua Chen, Accounting Division, DOT
- Taimour Tanavoli, Citywide Planning Coordination Section, DOT
- Carl Mills, Central District, BOE
- John Stutsman, Kaku Associates, Inc.

**TABLE 7
INTERSECTION LEVEL OF SERVICE ANALYSIS
FUTURE CONDITIONS YEAR 2010**

No.	Intersection	Peak Hour	Cumulative Base		Cumulative plus Project		Project Increase in V/C	Significant Project Impact?	Cumulative plus Project with Mitigation		Project Increase in V/C	Significant Project Impact?
			V/C or Delay	LOS	V/C or Delay	LOS			V/C or Delay	LOS		
1.	Cahuenga Boulevard & Franklin Avenue* [a]	A.M.	1.009	F	1.013	F	0.004	No				
		P.M.	1.089	F	1.095	F	0.006	No				
2.	Vine Street/SB US-101 off-ramp & Franklin Avenue*	A.M.	0.355	A	0.357	A	0.002	No				
		P.M.	0.493	A	0.497	A	0.004	No				
3.	Argyle Avenue & SB US-101 on-ramp [b]	A.M.	11	B	11	B						
		P.M.	14	B	14	B						
		A.M.	0.176		0.180		0.004	No				
		P.M.	0.293		0.297		0.004	No				
4.	Gower Street & SB US-101 off-ramp/Yucca Street [c]	A.M.	80	F	82	F						
		P.M.	16	C	16	C						
		A.M.	0.620		0.623		0.003	No				
		P.M.	0.477		0.483		0.006	No				
5.	Cahuenga Boulevard & Hollywood Boulevard*	A.M.	0.863	D	0.865	D	0.002	No				
		P.M.	0.909	E	0.916	E	0.007	No				
6.	Vine Street & Hollywood Boulevard*	A.M.	0.892	D	0.894	D	0.002	No	0.864	D	-0.028	No
		P.M.	1.058	F	1.069	F	0.011	Yes	1.039	F	-0.019	No
7.	Gower Street & Hollywood Boulevard*	A.M.	0.827	D	0.835	D	0.008	No				
		P.M.	0.743	C	0.763	C	0.020	No				
8.	Cahuenga Boulevard & Selma Avenue*	A.M.	0.611	B	0.624	B	0.013	No				
		P.M.	0.635	B	0.650	B	0.015	No				
9.	Ivar Avenue & Selma Avenue*	A.M.	0.135	A	0.143	A	0.008	No				
		P.M.	0.308	A	0.320	A	0.012	No				
10.	Vine Street & Selma Avenue*	A.M.	0.509	A	0.515	A	0.006	No				
		P.M.	0.769	C	0.798	C	0.029	No				
11.	Argyle Avenue & Selma Avenue*	A.M.	0.318	A	0.345	A	0.027	No				
		P.M.	0.405	A	0.449	A	0.044	No				
12.	Gower Street & Selma Avenue [c]	A.M.	21	C	21	C						
		P.M.	21	C	24	C						
		A.M.	0.607		0.615		0.008	No				
		P.M.	0.537		0.559		0.022	No				
13.	Cahuenga Boulevard & Sunset Boulevard*	A.M.	0.923	E	0.924	E	0.001	No				
		P.M.	0.826	D	0.832	D	0.006	No				
14.	Ivar Avenue & Sunset Boulevard*	A.M.	0.458	A	0.460	A	0.002	No				
		P.M.	0.619	B	0.621	B	0.002	No				
15.	Vine Street & Sunset Boulevard*	A.M.	1.051	F	1.056	F	0.005	No	1.026	F	-0.025	No
		P.M.	1.115	F	1.127	F	0.012	Yes	1.097	F	-0.018	No
16.	Argyle Avenue & Sunset Boulevard*	A.M.	0.667	B	0.693	B	0.026	No	0.663	B	-0.004	No
		P.M.	0.700	B	0.754	C	0.054	Yes	0.724	C	0.024	No
17.	Gower Street & Sunset Boulevard*	A.M.	0.911	E	0.914	E	0.003	No	0.884	D	-0.027	No
		P.M.	0.962	E	0.974	E	0.012	Yes	0.944	E	-0.018	No
18.	Vine Street & Fountain Avenue*	A.M.	0.807	D	0.808	D	0.001	No				
		P.M.	0.899	D	0.903	E	0.004	No				
19.	Gower Street & Fountain Avenue*	A.M.	0.770	C	0.773	C	0.003	No				
		P.M.	0.830	D	0.836	D	0.006	No				

Notes:

- * Intersection is currently operating under ATSC system. A credit of 0.07 in V/C ratio was included in the above analysis.
- [a] Westbound approach analyzed as one left-turn lane, one shared through/right-turn lane and one right-turn lane.
- [b] Intersection is uncontrolled. Analysis was done using Highway Capacity Manual uncontrolled methodology. Average vehicular delay in seconds per vehicle rather than V/C ratio is reported for the worst case approach.
- [c] Intersection is two-way stop-controlled. Analysis was done using Highway Capacity Manual (2000) Two-Way Stop-Controlled methodology. For the purpose of evaluating the operating conditions of the intersection, average vehicular delay in seconds is reported rather than V/C ratio.



Source: Thomas P. Cox Architects, Inc., 2005

KAKU ASSOCIATES

**FIGURE 2
SITE PLAN**

TABLE 6
PROJECT TRIP GENERATION ESTIMATES

PROJECT	SIZE	DAILY	A.M. PEAK HOUR			P.M. PEAK HOUR		
			IN	OUT	TOTAL	IN	OUT	TOTAL
Whole Foods [a] Less 40% pass-by Less 30% walking Subtotal	68 ksf	6,952 (2781) (2086) 2,085	135 (54) (41) 40	86 (34) (26) 26	221 (88) (66) 67	363 (145) (109) 109	348 (139) (104) 105	711 (284) (213) 214
Apartments [b] Less 25% transit Subtotal	306 DU	1,285 (321) 964	23 (6) 17	69 (17) 52	92 (23) 69	65 (16) 49	42 (11) 31	107 (27) 80
TOTAL		3,049	57	78	136	158	136	294

Notes:

[a] - Supermarket (ITE 850)

A.M. - 3.25 per 1ksf, 61% in, 39% out

P.M. - 10.45 per 1ksf, 51% in, 49% out

Daily - 102.24 per 1ksf, 50% in, 50% out

Pass by credit applied per LADOT Traffic Study Policies and Procedures.

Walking credit includes the estimated of walk-in traffic and internal capture.

[b] - High-Rise Apartments (ITE 222)

A.M. - 0.30 per unit, 25% in, 75% out

P.M. - 0.35 per unit, 61% in, 39% out

Daily - 4.20 per unit, 50% in, 50% out

Transit credit applied as recommended in *Smart Growth - Transportation Guidelines* (ITE Smart Growth Task Force) and *Hidden in Plain Sight - Capturing the Demand for Housing Near Transit* (The Center for Transit Oriented-Development).

Source: *Trip Generation 7th Edition*, Institute of Transportation Engineers, 2003.

HOLLYWOOD ATCS SUB-SYSTEM IMPLEMENTATION

Vine Street and Hollywood Boulevard
Vine Street and Sunset Boulevard
Argyle Avenue and Sunset Boulevard
Gower Street and Sunset Boulevard

The proposal to construct a proportionate share of the Hollywood ATCS System and fund a proportionate share of the ATCS operation upgrade cost for installations/modifications of the existing traffic signals to mitigate the impact at the intersections above is acceptable to DOT.

The applicable proportionate share of the subsystem to mitigate the intersections listed above has been defined loosely as the area bounded by Franklin Avenue to the north, Santa Monica Boulevard to the south, Wilcox Avenue to the west and Bronson Avenue to the east.

Prior to the issuance of any building permits, the applicant shall guarantee the implementation of the proportionate share of the Hollywood ATCS subsystem by posting a B-Permit Bond to the satisfaction of the Department of Public Works, Bureau of Engineering (BOE) and LADOT to design and construct, and connect ATSAC/ATCS, ATCS system detector loops, controllers and CCTV Cameras (as indicated) at the 11 intersections noted below; and shall make a cash deposit of \$15,000 to LADOT for the ATCS subsystem integration cost.

ATCS Detector Loops

1. Bronson Avenue and Franklin Avenue - 1 Northbound System Detector and 1 Southbound System Detector
2. Selma Avenue and Vine Street - 1 Westbound System Detector and 1 Eastbound System Detector
3. Argyle Avenue and Sunset Boulevard - 1 Southbound System Detector
4. Sunset Boulevard and Wilcox Avenue - 1 Northbound System Detector and 1 Southbound System Detector

2070 Controller

1. Beachwood Drive and Franklin Avenue
2. Cahuenga Boulevard and Sunset Boulevard
3. Gower Street and Sunset Boulevard

CCTV Camera

1. Franklin Avenue and Gower Street
2. Bronson Avenue and Hollywood Boulevard
3. Cahuenga Boulevard and Sunset Boulevard
4. Santa Monica Boulevard and Vine Street

Prior to the issuance of any certificate of occupancy permits, the applicant shall, through the City's B-Permit process, construct and connect all necessary ATSAC/ATCS equipment, ATCS equipment, ATCS system detector loops, controllers and CCTV equipment required for the proportionate share of the Hollywood ATCS subsystem. Prior to commencing the B-Permit design work, the applicant should contact the LADOT Signal Design Section at 213-928-9640 for detailed design instructions.



NOT TO SCALE

PROPERTY LINE

EL. TC ±111.75'

ENTRY TO RES. ELEV. LOBBY

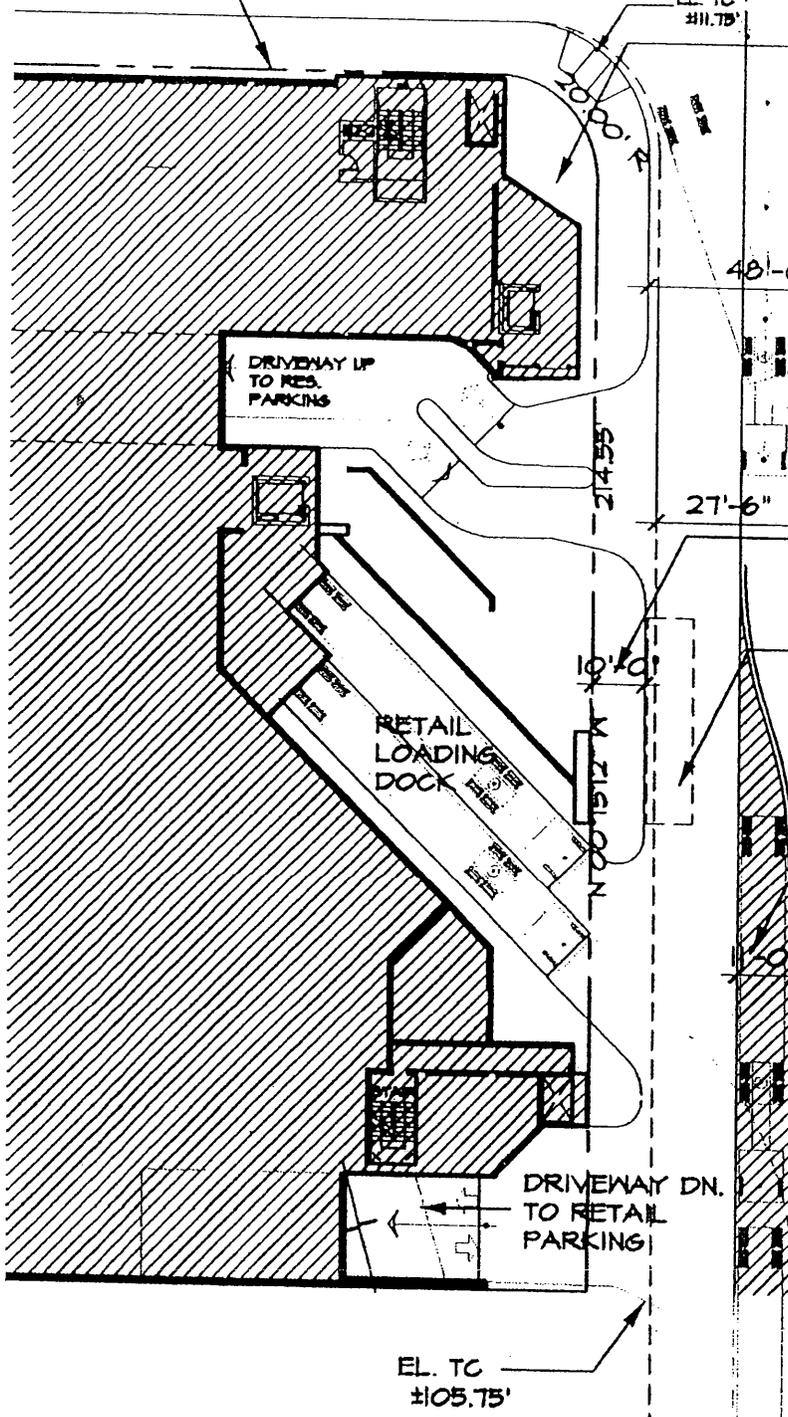
PROPOSED STREET WIDENING PER L.A.D.O.T. APPROVA

FOR STREET TREE LOCATION SEE LANDSCAPE PLAN.

NEW 10'-0" WIDE SIDEWALK

40' ON-STREET RESIDENTIAL LOADING ZONE

NEW COMMERCIAL TRUCK WAITING AREA

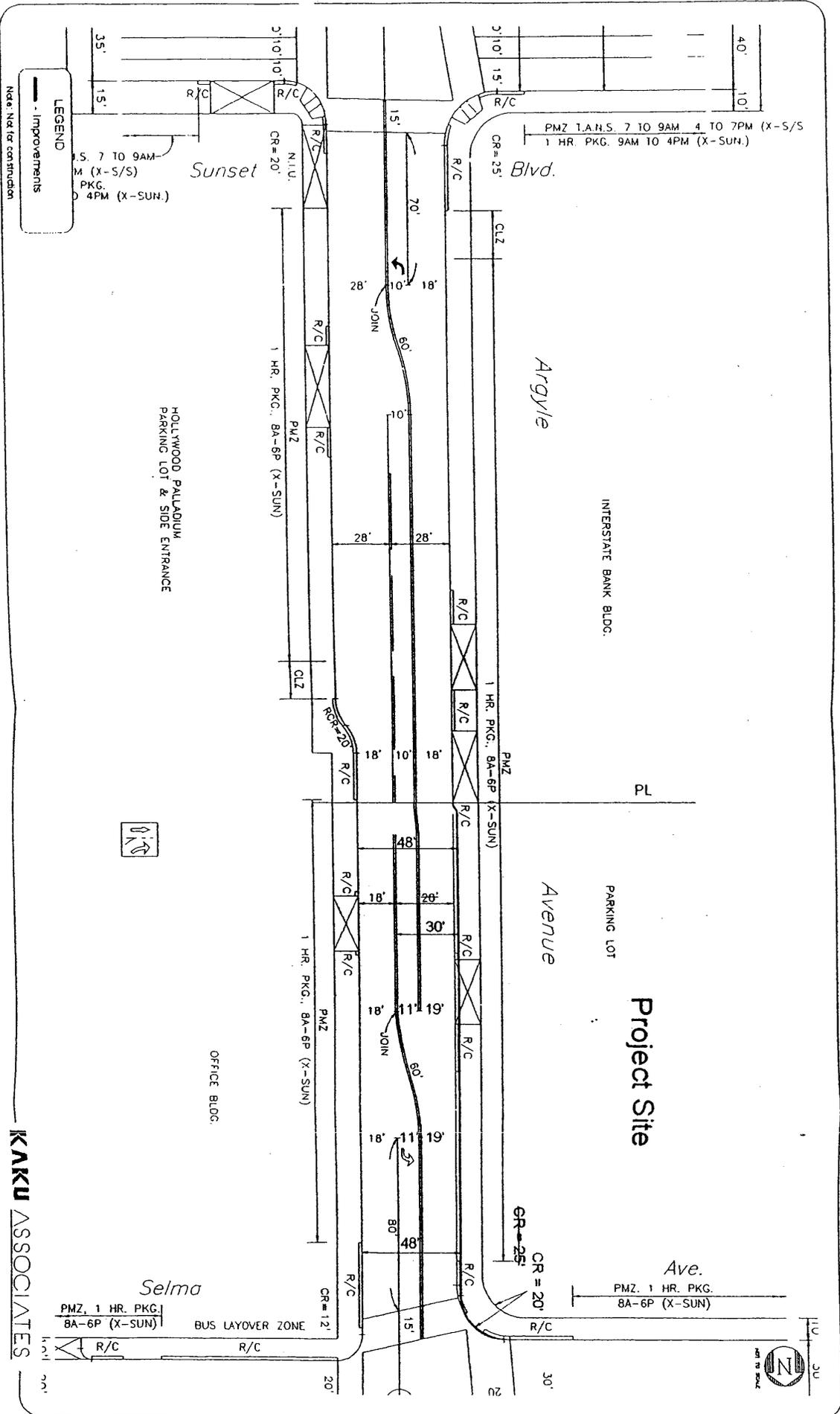


Source: Thomas P. Cox Architects, Inc., 2005

KAKU ASSOCIATES

FIGURE 9
PROPOSED ARGYLE AVENUE ACCESS

CONCEPTUAL STRIPING PLAN FOR ARGYLE AVENUE WITH PROPOSED WIDENING ALONG WEST SIDE



KAKU ASSOCIATES

CITY OF LOS ANGELES
 OFFICE OF THE CITY CLERK
 ROOM 395, CITY HALL
 LOS ANGELES, CALIFORNIA 90012
 CALIFORNIA ENVIRONMENTAL QUALITY ACT
INITIAL STUDY
and CHECKLIST

(CEQA Guidelines Section 15063)

LEAD CITY AGENCY: LOS ANGELES CITY PLANNING DEPARTMENT		COUNCIL DISTRICT: CD 13 - ERIC GARCETTI	DATE: 09/21/2006
RESPONSIBLE AGENCIES: LOS ANGELES CITY PLANNING DEPARTMENT			
ENVIRONMENTAL CASE: ENV-2006-3872-MND	RELATED CASES: CPC-2006-3871-ZC-CUB-SPR		
PREVIOUS ACTIONS CASE NO.:	<input checked="" type="checkbox"/> Does have significant changes from previous actions. <input type="checkbox"/> Does NOT have significant changes from previous actions		
PROJECT DESCRIPTION: MIXED USED WITH 306 APARTMENT UNITS AND 67,500 GROUND FLOOR MARKET.			
ENV PROJECT DESCRIPTION: PROJECT INVOLVES A ZONE CHANGE TO REMOVE D LIMITATION CURRENTLY RESTRICTING THE SITE TO A 3:1 FLOOR AREA RATIO WITH A REQUEST FOR 4.5:1, SITE PLAN REVIEW FOR APPROXIMATELY 428,423 GROSS SQUARE-FEET OF FLOOR AREA (MIXED USE WITH MULTI-FAMILY AND COMMERCIAL-RETAIL) CONSISTING OF 306 APARTMENT UNITS AND A GROCERY FOOD MARKET WITH A HEIGHT OF 11 STORIES/145-FEET. THE APPLICATION ALSO INCLUDES A CONDITIONAL USE COMPONENT FOR SEVERAL TYPES OF ALCOHOLIC BEVERAGE CONTROL LICENSES CONSISTING OF WINE TASTING ASSOCIATED WITH A 36-SEAT SITTING SPACE, TWO PROPOSED DINING AREAS, A 50-SEAT ENCLOSED DINING AREA, AND A SIX-SEAT COUNTER AREA IDENTIFIED FOR SPECIFIC LOCATIONS THROUGHOUT THE DEVELOPMENT. THE PARCEL IS 85,729 SQUARE-FEET AND CURRENTLY ZONED C4-2D-SN/REGIONAL CENTER COMMERCIAL. THE PROJECT WILL RESULT IN THE REMOVAL OF TREES ON THE PUBLIC RIGHT-OF-WAY AND IS IDENTIFIED AS BEING IN FIRE DISTRICT NOS. 1 AND 2. AN ESTIMATED 52,541 CUBIC YARDS OF OFF-SITE HAULING IS ANTICIPATED.			
ENVIRONMENTAL SETTINGS: THE PROJECT SITE IS A FLAT, RECTANGULAR-SHAPED LOT MEASURING 85,729 SQUARE-FEET OCCUPYING TWO CORNERS FROM THE SOUTHEAST CORNER OF SELMA AVENUE AND VINE STREET TO THE SOUTHWEST CORNER OF SELMA AVENUE AND ARGYLE AVENUE WITHIN THE HOLLYWOOD COMMUNITY PLAN AREA AND REDEVELOPMENT PROJECT AREA. THE SUBJECT SITE CURRENTLY CONTAINS A SURFACE PARKING LOT WITH 333 PARKING SPACES AND NO ON-SITE TREES. THE SUBJECT SITE IS BOUNDED BY VINE STREET TO THE WEST, SELMA AVENUE TO THE NORTH, ARGYLE AVENUE TO THE EAST, AND SUNSET BOULEVARD TO THE SOUTH. ZIMAS IDENTIFIES THE PARCEL TO BE IN FIRE DISTRICT NOS. 1 AND 2 WITH NO PUBLIC SCHOOLS LOCATED WITHIN A 500-FOOT RADIUS. THE PROJECT SITE IS LOCATED APPROXIMATELY 5.1 MILES NORTHWEST OF DOWNTOWN LOS ANGELES, 11.5 MILES NORTHEAST OF THE PACIFIC OCEAN, AND APPROXIMATELY ONE-THIRD OF A MILE SOUTH OF HOLLYWOOD-101 FREEWAY. THE CURRENT ZONE OF C4-2D WAS ESTABLISHED BY ORDINANCE 165660 ON MAY 6, 1990 ESTABLISHING AN F.A.R. OF 3:1 AND AFFECTING LOTS A, B AND C. SPECIFIC SIGNAGE ALLOWANCES WERE APPLIED BY WAY OF CPC-2002-4173(SUB) ON AUGUST 14, 2003, THUS ADDING THE "SN" TO THE CURRENT ZONING DESIGNATION. THE SUBJECT IS "LOT C" OF THE THREE IDENTIFIED ABOVE. THE USES AND ZONING WITHIN 500 FEET OF THE SUBJECT SITE ARE COMMERCIAL-RETAIL, OFFICE, PARKING AND MULTI-FAMILY RESIDENTIAL WITH C4-SD ZONING WITH SOME PARCELS HAVING THE "SN" SIGNAGE ALLOWANCES (SPECIFIED ABOVE). THE ONLY TWO EXCEPTIONS TO THESE ZONING DESIGNATIONS ARE R4-2D AT THE SOUTHERLY EDGE JUST SOUTH OF SUNSET BOULEVARD AND TWO "Q" CONDITIONS JUST EAST OF THE SUBJECT SITE.			
PROJECT LOCATION: 1540 N VINE STREET; HOLLYWOOD			
COMMUNITY PLAN AREA: HOLLYWOOD	AREA PLANNING COMMISSION: CENTRAL	CERTIFIED NEIGHBORHOOD COUNCIL: CENTRAL HOLLYWOOD	
STATUS:			

<input checked="" type="checkbox"/> Does Conform to Plan <input type="checkbox"/> Does NOT Conform to Plan		
EXISTING ZONING: C4-2D-SN	MAX. DENSITY/INTENSITY ALLOWED BY ZONING:	
GENERAL PLAN LAND USE: REGIONAL CENTER COMMERCIAL	MAX. DENSITY/INTENSITY ALLOWED BY PLAN DESIGNATION:	
	PROPOSED PROJECT DENSITY:	

Determination (To Be Completed By Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions on the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Signature

CITY PLANNING ASSISTANT

Title

(213) 978-1353

Phone

Evaluation Of Environmental Impacts:

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of a mitigation measure has reduced an effect from "Potentially Significant Impact" to "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analysis," cross referenced).
5. Earlier analysis must be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR, or negative declaration. Section 15063 (c)(3)(D). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are "Less Than Significant With Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated
7. Supporting Information Sources: A sources list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whichever format is selected.
9. The explanation of each issue should identify:
 - a. The significance criteria or threshold, if any, used to evaluate each question; and
 - b. The mitigation measure identified, if any, to reduce the impact to less than significance.

Environmental Factors Potentially Affected:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

<input checked="" type="checkbox"/> AESTHETICS <input type="checkbox"/> AGRICULTURAL RESOURCES <input checked="" type="checkbox"/> AIR QUALITY <input checked="" type="checkbox"/> BIOLOGICAL RESOURCES <input checked="" type="checkbox"/> CULTURAL RESOURCES <input checked="" type="checkbox"/> GEOLOGY AND SOILS	<input type="checkbox"/> HAZARDS AND HAZARDOUS MATERIALS <input checked="" type="checkbox"/> HYDROLOGY AND WATER QUALITY <input type="checkbox"/> LAND USE AND PLANNING <input type="checkbox"/> MINERAL RESOURCES <input checked="" type="checkbox"/> NOISE <input type="checkbox"/> POPULATION AND HOUSING	<input checked="" type="checkbox"/> PUBLIC SERVICES <input checked="" type="checkbox"/> RECREATION <input checked="" type="checkbox"/> TRANSPORTATION/CIRCULATION <input checked="" type="checkbox"/> UTILITIES <input type="checkbox"/> MANDATORY FINDINGS OF SIGNIFICANCE
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INITIAL STUDY CHECKLIST (To be completed by the Lead City Agency)

Background

PROPONENT NAME:

RICK HOLCOMB - CAMDEN USA, INC.

PHONE NUMBER:

(949) 629-3300

APPLICANT ADDRESS:

120 NEWPORT CENTER DRIVE, SUITE 160
NEWPORT BEACH, CA 92660

AGENCY REQUIRING CHECKLIST:

DEPARTMENT OF CITY PLANNING

DATE SUBMITTED:

05/05/2006

PROPOSAL NAME (if Applicable):

Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
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I. AESTHETICS				
a.	HAVE A SUBSTANTIAL ADVERSE EFFECT ON A SCENIC VISTA?		✓	
b.	SUBSTANTIALLY DAMAGE SCENIC RESOURCES, INCLUDING, BUT NOT LIMITED TO, TREES, ROCK OUTCROPPINGS, AND HISTORIC BUILDINGS, OR OTHER LOCALLY RECOGNIZED DESIRABLE AESTHETIC NATURAL FEATURE WITHIN A CITY-DESIGNATED SCENIC HIGHWAY?			✓
c.	SUBSTANTIALLY DEGRADE THE EXISTING VISUAL CHARACTER OR QUALITY OF THE SITE AND ITS SURROUNDINGS?		✓	
d.	CREATE A NEW SOURCE OF SUBSTANTIAL LIGHT OR GLARE WHICH WOULD ADVERSELY AFFECT DAY OR NIGHTTIME VIEWS IN THE AREA?			✓
II. AGRICULTURAL RESOURCES				
a.	CONVERT PRIME FARMLAND, UNIQUE FARMLAND, OR FARMLAND OF STATEWIDE IMPORTANCE, AS SHOWN ON THE MAPS PREPARED PURSUANT TO THE FARMLAND MAPPING AND MONITORING PROGRAM OF THE CALIFORNIA RESOURCES AGENCY, TO NON-AGRICULTURAL USE?			✓
b.	CONFLICT THE EXISTING ZONING FOR AGRICULTURAL USE, OR A WILLIAMSON ACT CONTRACT?			✓
c.	INVOLVE OTHER CHANGES IN THE EXISTING ENVIRONMENT WHICH, DUE TO THEIR LOCATION OR NATURE, COULD RESULT IN CONVERSION OF FARMLAND, TO NON-AGRICULTURAL USE?			✓
III. AIR QUALITY				
a.	CONFLICT WITH OR OBSTRUCT IMPLEMENTATION OF THE SCAQMD OR CONGESTION MANAGEMENT PLAN?			✓
b.	VIOLATE ANY AIR QUALITY STANDARD OR CONTRIBUTE SUBSTANTIALLY TO AN EXISTING OR PROJECTED AIR QUALITY VIOLATION?		✓	
c.	RESULT IN A CUMULATIVELY CONSIDERABLE NET INCREASE OF ANY CRITERIA POLLUTANT FOR WHICH THE AIR BASIN IS NON-ATTAINMENT (OZONE, CARBON MONOXIDE, & PM 10) UNDER AN APPLICABLE FEDERAL OR STATE AMBIENT AIR QUALITY STANDARD?			✓
d.	EXPOSE SENSITIVE RECEPTORS TO SUBSTANTIAL POLLUTANT CONCENTRATIONS?		✓	
e.	CREATE OBJECTIONABLE ODORS AFFECTING A SUBSTANTIAL NUMBER OF PEOPLE?			✓
IV. BIOLOGICAL RESOURCES				
a.	HAVE A SUBSTANTIAL ADVERSE EFFECT, EITHER DIRECTLY OR THROUGH HABITAT MODIFICATION, ON ANY SPECIES IDENTIFIED AS A CANDIDATE, SENSITIVE, OR SPECIAL STATUS SPECIES IN LOCAL OR REGIONAL PLANS, POLICIES, OR REGULATIONS BY THE CALIFORNIA DEPARTMENT OF FISH AND GAME OR U.S. FISH AND WILDLIFE SERVICE ?			✓
b.	HAVE A SUBSTANTIAL ADVERSE EFFECT ON ANY RIPARIAN HABITAT OR OTHER SENSITIVE NATURAL COMMUNITY IDENTIFIED IN THE CITY OR REGIONAL PLANS, POLICIES, REGULATIONS BY THE CALIFORNIA DEPARTMENT OF FISH AND GAME OR U.S. FISH AND WILDLIFE SERVICE ?			✓
c.	HAVE A SUBSTANTIAL ADVERSE EFFECT ON FEDERALLY PROTECTED WETLANDS AS DEFINED BY SECTION 404 OF THE CLEAN WATER ACT (INCLUDING, BUT NOT LIMITED TO, MARSH VERNAL POOL, COASTAL, ETC.) THROUGH DIRECT REMOVAL, FILLING, HYDROLOGICAL INTERRUPTION, OR OTHER MEANS?			✓
d.	INTERFERE SUBSTANTIALLY WITH THE MOVEMENT OF ANY NATIVE RESIDENT OR MIGRATORY FISH OR WILDLIFE SPECIES OR WITH ESTABLISHED NATIVE RESIDENT OR MIGRATORY WILDLIFE CORRIDORS, OR IMPEDE THE USE OF NATIVE WILDLIFE NURSERY SITES?			✓

Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
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e.	CONFLICT WITH ANY LOCAL POLICIES OR ORDINANCES PROTECTING BIOLOGICAL RESOURCES, SUCH AS TREE PRESERVATION POLICY OR ORDINANCE (E.G., OAK TREES OR CALIFORNIA WALNUT WOODLANDS)?		✓		
f.	CONFLICT WITH THE PROVISIONS OF AN ADOPTED HABITAT CONSERVATION PLAN, NATURAL COMMUNITY CONSERVATION PLAN, OR OTHER APPROVED LOCAL, REGIONAL, OR STATE HABITAT CONSERVATION PLAN?				✓

V. CULTURAL RESOURCES

a.	CAUSE A SUBSTANTIAL ADVERSE CHANGE IN SIGNIFICANCE OF A HISTORICAL RESOURCE AS DEFINED IN STATE CEQA 15064.5?				✓
b.	CAUSE A SUBSTANTIAL ADVERSE CHANGE IN SIGNIFICANCE OF AN ARCHAEOLOGICAL RESOURCE PURSUANT TO STATE CEQA 15064.5?		✓		
c.	DIRECTLY OR INDIRECTLY DESTROY A UNIQUE PALEONTOLOGICAL RESOURCE OR SITE OR UNIQUE GEOLOGIC FEATURE?		✓		
d.	DISTURB ANY HUMAN REMAINS, INCLUDING THOSE INTERRED OUTSIDE OF FORMAL CEMETERIES?		✓		

VI. GEOLOGY AND SOILS

a.	EXPOSURE OF PEOPLE OR STRUCTURES TO POTENTIAL SUBSTANTIAL ADVERSE EFFECTS, INCLUDING THE RISK OF LOSS, INJURY OR DEATH INVOLVING : RUPTURE OF A KNOWN EARTHQUAKE FAULT, AS DELINEATED ON THE MOST RECENT ALQUIST-PRIOLO EARTHQUAKE FAULT ZONING MAP ISSUED BY THE STATE GEOLOGIST FOR THE AREA OR BASED ON OTHER SUBSTANTIAL EVIDENCE OF A KNOWN FAULT? REFER TO DIVISION OF MINES AND GEOLOGY SPECIAL PUBLICATION 42.		✓		
b.	EXPOSURE OF PEOPLE OR STRUCTURES TO POTENTIAL SUBSTANTIAL ADVERSE EFFECTS, INCLUDING THE RISK OF LOSS, INJURY OR DEATH INVOLVING : STRONG SEISMIC GROUND SHAKING?		✓		
c.	EXPOSURE OF PEOPLE OR STRUCTURES TO POTENTIAL SUBSTANTIAL ADVERSE EFFECTS, INCLUDING THE RISK OF LOSS, INJURY OR DEATH INVOLVING : SEISMIC-RELATED GROUND FAILURE, INCLUDING LIQUEFACTION?			✓	
d.	EXPOSURE OF PEOPLE OR STRUCTURES TO POTENTIAL SUBSTANTIAL ADVERSE EFFECTS, INCLUDING THE RISK OF LOSS, INJURY OR DEATH INVOLVING : LANDSLIDES?				✓
e.	RESULT IN SUBSTANTIAL SOIL EROSION OR THE LOSS OF TOPSOIL?		✓		
f.	BE LOCATED ON A GEOLOGIC UNIT OR SOIL THAT IS UNSTABLE, OR THAT WOULD BECOME UNSTABLE AS A RESULT OF THE PROJECT, AND POTENTIAL RESULT IN ON- OR OFF-SITE LANDSLIDE, LATERAL SPREADING, SUBSIDENCE, LIQUEFACTION, OR COLLAPSE?			✓	
g.	BE LOCATED ON EXPANSIVE SOIL, AS DEFINED IN TABLE 18-1-B OF THE UNIFORM BUILDING CODE (1994), CREATING SUBSTANTIAL RISKS TO LIFE OR PROPERTY?			✓	
h.	HAVE SOILS INCAPABLE OF ADEQUATELY SUPPORTING THE USE OF SEPTIC TANKS OR ALTERNATIVE WASTE WATER DISPOSAL SYSTEMS WHERE SEWERS ARE NOT AVAILABLE FOR THE DISPOSAL OF WASTE WATER?				✓

VII. HAZARDS AND HAZARDOUS MATERIALS

a.	CREATE A SIGNIFICANT HAZARD TO THE PUBLIC OR THE ENVIRONMENT THROUGH THE ROUTINE TRANSPORT, USE, OR DISPOSAL OF HAZARDOUS MATERIALS?			✓	
b.	CREATE A SIGNIFICANT HAZARD TO THE PUBLIC OR THE ENVIRONMENT THROUGH REASONABLY FORESEEABLE UPSET AND ACCIDENT CONDITIONS INVOLVING THE RELEASE OF HAZARDOUS MATERIALS INTO THE ENVIRONMENT?				✓

Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
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c.	EMIT HAZARDOUS EMISSIONS OR HANDLE HAZARDOUS OR ACUTELY HAZARDOUS MATERIALS, SUBSTANCES, OR WASTE WITHIN ONE-QUARTER MILE OF AN EXISTING OR PROPOSED SCHOOL?				✓
d.	BE LOCATED ON A SITE WHICH IS INCLUDED ON A LIST OF HAZARDOUS MATERIALS SITES COMPILED PURSUANT TO GOVERNMENT CODE SECTION 65962.5 AND, AS A RESULT, WOULD IT CREATE A SIGNIFICANT HAZARD TO THE PUBLIC OR THE ENVIRONMENT?				✓
e.	FOR A PROJECT LOCATED WITHIN AN AIRPORT LAND USE PLAN OR, WHERE SUCH A PLAN HAS NOT BEEN ADOPTED, WITHIN TWO MILES OF A PUBLIC AIRPORT OR PUBLIC USE AIRPORT, WOULD THE PROJECT RESULT IN A SAFETY HAZARD FOR PEOPLE RESIDING OR WORKING IN THE PROJECT AREA?				✓
f.	FOR A PROJECT WITHIN THE VICINITY OF A PRIVATE AIRSTRIP, WOULD THE PROJECT RESULT IN A SAFETY HAZARD FOR THE PEOPLE RESIDING OR WORKING IN THE AREA?				✓
g.	IMPAIR IMPLEMENTATION OF OR PHYSICALLY INTERFERE WITH AN ADOPTED EMERGENCY RESPONSE PLAN OR EMERGENCY EVACUATION PLAN?			✓	
h.	EXPOSE PEOPLE OR STRUCTURES TO A SIGNIFICANT RISK OF LOSS, INJURY OR DEATH INVOLVING WILDLAND FIRES, INCLUDING WHERE WILDLANDS ARE ADJACENT TO URBANIZED AREAS OR WHERE RESIDENCES ARE INTERMIXED WITH WILDLANDS?				✓

VIII. HYDROLOGY AND WATER QUALITY

a.	VIOLATE ANY WATER QUALITY STANDARDS OR WASTE DISCHARGE REQUIREMENTS?		✓		
b.	SUBSTANTIALLY DEplete GROUNDWATER SUPPLIES OR INTERFERE WITH GROUNDWATER RECHARGE SUCH THAT THERE WOULD BE A NET DEFICIT IN AQUIFER VOLUME OR A LOWERING OF THE LOCAL GROUNDWATER TABLE LEVEL (E.G., THE PRODUCTION RATE OF PRE-EXISTING NEARBY WELLS WOULD DROP TO A LEVEL WHICH WOULD NOT SUPPORT EXISTING LAND USES OR PLANNED LAND USES FOR WHICH PERMITS HAVE BEEN GRANTED)?			✓	
c.	SUBSTANTIALLY ALTER THE EXISTING DRAINAGE PATTERN OF THE SITE OR AREA, INCLUDING THROUGH THE ALTERATION OF THE COURSE OF A STREAM OR RIVER, IN A MANNER WHICH WOULD RESULT IN SUBSTANTIAL EROSION OR SILTATION ON- OR OFF-SITE?			✓	
d.	SUBSTANTIALLY ALTER THE EXISTING DRAINAGE PATTERN OF THE SITE OR AREA, INCLUDING THROUGH THE ALTERATION OF THE COURSE OF A STREAM OR RIVER, OR SUBSTANTIALLY INCREASE THE RATE OR AMOUNT OF SURFACE RUNOFF IN AN MANNER WHICH WOULD RESULT IN FLOODING ON- OR OFF SITE?		✓		
e.	CREATE OR CONTRIBUTE RUNOFF WATER WHICH WOULD EXCEED THE CAPACITY OF EXISTING OR PLANNED STORMWATER DRAINAGE SYSTEMS OR PROVIDE SUBSTANTIAL ADDITIONAL SOURCES OF POLLUTED RUNOFF?			✓	
f.	OTHERWISE SUBSTANTIALLY DEGRADE WATER QUALITY?			✓	
g.	PLACE HOUSING WITHIN A 100-YEAR FLOOD PLAIN AS MAPPED ON FEDERAL FLOOD HAZARD BOUNDARY OR FLOOD INSURANCE RATE MAP OR OTHER FLOOD HAZARD DELINEATION MAP?				✓
h.	PLACE WITHIN A 100-YEAR FLOOD PLAIN STRUCTURES WHICH WOULD IMPEDE OR REDIRECT FLOOD FLOWS?				✓
i.	EXPOSE PEOPLE OR STRUCTURES TO A SIGNIFICANT RISK OF LOSS, INQUIRY OR DEATH INVOLVING FLOODING, INCLUDING FLOODING AS A RESULT OF THE FAILURE OF A LEVEE OR DAM?			✓	
j.	INUNDATION BY SEICHE, TSUNAMI, OR MUDFLOW?				✓

IX. LAND USE AND PLANNING

a.	PHYSICALLY DIVIDE AN ESTABLISHED COMMUNITY?				✓
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Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
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b.	CONFLICT WITH APPLICABLE LAND USE PLAN, POLICY OR REGULATION OF AN AGENCY WITH JURISDICTION OVER THE PROJECT (INCLUDING BUT NOT LIMITED TO THE GENERAL PLAN, SPECIFIC PLAN, COASTAL PROGRAM, OR ZONING ORDINANCE) ADOPTED FOR THE PURPOSE OF AVOIDING OR MITIGATING AN ENVIRONMENTAL EFFECT?			✓	
c.	CONFLICT WITH ANY APPLICABLE HABITAT CONSERVATION PLAN OR NATURAL COMMUNITY CONSERVATION PLAN?				✓

X. MINERAL RESOURCES

a.	RESULT IN THE LOSS OF AVAILABILITY OF A KNOWN MINERAL RESOURCE THAT WOULD BE OF VALUE TO THE REGION AND THE RESIDENTS OF THE STATE?				✓
b.	RESULT IN THE LOSS OF AVAILABILITY OF A LOCALLY-IMPORTANT MINERAL RESOURCE RECOVERY SITE DELINEATED ON A LOCAL GENERAL PLAN, SPECIFIC PLAN, OR OTHER LAND USE PLAN?				✓

XI. NOISE

a.	EXPOSURE OF PERSONS TO OR GENERATION OF NOISE IN LEVEL IN EXCESS OF STANDARDS ESTABLISHED IN THE LOCAL GENERAL PLAN OR NOISE ORDINANCE, OR APPLICABLE STANDARDS OF OTHER AGENCIES?		✓		
b.	EXPOSURE OF PEOPLE TO OR GENERATION OF EXCESSIVE GROUNDBORNE VIBRATION OR GROUNDBORNE NOISE LEVELS?			✓	
c.	A SUBSTANTIAL PERMANENT INCREASE IN AMBIENT NOISE LEVELS IN THE PROJECT VICINITY ABOVE LEVELS EXISTING WITHOUT THE PROJECT?		✓		
d.	A SUBSTANTIAL TEMPORARY OR PERIODIC INCREASE IN AMBIENT NOISE LEVELS IN THE PROJECT VICINITY ABOVE LEVELS EXISTING WITHOUT THE PROJECT?		✓		
e.	FOR A PROJECT LOCATED WITHIN AN AIRPORT LAND USE PLAN OR, WHERE SUCH A PLAN HAS NOT BEEN ADOPTED, WITHIN TWO MILES OF A PUBLIC AIRPORT OR PUBLIC USE AIRPORT, WOULD THE PROJECT EXPOSE PEOPLE RESIDING OR WORKING IN THE PROJECT AREA TO EXCESSIVE NOISE LEVELS?				✓
f.	FOR A PROJECT WITHIN THE VICINITY OF A PRIVATE AIRSTRIP, WOULD THE PROJECT EXPOSE PEOPLE RESIDING OR WORKING IN THE PROJECT AREA TO EXCESSIVE NOISE LEVELS?				✓

XII. POPULATION AND HOUSING

a.	INDUCE SUBSTANTIAL POPULATION GROWTH IN AN AREA EITHER DIRECTLY (FOR EXAMPLE, BY PROPOSING NEW HOMES AND BUSINESSES) OR INDIRECTLY (FOR EXAMPLE, THROUGH EXTENSION OF ROADS OR OTHER INFRASTRUCTURE)?			✓	
b.	DISPLACE SUBSTANTIAL NUMBERS OF EXISTING HOUSING NECESSITATING THE CONSTRUCTION OF REPLACEMENT HOUSING ELSEWHERE?				✓
c.	DISPLACE SUBSTANTIAL NUMBERS OF PEOPLE NECESSITATING THE CONSTRUCTION OF REPLACEMENT HOUSING ELSEWHERE?				✓

XIII. PUBLIC SERVICES

a.	FIRE PROTECTION?		✓		
b.	POLICE PROTECTION?			✓	
c.	SCHOOLS?		✓		
d.	PARKS?		✓		
e.	OTHER GOVERNMENTAL SERVICES (INCLUDING ROADS)?		✓		

XIV. RECREATION

Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
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a.	WOULD THE PROJECT INCREASE THE USE OF EXISTING NEIGHBORHOOD AND REGIONAL PARKS OR OTHER RECREATIONAL FACILITIES SUCH THAT SUBSTANTIAL PHYSICAL DETERIORATION OF THE FACILITY WOULD OCCUR OR BE ACCELERATED?		✓		
b.	DOES THE PROJECT INCLUDE RECREATIONAL FACILITIES OR REQUIRE THE CONSTRUCTION OR EXPANSION OF RECREATIONAL FACILITIES WHICH MIGHT HAVE AN ADVERSE PHYSICAL EFFECT ON THE ENVIRONMENT?			✓	

XV. TRANSPORTATION/CIRCULATION

a.	CAUSE AN INCREASE IN TRAFFIC WHICH IS SUBSTANTIAL IN RELATION TO THE EXISTING TRAFFIC LOAD AND CAPACITY OF THE STREET SYSTEM (I.E., RESULT IN A SUBSTANTIAL INCREASE IN EITHER THE NUMBER OF VEHICLE TRIPS, THE VOLUME TO RATIO CAPACITY ON ROADS, OR CONGESTION AT INTERSECTIONS)?		✓		
b.	EXCEED, EITHER INDIVIDUALLY OR CUMULATIVELY, A LEVEL OF SERVICE STANDARD ESTABLISHED BY THE COUNTY CONGESTION MANAGEMENT AGENCY FOR DESIGNATED ROADS OR HIGHWAYS?		✓		
c.	RESULT IN A CHANGE IN AIR TRAFFIC PATTERNS, INCLUDING EITHER AN INCREASE IN TRAFFIC LEVELS OR A CHANGE IN LOCATION THAT RESULTS IN SUBSTANTIAL SAFETY RISKS?				✓
d.	SUBSTANTIALLY INCREASE HAZARDS TO A DESIGN FEATURE (E.G., SHARP CURVES OR DANGEROUS INTERSECTIONS) OR INCOMPATIBLE USES (E.G., FARM EQUIPMENT)?				✓
e.	RESULT IN INADEQUATE EMERGENCY ACCESS?			✓	
f.	RESULT IN INADEQUATE PARKING CAPACITY?		✓		
g.	CONFLICT WITH ADOPTED POLICIES, PLANS, OR PROGRAMS SUPPORTING ALTERNATIVE TRANSPORTATION (E.G., BUS TURNOUTS, BICYCLE RACKS)?		✓		

XVI. UTILITIES

a.	EXCEED WASTEWATER TREATMENT REQUIREMENTS OF THE APPLICABLE REGIONAL WATER QUALITY CONTROL BOARD?			✓	
b.	REQUIRE OR RESULT IN THE CONSTRUCTION OF NEW WATER OR WASTEWATER TREATMENT FACILITIES OR EXPANSION OF EXISTING FACILITIES, THE CONSTRUCTION OF WHICH COULD CAUSE SIGNIFICANT ENVIRONMENTAL EFFECTS?			✓	
c.	REQUIRE OR RESULT IN THE CONSTRUCTION OF NEW STORMWATER DRAINAGE FACILITIES OR EXPANSION OF EXISTING FACILITIES, THE CONSTRUCTION OF WHICH COULD CAUSE SIGNIFICANT ENVIRONMENTAL EFFECTS?			✓	
d.	HAVE SUFFICIENT WATER SUPPLIES AVAILABLE TO SERVE THE PROJECT FROM EXISTING ENTITLEMENTS AND RESOURCE, OR ARE NEW OR EXPANDED ENTITLEMENTS NEEDED?			✓	
e.	RESULT IN A DETERMINATION BY THE WASTEWATER TREATMENT PROVIDER WHICH SERVES OR MAY SERVE THE PROJECT THAT IT HAS ADEQUATE CAPACITY TO SERVE THE PROJECTS PROJECTED DEMAND IN ADDITION TO THE PROVIDERS			✓	
f.	BE SERVED BY A LANDFILL WITH SUFFICIENT PERMITTED CAPACITY TO ACCOMMODATE THE PROJECTS SOLID WASTE DISPOSAL NEEDS?			✓	
g.	COMPLY WITH FEDERAL, STATE, AND LOCAL STATUTES AND REGULATIONS RELATED TO SOLID WASTE?		✓		

XVII. MANDATORY FINDINGS OF SIGNIFICANCE

a.	DOES THE PROJECT HAVE THE POTENTIAL TO DEGRADE THE QUALITY OF THE ENVIRONMENT, SUBSTANTIALLY REDUCE THE HABITAT OF FISH OR WILDLIFE SPECIES, CAUSE A FISH OR WILDLIFE POPULATION TO DROP BELOW SELF-SUSTAINING LEVELS, THREATEN TO ELIMINATE A PLANT OR ANIMAL COMMUNITY, REDUCE THE NUMBER OR RESTRICT THE RANGE OF A RARE OR ENDANGERED PLANT OR ANIMAL OR ELIMINATE IMPORTANT EXAMPLES OF THE			✓	
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Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
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MAJOR PERIODS OF CALIFORNIA HISTORY OR PREHISTORY?				
b.	DOES THE PROJECT HAVE IMPACTS WHICH ARE INDIVIDUALLY LIMITED, BUT CUMULATIVELY CONSIDERABLE? (CUMULATIVELY CONSIDERABLE MEANS THAT THE INCREMENTAL EFFECTS OF AN INDIVIDUAL PROJECT ARE CONSIDERABLE WHEN VIEWED IN CONNECTION WITH THE EFFECTS OF PAST PROJECTS, THE EFFECTS OF OTHER CURRENT PROJECTS, AND THE EFFECTS OF PROBABLE FUTURE PROJECTS).		✓	
c.	DOES THE PROJECT HAVE ENVIRONMENTAL EFFECTS WHICH CAUSE SUBSTANTIAL ADVERSE EFFECTS ON HUMAN BEINGS, EITHER DIRECTLY OR INDIRECTLY?		✓	

DISCUSSION OF THE ENVIRONMENTAL EVALUATION (Attach additional sheets if necessary)

The Environmental Impact Assessment includes the use of official City of Los Angeles and other government source reference materials related to various environmental impact categories (e.g., Hydrology, Air Quality, Biology, Cultural Resources, etc.). The State of California, Department of Conservation, Division of Mines and Geology - Seismic Hazard Maps and reports, are used to identify potential future significant seismic events; including probable magnitudes, liquefaction, and landslide hazards. Based on applicant information provided in the Master Land Use Application and Environmental Assessment Form, impact evaluations were based on stated facts contained therein, including but not limited to, reference materials indicated above, field investigation of the project site, and any other reliable reference materials known at the time.

Project specific impacts were evaluated based on all relevant facts indicated in the Environmental Assessment Form and expressed through the applicant's project description and supportive materials. Both the Initial Study Checklist and Checklist Explanations, in conjunction with the City of Los Angeles's Adopted Thresholds Guide and CEQA Guidelines, were used to reach reasonable conclusions on environmental impacts as mandated under the California Environmental Quality Act (CEQA).

The project as identified in the project description may cause potentially significant impacts on the environment without mitigation. Therefore, this environmental analysis concludes that a Mitigated Negative Declaration shall be issued to avoid and mitigate all potential adverse impacts on the environment by the imposition of mitigation measures and/or conditions contained and expressed in this document; the environmental case file known as **ENV-2006-3872-MND** and the associated case(s), **CPC-2006-3871-ZC-CUB-SPR** **CPC-2006-3871-ZC-CUB-SPR**. Finally, based on the fact that these impacts can be feasibly mitigated to less than significant, and based on the findings and thresholds for Mandatory Findings of Significance as described in the California Environmental Quality Act, section 15065, the overall project impact(s) on the environment (after mitigation) **will not:**

- Substantially degrade environmental quality.
- Substantially reduce fish or wildlife habitat.
- Cause a fish or wildlife habitat to drop below self sustaining levels.
- Threaten to eliminate a plant or animal community.
- Reduce number, or restrict range of a rare, threatened, or endangered species.
- Eliminate important examples of major periods of California history or prehistory.
- Achieve short-term goals to the disadvantage of long-term goals.
- Result in environmental effects that are individually limited but cumulatively considerable.
- Result in environmental effects that will cause substantial adverse effects on human beings.

ADDITIONAL INFORMATION:

All supporting documents and references are contained in the Environmental Case File referenced above and may be viewed in the EIR Unit, Room 763, City Hall.

For City information, addresses and phone numbers: visit the City's website at <http://www.lacity.org> ; City Planning - and Zoning Information Mapping Automated System (ZIMAS) cityplanning.lacity.org/ or EIR Unit, City Hall, 200 N Spring Street, Room 763. Seismic Hazard Maps - <http://gmw.consrv.ca.gov/shmp/> Engineering/Infrastructure/Topographic Maps/Parcel Information - <http://boemaps.eng.ci.la.ca.us/index01.htm> or City's main website under the heading "Navigate LA".

PREPARED BY:	TITLE:	TELEPHONE NO.:	DATE:
ALFREDO PEREZ	CITY PLANNING ASSISTANT	(213) 978-1353	10/12/2006

Impact?	Explanation	Mitigation Measures
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APPENDIX A: ENVIRONMENTAL IMPACTS EXPLANATION TABLE

I. AESTHETICS

a.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	VISUAL RESOURCES OF MERIT EXIST IN THE AREA/VICINITY SUCH AS THE HOLLYWOOD SIGN, HOLLYWOOD HILLS AND A NUMBER OF HISTORIC BUILDINGS.	I b2, I b4, I b5, I c1, I c2 MITIGATION MEASURES MUST BE APPLIED TO THE DESIGN OF THE PROJECT TO MINIMIZE IMPACTS TO THE SCENIC VISTA.
b.	LESS THAN SIGNIFICANT IMPACT	THE PROJECT SITE IS CURRENTLY DEVELOPED AS A PAVED PARKING LOT WITH NO VEGETATION, VALUED NATURAL FEATURES OR HISTORIC BUILDINGS - THE IMPACT IS LESS THAN SIGNIFICANT.	
c.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	THE PROPOSED PROJECT WILL DEVELOP AN 11-STORY/145 FOOT BUILDING ON A EXISTING PARCEL CONTAINING A PARKING LOT WITH LITTLE TO NO LANDSCAPING. RELATED TO THIS MATTER, THE IMPACT WILL BE LESS THAN SIGNIFICANT. RELATED TO THE CONSTRUCTION PHASE OF THE PROJECT. APPLYING THE ATTACHED MITIGATION MEASURES WILL LOWER THE IMPACTS TO TO LESS THAN SIGNIFICANT.	PLEASE SEE CONSTRUCTION MITIGATION VI B, GENERAL CONSTRUCTION
d.	LESS THAN SIGNIFICANT IMPACT	THE PROJECT SITE IS LOCATED WITHIN THE HIGHLY URBANIZED HOLLYWOOD COMMUNITY - THE IMPACTS ARE LESS THAN SIGNIFICANT AND IN-LINE WITH THE AREA.	

II. AGRICULTURAL RESOURCES

a.	NO IMPACT		
b.	NO IMPACT		
c.	NO IMPACT		

III. AIR QUALITY

a.	LESS THAN SIGNIFICANT IMPACT	THE PROJECT DOES NOT CONFLICT WITH OR OBSTRUCT THE IMPLEMENTATION OF THE SCAQMD'S AQMP.	
b.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	THE CONSTRUCTION PHASE OF THE PROJECT MAY INCREASE THE EXISTING BASIN-WIDE AIR QUALITY VIOLATIONS, HOWEVER, THESE IMPACTS WILL BE MITIGATED TO A LESS THAN SIGNIFICANT LEVEL BY THE PROPOSED MITIGATION MEASURES. THE IMPACTS ASSOCIATED WITH LONG TERM	PLEASE SEE CONSTRUCTION MITIGATION (VI B2).

Impact?	Explanation	Mitigation Measures
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		PROJECT OCCUPANCY IS CONSIDERED LESS THAN SIGNIFICANT ACCORDING RELATIVE TO SCAG'S GUIDELINES (THE CONSULTANT'S DRAFT MITIGATED NEGATIVE DECLARATION IDENTIFIES THESE POINTS).	
c.	LESS THAN SIGNIFICANT IMPACT	SAME AS ITEM B ABOVE	
d.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	THE CONSTRUCTION PHASE OF THE PROJECT MAY INCREASE THE EXISTING BASIN-WIDE AIR QUALITY VIOLATIONS, HOWEVER, THESE IMPACTS WILL BE MITIGATED TO A LESS THAN SIGNIFICANT LEVEL BY THE PROPOSED MITIGATION MEASURES.	III d1 PLEASE SEE VI B1
e.	LESS THAN SIGNIFICANT IMPACT	ODORS MAY EXIST DURING THE CONSTRUCTION PHASE OF THE PROJECT BUT SHOULD MAINTAIN A LEVEL OF LESS THAN SIGNIFICANT.	

IV. BIOLOGICAL RESOURCES

a.	NO IMPACT		
b.	NO IMPACT		
c.	NO IMPACT		
d.	NO IMPACT		
e.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	THE PROJECT WILL RESULT IN THE REMOVAL OF TREES ON THE PUBLIC RIGHT-OF-WAY	IV f PLEASE ALSO SEE MM I B1
f.	NO IMPACT		

V. CULTURAL RESOURCES

a.	NO IMPACT		
b.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	THE APPLICANT SHALL ABIDE BY CURRENT LAW IF AN ARCHAEOLOGICAL RESOURCE IS DISCOVERED DURING CONSTRUCTION.	V b APPLICANT ALSO AGREES TO HAVE A PRE-EXCAVATION INSPECTION BY A QUALIFIED ARCHAEOLOGIST AS WELL.
c.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	THE APPLICANT SHALL ABIDE BY CURRENT LAW IF A PALEONTOLOGICAL RESOURCE IS DISCOVERED DURING CONSTRUCTION.	V c
d.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	HUMAN REMAINS POSSIBILITY	IF HUMAN REMAINS ARE UNCOVERED, THE CONSTRUCTION WILL BE SUSPENDED AND THE CITY OF LOS ANGELES PUBLIC WORKS DEPARTMENT AND THE COUNTY CORONER SHALL BE IMMEDIATELY NOTIFIED. IF THE REMAINS ARE DETERMINED TO BE NATIVE AMERICAN, THE NATIVE AMERICAN HERITAGE COMMISSION (NAHC) SHALL BE NOTIFIED WITHIN 24 HOURS AND NAHC GUIDELINES

Impact?	Explanation	Mitigation Measures
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SHALL BE STRICTLY ADHERED TO.

VI. GEOLOGY AND SOILS

a.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	DESPITE THE FACT THAT THIS PARCEL DOES NOT LIE WITHIN A FAULT ZONE, CONSTRUCTION OF THIS PROJECT WILL COMPLY WITH THE CITY OF LOS ANGELES UNIFORM BUILDING CODE TO REDUCE POTENTIAL IMPACTS TO LESS THAN SIGNIFICANT. IT IS HIGHLY LIKELY THAT AN ACTIVE FAULT MAY BE DISCOVERED IN THE NOT TOO DISTANT FUTURE. IT SHOULD BE NOTED THAT THE CLOSEST KNOWN ACTIVE FAULT IS THE HOLLYWOOD FAULT LOCATED 1.01 KM FROM THE SITE.	VI aii
b.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	REQUIRING THE APPROPRIATE BUILDING CODE REQUIREMENTS WILL MINIMIZE THE IMPACTS TO PEOPLE AND STRUCTURES TO LESS THAN SIGNIFICANT.	REFER TO VI aii
c.	LESS THAN SIGNIFICANT IMPACT	THE PROJECT SITE IS NOT LOCATED IN A LIQUEFACTION AREA. IMPLEMENTATION OF THE MITIGATION MEASURES WILL RESULT IN A LESS THAN SIGNIFICANT IMPACT.	
d.	NO IMPACT		
e.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	MINIMIZE IMPACTS TO THE SITE RELATED TO GRADING ARE TEMPORARY CONSTRUCTION IMPACTS.	VI b2
f.	LESS THAN SIGNIFICANT IMPACT	THE DEPTH OF THE GROUNDWATER AND THE DENSITY OF THE UNDERLYING SOILS RESULT IN THE LOW POTENTIAL FOR LIQUEFACTION TO OCCUR AT THIS SITE AND THUS, IMPACTS WOULD BE LESS THAN SIGNIFICANT.	
g.	LESS THAN SIGNIFICANT IMPACT	A GEOTECHNICAL REPORT HAS BEEN COMPLETED AND INDICATES THE SOILS TO HAVE A LOW EXPANSION POTENTIAL AND THE IMPACTS ARE LESS THAN SIGNIFICANT.	
h.	NO IMPACT		

VII. HAZARDS AND HAZARDOUS MATERIALS

a.	LESS THAN SIGNIFICANT IMPACT	CONSTRUCTION OF THE PROJECT WOULD RESULT IN THE USE OF POTENTIALLY HAZARDOUS MATERIALS AND TEMPORARY IN NATURE. THESE MATERIALS WILL BE HANDLED, USED AND STORED IN ACCORDANCE WITH	
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Impact?	Explanation	Mitigation Measures
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		MANUFACTURERS' SPECIFICATIONS AND APPLICABLE FEDERAL, STATE, AND LOCAL HEALTH AND SAFETY REGULATIONS. AS SUCH, IMPACTS RELATED TO THE TRANSPORT, USE, OR DISPOSAL OF HAZARDOUS MATERIALS WOULD BE LESS THAN SIGNIFICANT, AND NO MITIGATION MEASURES WILL BE NECESSARY.	
b.	NO IMPACT		
c.	NO IMPACT		
d.	NO IMPACT		
e.	NO IMPACT		
f.	NO IMPACT		
g.	LESS THAN SIGNIFICANT IMPACT	FOR THE TIMEFRAMES WHEN CONSTRUCTION WILL TEMPORARILY DISRUPT ACCESS ON PORTIONS OF STREET RIGHTS-OF-WAYS, THE PROJECT WILL IMPLEMENT TRAFFIC CONTROL MEASURES (E.G., CONSTRUCTION FLAGMEN, SIGNAGE, ETC.) TO MAINTAIN FLOW AND ACCESS. FURTHERMORE, IN ACCORDANCE WITH THE CITY REQUIREMENTS, THE PROJECT WILL DEVELOP A CONSTRUCTION MANAGEMENT PLAN TO DESIGNATE THE HAUL ROUTE AND ENSURE THAT ADEQUATE EMERGENCY ACCESS IS MAINTAINED DURING CONSTRUCTION.	
h.	NO IMPACT		

VIII. HYDROLOGY AND WATER QUALITY

a.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	POTENTIALLY SIGNIFICANT UNLESS COMPLIANCE WITH CITY BUILDING CODE RELATED TO EROSION CONTROL AND THE CITY'S BMPS ARE IMPOSED.	VIII c3
b.	LESS THAN SIGNIFICANT IMPACT	THE PROJECT SHOULD NOT CAUSE THE DEPLETION OF GROUNDWATER OR THE INTERFERENCE OF GROUNDWATER RECHARGE. THE PROJECT WILL CONTINUE TO BE SUPPLIED WITH WATER BY THE LA DWP.	
c.	LESS THAN SIGNIFICANT IMPACT	THE PROJECT DOES NOT CONTAIN A STREAM OR RIVER. THE SITE CURRENTLY DRAINS INTO THE SEWER AS WILL THE PROJECT. LESS THAN A SIGNIFICANT IMPACT WILL OCCUR.	

Impact?	Explanation	Mitigation Measures
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d.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	THE PROJECT WILL BE REQUIRED TO CONTROL STORMWATER RUNOFF USING BEST MANAGEMENT PRACTICES AND A RETENTION BASIN. AFTER IMPLEMENTATION OF THE MITIGATION MEASURES, THE IMPACT WILL BE LESS THAN SIGNIFICANT.	VIII c4
e.	LESS THAN SIGNIFICANT IMPACT	THE PROJECT SHOULD NOT CREATE A SUBSTANTIAL AMOUNT OF RUNOFF THAT WOULD EXCEED THE CAPACITY OF EXISTING OR PLANNED STORM WATER DRAINAGE SYSTEMS - LESS THAN SIGNIFICANT IMPACT.	
f.	LESS THAN SIGNIFICANT IMPACT	THE PROJECT IS NOT ANTICIPATED TO SUBSTANTIALLY DEGRADE WATER QUALITY WITH IMPLEMENTATION OF THE ABOVE MITIGATION MEASURES.	
g.	NO IMPACT		
h.	NO IMPACT		
i.	LESS THAN SIGNIFICANT IMPACT	PROJECT IS NOT IN A 100-YEAR FLOOR PLAIN AND INUNDATION BY A FAILED HOLLYWOOD RESERVOIR IS HIGHLY UNLIKELY. HOWEVER, GIVEN THE EXTENSIVE AMOUNT OF INTERVENING DEVELOPMENT BETWEEN THE HOLLYWOOD RESERVOIR AND THE PROJECT SITE AND PARTICULARLY THE PHYSICAL SEPARATION PROVIDED BY THE HOLLYWOOD FREEWAY (US-101), THE POTENTIAL IMPACTS ASSOCIATED WITH A DAM FAILURE WOULD BE LESS THAN SIGNIFICANT.	
j.	NO IMPACT		

IX. LAND USE AND PLANNING

a.	NO IMPACT		
b.	LESS THAN SIGNIFICANT IMPACT	THE SITE IS WITHIN THE HOLLYWOOD REDEVELOPMENT PROJECT AND A REGIONAL CENTER COMMERCIAL GENERAL PLAN LAND USE AREA -- THE PROPOSED USE SEEMS CONSISTENT WITH CITY LAND USE AND GENERAL PLAN AND THE IMPACT IS LESS THAN SIGNIFICANT.	
c.	NO IMPACT		

X. MINERAL RESOURCES

a.	NO IMPACT		
b.	NO IMPACT		

XI. NOISE

Impact?	Explanation	Mitigation Measures	
a.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	NOISE IMPACTS RELATED TO THIS MATTER ARE TEMPORARY AND CAUSED BY THE CONSTRUCTION PERIOD OF THE PROJECT. APPLYING THE REFERENCED MITIGATION MEASURE WILL MINIMIZE THE IMPACTS TO LESS THAN SIGNIFICANT.	PLEASE SEE MM VI B
b.	LESS THAN SIGNIFICANT IMPACT	THE PROJECT CONSTRUCTION WILL BE TYPICAL OF OTHER SIMILAR USES IN THE AREA AND IS NOT ANTICIPATED TO RESULT IN EXCESSIVE GROUND BORNE VIBRATION OR NOISE LEVELS.	
c.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	PARKING RAMPS WILL NEED TO BE CONSTRUCTED FROM CONCRETE TO REDUCE THE NOISE IMPACT TO A LESS THAN SIGNIFICANT LEVEL.	XI a2
d.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	NOISE IMPACTS RELATED TO THIS MATTER ARE TEMPORARY AND CAUSED BY THE CONSTRUCTION PERIOD OF THE PROJECT. APPLYING THE REFERENCED MITIGATION MEASURE WILL MINIMIZE THE IMPACTS TO LESS THAN SIGNIFICANT.	PLEASE SEE MM VI B
e.	NO IMPACT		
f.	NO IMPACT		
XII. POPULATION AND HOUSING			
a.	LESS THAN SIGNIFICANT IMPACT	APPROPRIATE COMMERCIAL DEVELOPMENT WITH THE INCORPORATION OF THE HOUSING (MIXED-USE) IS HIGHLY NECESSARY IN THIS AREA AND SO THE IMPACTS ARE LESS THAN SIGNIFICANT.	
b.	NO IMPACT		
c.	NO IMPACT		
XIII. PUBLIC SERVICES			
a.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	THE PROJECT WILL BE REVIEWED BY THE LA FIRE DEPARTMENT WHICH WILL REQUIRE MITIGATION MEASURES TO REDUCE THE FIRE PROTECTION IMPACT TO A LESS THAN SIGNIFICANT LEVEL.	XIII a
b.	LESS THAN SIGNIFICANT IMPACT	WITH THE DEVELOPMENT OF THIS PROJECT, THE NUMBER OF ANTICIPATED OFFICERS TO RESIDENTS RATIO IS 1/1000. THE ADDITIONAL IMPACTS CREATED WILL BE ADDRESSED BY PROVIDING ON-SITE SECURITY STAFF.	

Impact?	Explanation	Mitigation Measures
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c.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	THE CONSTRUCTION OF NEW HOUSING UNITS ON THIS SITE WILL PLACE A DEMAND ON EXISTING SCHOOLS IN THE AREA. HOWEVER IMPLEMENTATION OF THE MITIGATION MEASURES WILL REDUCE THE IMPACT TO LESS THAN SIGNIFICANT LEVEL.	XIII c1
d.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	THE PROJECT WILL RESULT IN AN INCREASE IN THE USE OF PARKS, HOWEVER, THIS IMPACT WILL BE REDUCED TO A LESS THAN SIGNIFICANT LEVEL BY THE PAYMENT OF QUIMBY FEES.	PLEASE SEE RECREATION (INCREASED DEMAND FOR PARKS OR RECREATIONAL FACILITIES) MITIGATION MEASURE (XIV A).
e.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	THE IMPLEMENTATION OF MITIGATION MEASURES REQUIRED FOR OTHER GOVERNMENTAL SERVICES WOULD REDUCE IMPACTS TO A LESS THAN SIGNIFICANT LEVEL.	XIII e

XIV. RECREATION

a.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	THE INCREASED USE OF PARKS BY THE PROJECT WILL BE MITIGATED BY THE PAYMENT OF QUIMBY FEES.	XIV a
b.	LESS THAN SIGNIFICANT IMPACT	PLEASE REFER TO RESPONSE XIII.D ABOVE	

XV. TRANSPORTATION/CIRCULATION

a.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LADOT TRAFFIC IMPACT ANALYSIS FOR THIS PROJECT	XV d, XV e SEE THE ATTACHED DOT TRAFFIC IMPACT ANALYSIS
b.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LADOT TRAFFIC IMPACT ANALYSIS FOR THIS PROJECT	SEE THE ATTACHED DOT TRAFFIC IMPACT ANALYSIS
c.	NO IMPACT		
d.	NO IMPACT		
e.	LESS THAN SIGNIFICANT IMPACT	LADOT TRAFFIC IMPACT ANALYSIS FOR THIS PROJECT	
f.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LADOT TRAFFIC IMPACT ANALYSIS FOR THIS PROJECT	SEE THE ATTACHED DOT TRAFFIC IMPACT ANALYSIS
g.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LADOT TRAFFIC IMPACT ANALYSIS FOR THIS PROJECT	SEE THE ATTACHED DOT TRAFFIC IMPACT ANALYSIS

XVI. UTILITIES

a.	LESS THAN SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT BASED UPON THE ESTIMATED OUTPUT OF GALLONS OF WASTE WATER PER DAY IN CONJUNCTION WITH THE CITY OF LOS ANGELES' CURRENT CAPACITY.	
b.	LESS THAN SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT BASED UPON THE ESTIMATED OUTPUT OF THE PROPOSED SITE IN CONJUNCTION WITH THE CITY OF LOS ANGELES' CURRENT CAPACITY.	

Impact?	Explanation	Mitigation Measures
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c.	LESS THAN SIGNIFICANT IMPACT	BECAUSE THE PROJECT WILL NOT RESULT IN A MEASURABLE INCREASE IN SURFACE RUNOFF, IMPACTS TO THE EXISTING STORM DRAIN SYSTEM WOULD BE LESS THAN SIGNIFICANT.	
d.	LESS THAN SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT BASED UPON THE ESTIMATED OUTPUT OF THE PROPOSED SITE IN CONJUNCTION WITH THE CITY OF LADWP FUTURE CAPACITIES.	
e.	LESS THAN SIGNIFICANT IMPACT	THERE IS ADEQUATE CAPACITY BY THE WASTEWATER TREATMENT PROVIDER – LESS THAN A SIGNIFICANT IMPACT.	
f.	LESS THAN SIGNIFICANT IMPACT	SOLID WASTE GENERATED FROM THIS PROJECT MUST BE STRICTLY ABIDED BY TO ENSURE THE STATE'S RECYCLING PLAN COMPLIANCE BY THE CITY OF LOS ANGELES.	
g.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	THE PROJECT WILL BE REQUIRED TO PROVIDE ON-SITE RECYCLING TO REDUCE THE AMOUNT OF TRASH GOING TO LANDFILLS. THIS WILL REDUCE THE SOLID WASTE IMPACT TO A LESS THAN SIGNIFICANT LEVEL.	XVI f

XVII. MANDATORY FINDINGS OF SIGNIFICANCE

a.	LESS THAN SIGNIFICANT IMPACT	IMPACTS ARE LESS THAN SIGNIFICANT WITH THE IMPLEMENTATION OF ABOVE MITIGATION MEASURES.	
b.	LESS THAN SIGNIFICANT IMPACT	THE PROJECT HAS MINIMAL CUMULATIVE IMPACT UPON THE ENVIRONMENT WITH THE IMPLEMENTATION OF THE ABOVE MITIGATION MEASURES.	
c.	LESS THAN SIGNIFICANT IMPACT	THE PROJECT HAS MINIMAL ADVERSE EFFECTS ON HUMAN BEINGS, EITHER DIRECTLY OR INDIRECTLY, WITH THE IMPLEMENTATION OF THE ABOVE MITIGATION MEASURES.	

**CALIFORNIA DEPARTMENT OF FISH AND GAME
CERTIFICATE OF FEE EXEMPTION**

De Minimis Impact Finding

PROJECT TITLE (INCLUDING ITS COMMON NAME, IF ANY)

TRACT/PARCEL MAP NO. MND NO.

ENV-2006-3872-MND

ZA NO.

PROJECT DESCRIPTION: PROJECT INVOLVES A ZONE CHANGE TO REMOVE D LIMITATION CURRENTLY RESTRICTING THE SITE TO A 3:1 FLOOR AREA RATIO WITH A REQUEST FOR 4.5:1, SITE PLAN REVIEW FOR APPROXIMATELY 428,423 GROSS SQUARE-FEET OF FLOOR AREA (MIXED USE WITH MULTI-FAMILY AND COMMERCIAL-RETAIL) CONSISTING OF 306 APARTMENT UNITS AND A GROCERY FOOD MARKET WITH A HEIGHT OF 11 STORIES/145-FEET. THE APPLICATION ALSO INCLUDES A CONDITIONAL USE COMPONENT FOR SEVERAL TYPES OF ALCOHOLIC BEVERAGE CONTROL LICENSES CONSISTING OF WINE TASTING ASSOCIATED WITH A 36-SEAT SITTING SPACE, TWO PROPOSED DINING AREAS, A 50-SEAT ENCLOSED DINING AREA, AND A SIX-SEAT COUNTER AREA IDENTIFIED FOR SPECIFIC LOCATIONS THROUGHOUT THE DEVELOPMENT. THE PARCEL IS 85,729 SQUARE-FEET AND CURRENTLY ZONED C4-2D-SN/REGIONAL CENTER COMMERCIAL. THE PROJECT WILL RESULT IN THE REMOVAL OF TREES ON THE PUBLIC RIGHT-OF-WAY AND IS IDENTIFIED AS BEING IN FIRE DISTRICT NOS. 1 AND 2. AN ESTIMATED 52,541 CUBIC YARDS OF OFF-SITE HAULING IS ANTICIPATED.

PROJECT ADDRESS: 1540 N VINE STREET; HOLLYWOOD

APPLICANT NAME: RICK HOLCOMB - CAMDEN USA, INC.

APPLICANT ADDRESS: 120 NEWPORT CENTER DR., SUITE 160
NEWPORT BEACH, CA 92660

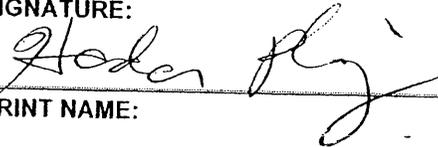
FINDINGS OF EXEMPTIONS

Based on the Initial Study prepared by the City Planning Department and all evidence in the record, on it is determined that the subject project, which is located in Los Angeles County, WILL NOT have an adverse impact in wildlife resources or their habitat as defined by Fish and Game Code Section 711.2 of the Fish and Game Code, Because:

- The Initial Study prepared for the project identifies no, potential adverse impact on fish or wildlife resources as far as earth, air, water, plant life, animal life, or risk of upset are concerned.
- Measures are required as part of this approval which will mitigate the above mentioned impacts, to a level of insignificance.
- The project site, as well as the surrounding area (is presently) (was) developed with residential structures and does not provide a natural habitat for either fish or wildlife.

CERTIFICATION

I hereby certify that the Los Angeles Planning Department has made the above findings of fact and that based upon the initial study and hearing record the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.

CHIEF PLANNING OFFICIAL: ALFREDO PEREZ	SIGNATURE: 
DATE OF PREPARATION: 09/15/2006	PRINT NAME: ALFREDO PEREZ