Los Angeles City Planning Commission

200 North Spring Street, Room 532, City Hall, Los Angeles, CA 90012
www.cityofla.org/PLN/index.htm

Determination Mailing Date: MAY 10 2007

CITY COUNCIL
Room 395, City Hall

Department of Building and Safety
201 N. Figueroa Street
Counter B, Fourth Floor

Applicant: St. Andrews- Santa Monica, LLC – Juri Ripinsky

CASE NO. CPC 2006-4392-GPA-ZC-ZV-HD-ZAA-ZAI-SPR & CPC2006-4401-GPA-ZC-ZV-ZAI-SPR

Location: 5661 W. Santa Monica Boulevard 5539-5545 W. Virginia Avenue, and 5536-5542 W Virginia Avenue
Council District: No. 13
Plan Area: Hollywood
Request(s): General Plan Amendment, Zone and Height District Change, Zone Variance, Zone Adjustment, Determination and Site Plan Review

At the City Planning Commission meeting on March 8, 2007, the Applicant submitted a written request to Withdraw Case No. CPC-2006-4401-GPA-ZC-ZV-ZAI-SPR and the records shall be received and filed with no CPC action. The following action was taken by the City Planning Commission on CPC 2006-4392-GPA-ZC-ZV-HD-ZAA-ZAI-SPR:

1. **Approved** a General Plan amendment to the Hollywood Community Plan to increase the maximum floor area ratio (FAR) permitted in the Neighborhood commercial designation on Site I (see attached maps) from the current 1.5:1 to 3.84:1, subject to Conditions and Limitations.
2. **Denied** the requested Zone Change from R4 and C4 to RAS4 on Site I as filed.
3. **Approved** and **Recommended** that the City Council Adopt a Zone and Height District Change from R4-1VL and C4-1VL to (T)(Q)RAS4-2D on Site I (see attached maps) subject to the attached Conditions of Approval.
4. **Approved** the requested Variance to allow commercial uses below and above the ground floor in lieu of only being permitted on the ground floor on Site I.
5. **Approved** the requested Variance to permit 11,373 square feet of alleys to be vacated to be added to the buildable area used to calculate floor area on Site I prior to completion of the alley vacation.
6. **Denied** the requested Variance to permit "early start" construction of the mixed-use project on Site I in the existing R4-1VL and C4-1VL Zones. Such denial shall not preclude a finding or condition in the tract map allowing for the issuance of a building permit prior to the recordation of a final map.
7. **Approved** a Variance per Section 12.27 to permit early issuance of demolition, grading, and excavation permits prior to the effectuation of the zone change ordinance.
8. **Approved** the requested Adjustment to permit zero-foot yard setbacks along the street frontages of Santa Monica Boulevard, Wilton Place and St. Andrews Place in lieu of the minimum 5 foot required yard setbacks otherwise required on Site I.
9. **Approved** the requested Determination to permit a department store use or several retail uses below ground on Site I and the continued department store use on the southeast corner of Site I in the RAS4 Zone.
10. **Approved** the requested Site Plan Review findings.

11. **Certified** that it has reviewed and considered the information contained in the Draft and Final Environmental Impact Report (EIR) ENV-2005-7720-EIR, SCH No. 2005111018, and **Adopted** the Statement of Overriding Considerations.
12. **Adopted** the attached Findings.
13. **Recommended** that the applicant be advised that time limits for effectuation of a zone in the "T" Tentative classification 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 pages.
14. **Advised** the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that the mitigation conditions, identified as "(MM)" on the condition pages, are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.
15. **Advised** the applicant that, pursuant to State Fish and Game Code Section 711.4, a Fish and Game fee and / or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination (NOD) filing.

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:	Hughes
Seconded:	Kay
Ayes:	Freer, Kezios, Usher, Woo
Absent:	Cardoso, Roschen
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 Zone Variance, Adjustment or 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/ Conditions / Ordinance / Map

FINAL DATE TO APPEAL: MAY 30 2007

cc: Notification
Kevin Jones, Hearing Officer

CONDITIONS FOR EFFECTUATING (T) TENTATIVE CLASSIFICATION REMOVAL

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

Dedication(s) and Improvement(s): Prior to the issuance of any building permits, except demolition, excavation, or foundation permits, public improvements and dedications for streets and other rights of way adjoining the subject property shall be guaranteed to the satisfaction of the Department of Public Works, Bureau of Engineering Fire Department (and other responsible City, regional, and Federal government agencies, as may be necessary).

1. Responsibilities/Guarantees.

   a. 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.

   b. 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.**

2. Transportation Dedications and Improvements. The applicant shall consult with the Bureau of Engineering and the Department of Transportation (DOT) for any dedications or street widening requirements. These requirements must be guaranteed before the issuance of any building permit through the B-permit process of the Bureau of Engineering, department of Public Works. They must be constructed and completed prior to issuance of any Certificate of Occupancy to the satisfaction of DOT and the Bureau of Engineering.

   The dedications and improvements shall include, but not be limited to, the following:

   a. The northbound approach of Gower Street, south of Santa Monica Boulevard, shall be re-striped, and on-street parking restrictions shall be implemented, to provide one left-turn only lane, one through lane, and one right-turn only lane. This improvement would result in the loss of approximately three parking spaces on Gower Street in order to accommodate the northbound right-turn only lane. (MM)
   b. The north side of Santa Monica Boulevard shall be dedicated and widened along the Project frontage to install a new right-turn only lane in addition to one left-turn only lane and two through lanes in the westbound direction. Additionally, the east side of Wilton Place shall be widened within the existing right-of-way south of Santa Monica Boulevard, to provide one-left through shared land, one through lane, and one right-turn only lane in the northbound direction. Roadway improvements along Santa Monica Boulevard require coordination and concurrence of Caltrans. (MM)
   c. The north and south sides of Santa Monica Boulevard shall each be widened by one foot within the existing right-of-way east of Western Avenue to install a new westbound right-turn only lane, in addition to one left-turn only lane and two through

lanes. The eastbound approach of Santa Monica Boulevard shall be restriped to appropriately align the travel lanes. (MM)

d. Western Avenue, south of Melrose Avenue shall be restriped to install a new northbound right turn only lane, in addition to one left-turn only lane and two through lanes. (MM)

3. Street Lighting. To the satisfaction of the Bureau of Street Lighting. If street widening is required on any of the streets adjoining the project site the following improvement shall be required: Five (5) impacted existing street lights on Virginia Avenue, two (2) on St Andrews Place, eight (8) on Santa Monica Boulevard and three (3) on Wilton Place shall be relocated and upgraded.

4. Street Trees. If determined necessary, construct tree wells and plant street trees satisfactory to the City Engineer and the Street Tree Division (213) 847-0833 of the Bureau of Street Services.

5. Sewers. If determined necessary, construct sewers to the satisfaction of the City Engineer.

6. Parking Area and Driveway Plans Parking area and driveway plans shall be submitted to the Citywide Planning Coordination Section of the Department of Transportation, Construction Services Counter (201 North Figueroa Street, Suite 400, Station 3) and the Bureau of Engineering, prior to the issuance of a building permit. A parking area and driveway plan may be submitted to the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Final DOT approval should be accomplished by submitting detailed site/driveway plans at a scale of 1"=40' and proper documentation verifying the existing or previous use, square footage and shall include following minimum design features:

   a. A minimum of 60-foot and 40-foot reservoir space(s) be provided between any ingress and security gate(s) and the property line of Lot 1 when the driveway is serving more than 300 and 100 parking spaces respectively.
   b. Residential vehicular access to Lot 1 shall be limited to St. Andrews Place and Virginia Avenue.
   c. Parking stalls shall be designed so that a vehicle is not required to back into or out of any public street or sidewalk.

7. Fire Department. 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. In accordance with L.A.M.C Section 57.09.07, the Applicant shall equip the proposed structures with automatic sprinkler systems. (MM)
   b. Fire lane width shall not be less than 20 feet. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width. (MM)
   c. No building or portion of a building shall be constructed more than 300 feet from an approved fire hydrant. (MM)
   d. No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane unless approved by the Los Angeles Fire Department. (MM)
   e. Access for Fire Department apparatus and personnel to and into all structures, including the subterranean parking structures, shall be required. (MM)

f. The Proposed Project shall comply with all applicable State and local codes and ordinances, and guidelines found in the Fire Protection and Fire Prevention Plan, as well as the Safety Plan, both of which are elements of the General Plan for the City of Los Angeles C.P.C. 19708. (MM)

8. Police Department. The requirements of the Police Department relative to the security of semi-public and private spaces shall be incorporated into the building plans. The Project developer shall submit a plot plan for the proposed development to the LAPD's Crime Prevention Section for review and comment. Security features subsequently recommended by the LAPD shall be implemented, to the extent feasible. (MM). The building plans shall incorporate the following minimum design features:
   - The building and layout design of the Proposed Project shall include crime prevention features, such as nighttime security lighting, full-time onsite professional security, building security systems, and secure parking facilities. (MM)

9. Cable Television. The applicant shall make any necessary arrangements with the appropriate cable television franchise holder to assure that cable televisions 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 Information Technology Agency (ITA).

10. Recreation and Parks. Per Section 12.33 of the Municipal Code, the applicant shall dedicate land for park or recreational purposes and/or pay the applicable Quimby fees for the construction of condominiums, or Recreation and Park fees for construction of apartment buildings. (MM)

11. School District Fees. The Project Applicant shall pay all applicable school fees to the Los Angeles Unified School District to offset the impact of additional student enrollment at schools serving the Project area. (MM)

12. Covenant: Prior to the issuance of any permits relative to this matter, an agreement concerning off the information contained in these conditions shall be recorded by the property owner in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent owners, heir, or assigns. Further, the agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a Certified Copy bearing the Recorder's number and date must be given to the City Planning Department for attachment to the subject file.

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

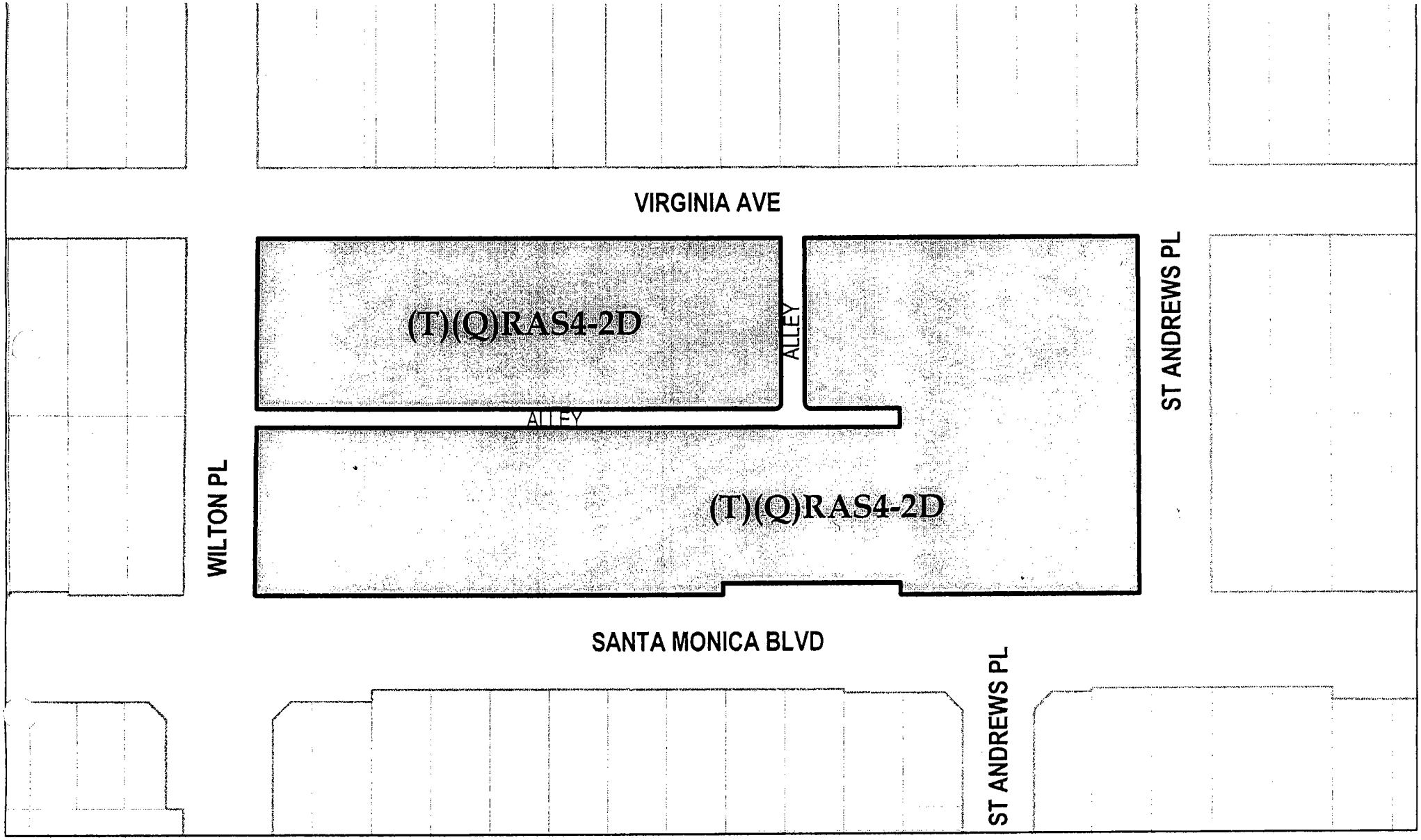
Notice: Certificates of Occupancies for the subject properties will not be issued by the City until the construction of all the public improvements (streets, sewers, storm drains, etc.), as required herein, are completed to the satisfaction of the City Engineer.

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:



CM 144B189 & 144B193	CPC 2006 - 4392 GPA ZC ZV HD ZAA ZAI SPR

DXG / ae

03/28/07

DATA SOURCE : DEPARTMENT OF CITY PLANNING / DEPARTMENT OF BUILDING & SAFETY / BUREAU OF ENGINEERING

(Q) QUALIFIED CONDITIONS OF APPROVAL

Section 2. 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.

A. Entitlement Conditions

1. **Use**. Use of the subject property shall be limited to the use and area provisions of the RAS4-2D zone as defined in Section 12.11.5 of the Municipal Code.

2. **Site Plan.** Prior to the issuance of any building permits for the subject project, detailed development site and elevation plans including complete landscape and irrigation plan by a licensed landscape architect or architect, shall be submitted for review and approval by the Department of City Planning for verification of compliance with the imposed conditions. The plans shall be in substantial conformance with the site plans labeled as Exhibit "A" stamped and dated February 8, 2007, or as modified by the city Planning Commission attached to the subject case file. Minor deviations may be allowed in order to comply with provisions of the Municipal Code, the subject conditions, and the intent of the subject permit authorization.

3. **Density.** Not more than 375 dwelling units are allowed on Site I.

4. **Parking.** Parking shall comply with Commercial and Residential Parking provisions as defined in Section 12.21 of the Municipal Code. (See also Condition B.13).

B. Environmental Impact Report Conditions (MM)

5. **Aesthetics**

   a. 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.

   b. Prior to the issuance of a grading permit or building permit, a plot plan prepared by a reputable tree expert, indicating the location, size, type, and condition of all existing trees on the site shall be submitted to the City of Los Angeles Department of Planning and the Street Tree Division of the Bureau of Street Services. The plan shall contain measures recommended by the tree expert for the preservation of as many trees as possible. (MM)

   c. Any trees removed during project implementation shall be replaced by a minimum of 24-inch box trees in the parkway and on the site, on a 1:1 basis, to the satisfaction of the Street Tree Division of the Bureau of Street Services and the decision maker. (MM)

   d. Removal of trees in the public right-of-way shall first require approval from the Board of Public Works. All trees in the public right-of-way shall be provided per the current Street Tree Division standards. (MM)

   e. The genus or genera of the tree(s) shall provide a minimum crown of 30 – 50 feet. (MM)

f. 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. (MM)

g. The exterior of all buildings and fences shall be free from graffiti when such graffiti is visible from a public street, public walk way or alley, pursuant to Municipal Code Section 91.8104.15. (MM)

h. The subject property including associated parking facilities, sidewalks, and landscaped planters adjacent to the exterior walls along the all property lines shall be maintained in an attractive condition and shall be kept free of trash and debris. Trash receptacles shall be located throughout the site.

i. Wall (Trash and Storage). Solid masonry block walls, a minimum of 6-feet in height, shall enclose trash and other storage areas. There shall be no openings except for gates. The areas shall be buffered so as not to result in noise, odor or debris impacts on any adjacent uses. The area shall not be adjacent to any single-family use. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. Trash pick up shall take place only between 7:00 AM and 8:00 PM Monday through Friday, and 10:00 AM to 4:00 PM on Saturday. There shall be no pick up on Sunday or legal holidays.

6. Illumination and Glare

a. The Proposed Project (and related projects) are subject to the City of Los Angeles Zoning Code, Lighting Regulations, Chapter 9, Article 3, Section 93.0117, and will follow regulations which limit reflective surface areas and the reflectivity of architectural materials used. (MM)

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

7. Air Quality (Construction)

a. The Applicant shall implement measures to reduce the emissions of pollutants generated by heavy-duty diesel-powered equipment operating at the Project Site throughout the Project construction phases. The Applicant shall include in construction contracts the control measures required and recommended by the SCAQMD at the time of development. Examples of the types of measures currently required and recommended include the following: (MM)

- Keep all construction equipment in proper tune in accordance with manufacturer's specifications.
- Use late model heavy-duty diesel-powered equipment at the project site to the extent that it is readily available in the South Coast Air Basin (meaning that it does not have to be imported from another air basin and that the procurement of the equipment would not cause a delay in construction activities of more than two weeks).
- Use diesel-powered equipment that has been retrofitted with after-treatment products (e.g., engine catalysts or cooled exhaust gas recirculation technology) to the extent that it is readily available in the South Coast Air Basin (meaning that it does not have to be imported from another air basin and that the procurement of the equipment would not cause a delay in construction

activities of more than two weeks).
- Use low-emission diesel fuel for all heavy-duty diesel-powered equipment operating and refueling at the project site to the extent that it is readily available and cost effective in the South Coast Air Basin (meaning that it does not have to be imported from another air basin, that the procurement of the equipment would not cause a delay in construction activities of more than two weeks, that the cost of the equipment use is not more than 20 percent greater than the cost of standard equipment). (This measure does not apply to diesel-powered trucks traveling to and from the site.)
- Utilize alternative fuel construction equipment (i.e., compressed natural gas, liquid petroleum gas, and unleaded gasoline) to the extent that the equipment is readily available and cost effective in the South Coast Air Basin (meaning that it does not have to be imported from another air basin, that the procurement of the equipment would not cause a delay in construction activities of more than two weeks, that the cost of the equipment use is not more than 20 percent greater than the cost of standard equipment).
- Limit truck and equipment idling time to five minutes or less.
- Rely on the electricity infrastructure surrounding the construction sites rather than electrical generators powered by internal combustion engines to the extent feasible.

b. The Applicant shall implement fugitive dust control measures in accordance with SCAQMD Rule 403. The Applicant shall include in construction contracts the control measures required and recommended by the SCAQMD at the time of development. Examples of the types of measures currently required and recommended include the following: (MM)

- Use watering to control dust generation during demolition of structures or break-up of pavement.
- Water active grading/excavation sites and unpaved surfaces at least three times daily.
- Cover stockpiles with tarps or apply non-toxic chemical soil binders.
- Sweep daily (with water sweepers) all paved parking areas and staging areas.
- Provide daily clean-up of mud and dirt carried onto paved streets from the site.
- Install wheel washers for all exiting trucks, or wash off the tires or tracks of all trucks and equipment leaving the site.
- Install wind breaks at the windward sides of construction areas.
- Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 miles per hour over a 30-minute period or more.
- An information sign shall be posted at the entrance to each construction site that identifies the permitted construction hours and provides a telephone number to call and receive information about the construction project or to report complaints regarding excessive fugitive dust generation.

c. The Applicant shall include in construction contracts the following requirements or measures shown to be equally effective: (MM)

- Use solar or low-emission water heaters in the residential buildings.
- Provide energy-efficient natural gas heating and cooking equipment.
- Install ozone destruction catalyst on air conditioning systems, in consultation with the SCAQMD.
- Require that commercial landscapers providing services at the common areas of the Project Site use electric or battery-powered equipment, or other internal combustion equipment that is either certified by the California Air Resources

Board or is three years old or less at the time of use, to the extent that such equipment is reasonably available and competitively priced in Los Angeles County (meaning that the equipment can be easily purchased at stores in Los Angeles County and the cost of the equipment is not more than 20 percent greater than the cost of standard equipment)..

8. Cultural Resources (Archaeological and Paleontological)

a. If an archaeological resource is encountered, construction must be diverted and a qualified archaeologist must be consulted. An archaeologist must assess significance of the exposed archaeological discovery in accordance with California Register criteria. If a significant resource is identified during construction, the State Historic Preservation Office must be consulted regarding treatment options. (MM)

b. Pursuant to California Health and Safety Code Section 7050.5, in the event of the discovery of a burial, human bone, or suspected human bone, construction in the area of the find shall be temporarily halted, and the Los Angeles County Coroner shall be contacted immediately. Proper legal procedures shall be followed to determine the disposition of the remains pursuant to Public Resources Code Section 5097.98. If the remains are found to be prehistoric, the Coroner will consult and coordinate with the California Native Heritage Commission as required by State law. (MM)

c. The Project Applicant shall identify a qualified paleontologist prior to any excavation, grading, or construction. The City of Los Angeles Planning Department shall approve the selected paleontologist prior to issuance of the grading permit. The Project paleontologist shall attend the pre-grading meeting to discuss how to recognize paleontological resources in the soil during grading activities. The prime construction contractor and any subcontractor(s) shall be cautioned on the legal and/or regulatory implications of knowingly destroying paleontological resources or removing paleontological resources from the Project Site. (MM)

d. If paleontological resources are encountered during the course of site development activities, work in that area shall be halted and the Project paleontologist shall be notified of the find. The Project paleontologist shall have the authority to temporarily divert or redirect grading to allow time to evaluate any exposed fossil material. "Temporarily" shall be two working days for the evaluation process. (MM)

e. If the Project paleontologist determines that the resource is significant, then any scientifically significant specimens shall be properly collected by the Project paleontologist. During collecting activities, contextual stratigraphic data shall also be collected. The data will include lithologic descriptions, photographs, measured stratigraphic sections, and field notes. (MM)

f. Scientifically-significant specimens shall be prepared to the point of identification (not exhibition), stabilized, identified, and offered for curation to a suitable repository that has a retrievable storage system. (MM)

g. The Project paleontologist shall prepare a final report at the end of the earthmoving activities; the report shall include an itemized inventory of recovered fossils and appropriate stratigraphic and locality data. The Project paleontologist shall send one copy of the report to the City of Los Angeles Planning Department; another copy should accompany any fossils, along with field logs and photographs, to the designated repository. (MM)

9. Geology and Soils

a. The Project shall be designed in accordance with the requirements of the latest edition of the City of Los Angeles Uniform Building Code. (MM)

b. The Project shall comply with the recommendations listed on pages 8 through 25 in the Report of Geotechnical Investigation for the Paseo Plaza Mixed-Use Development, 5601 Santa Monica Boulevard, Los Angeles, California, (which is incorporated by reference) prepared by GEOCON Inland Empire, Inc., dated April 22, 2005. (MM)

10. Hazards and Hazardous Materials

a. Prior to the issuance of the demolition permits, the Applicant shall have all USTs and associated piping/equipment identified at the Sears Automotive Service Center and removed under a proper Los Angeles City Fire Department Permit. The soils underlying the USTs and associated piping/equipment shall be assessed for the presence of hydrocarbons to determine whether soil contamination has occurred. If soil contamination is identified, proper abatement procedures shall be conducted according to Los Angeles Fire Department, federal, State and other local regulations to remove or remediate the contaminated soils. (MM)

b. Prior to the issuance of the demolition permits, the Applicant shall have soils under heavily stained asphalt pavement at the Sears Automotive Service Center and under the sink area in the medical facility located at 5661 Santa Monica Boulevard shall be assessed to determine whether soil contamination exists. If soil contamination is identified, the Applicant shall have the soils properly removed or abated according to the Los Angeles Fire Department and applicable federal, State and other local regulations. (MM)

c. Prior to the issuance of demolition permits, the Applicant shall have the ASTs located at the Sears Automotive Service Center properly removed for disposal at an appropriately licensed facility. The ASTs shall be cleaned, degassed and removed. Soils located underneath the ASTs shall be assessed to determine whether any soil contamination has occurred. If soil contamination is identified, proper abatement procedures shall be conducted to remove the contaminated soils according to the Los Angeles Fire Department and applicable federal, State and other local regulations. (MM)

d. Prior to the issuance of demolition permits, the Applicant shall have the soils located adjacent to or near the multi-stage wastewater clarifier, and under any areas of oil/chemical-stained pavement at the Sears Automotive Service Center, inspected for staining, collected and analyzed for the presence of hydrocarbons. If soil contamination is identified, proper abatement procedures shall be conducted to remove the contaminated soils according to the Los Angeles Fire Department and applicable federal, State and other local regulations. (MM)

e. Prior to the issuance of demolition permits, the Applicant shall have the small transformers observed behind the 5637 Santa Monica Boulevard property tested for the presence of PCB containing dielectric fluids. If PCBs are identified, the dielectric fluid shall be collected and properly disposed of as hazardous waste at an appropriate disposal facility in accordance with applicable federal, state and local regulations. The transformers shall also be disposed of as hazardous waste in

accordance with applicable federal, state and local regulations. (MM)

f. Prior to the issuance of demolition permits, the Applicant shall have the pole-mounted transformers located along the alley transecting the Project Site tested for the presence of PCB containing dielectric fluids. If PCBs are identified, the dielectric fluid shall be collected and properly disposed of as hazardous waste at an appropriate disposal facility in accordance with applicable federal, state and local regulations. The transformers shall also be disposed of as hazardous waste in accordance with applicable federal, state and local regulations. (MM)

g. Prior to the issuance of demolition permits, the Applicant shall identify PCB-containing light ballasts in each building throughout the Project Site. These ballasts shall be recycled through a reputable company to prevent environmental contamination upon renovation, demolition or change-out. (MM)

h. Prior to the issuance of demolition permits, the Applicant shall identify all mercury-containing fluorescent bulbs used in light fixtures throughout the buildings on the Project Site. These bulbs shall be recycled through a reputable company to prevent environmental contamination upon renovation, demolition or change-out. (MM)

i. Prior to the issuance of the demolition/renovation permits, the Applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant that no ACMs are present in the buildings. If ACMs are found to be present, they shall be abated in compliance with the South Coast Air Quality Management District's Rule 1403, as well as other state and federal regulations. Specific requirements of Rule 1403 include: (MM)

    - Implementation of a thorough survey of the affected facility prior to issuance of permits for any demolition or renovation activity, including inspection, identification, and quantification of all friable and certain non-friable asbestos-containing materials.
    - Surveys which include collection and analyses of representative asbestos building material samples, and quantification of these materials for asbestos abatement purposes prior to or during demolition/renovation.
    - Notification of the SCAQMD of the intent to demolish or renovate any facility at least ten days prior to commencing with the activity.
    - Removal of all asbestos-containing materials prior to any demolition or renovation activity that would break up, dislodge, or similarly disturb the material.
    - Use of legally required procedures when removing asbestos-containing materials.
    - Placement of all collected asbestos-containing materials in leak-tight containers or wrapping.
    - Disposal of asbestos-containing materials as required by applicable regulations

j. Prior to the issuance of permits for any demolition/renovation activity involving a particular structure, a lead-based paint assessment of each existing apartment structure shall be conducted. Lead-based paint found in any buildings shall be removed and disposed of as a hazardous waste in accordance with all applicable regulations. Such regulations that would be followed during demolition include Construction Safety Orders 1532.1 (pertaining to lead) from Title 8 of the California Code of Regulations, and lead exposure guidelines provided by the U.S. Department of Housing and Urban Development (HUD). (MM)

11. **Hydrology and Water Quality** During Project construction, the Project developer shall remove the concentrations of metals exceeding the "municipal and domestic supply and/or groundwater recharge beneficial use" screening levels for dewatering activities prior to discharge to a storm drain. The treatment of the groundwater shall be conducted in accordance with the regulations and guidelines set forth by the California Regional Water Quality Control Board, Los Angeles Region (LARWQCB). (MM)

12. **Noise (Construction)** The Project developer shall implement measures to reduce the noise levels generated by construction equipment operating at the Project Site during Project grading and construction phases. The developer shall include in construction contracts the following requirements or measures shown to be equally effective: (MM)

- All construction equipment shall be equipped with improved noise muffling, and have the manufacturers' recommended noise abatement measures, such as mufflers, engine covers, and engine isolators in good working condition.
- Stationary construction equipment that generates noise levels in excess of 65 dBA Leq shall be located as far away from existing occupied buildings as possible. If required to minimize potential noise conflicts, the equipment shall be shielded from noise sensitive receptors by using temporary walls, sound curtains, or other similar devices.
- All equipment shall be turned off if not in use for more than five minutes.
- An information sign shall be posted at the entrance to each construction site that identifies the permitted construction hours and provides a telephone number to call and receive information about the construction project or to report complaints regarding excessive noise levels

13. **Parking**

a. Commercial Parking shall be provided pursuant to the Los Angeles Municipal code Sections 12.21 A. 4, and as follows:

1). The property owner shall require, in all lease or rental agreements with non-residential tenants that free on-site parking be offered to all employees.
2). A plan or procedure shall be prepared and implemented for use of parking facilities by tenants, customers, employees and guests, such as a parking pass or validated parking plan. The plan procedures shall be provided to the Department of City Planning prior to issuance of any Certificate of Occupancy and placed in the administrative case file.

b. Residential Parking shall be provided pursuant to the Los Angeles Municipal code Sections 12.21 A. 5 and as follows:

1). Access to the Residential parking shall be from Virginia Avenue only.
2). Guest parking signs shall be clearly posted at building entrances. The signs shall be in large, easy to read lettering and shall indicate the general location of guest parking. Sign wording shall be to the satisfaction of the Department of City Planning and shall indicate the number of reserved guest parking spaces.
3. If any guest parking is located behind security gates, the following shall apply:
   a). A remote electronic gate opening system shall be installed so that the security gate can be opened from each residential unit served by the secured guest parking.
   b). An electronic intercommunication system shall be installed. The system shall be readily accessible to the drivers of guest vehicles and to the units served

by the secured guest parking.

c). The security gate shall be set back at least 40-feet from the public right-of-way so as to provide a waiting area for guest vehicles and to prohibit blockage or interference with the public right-of way by waiting guest vehicles.

d). Alternatives to the provisions of this condition may be approved by the Department of City Planning provided that the intent of readily accessible guest parking facilities and no interference with the public right-of-way is assured.

e). No guest parking fees may be charged for guests of residential tenants.

c. Concrete, not metal, shall be used for construction of parking ramps. (MM)

d. Interior ramps shall be textured to prevent tire squeal at turning areas. (MM)

e. The Project Applicant shall provide gated entry into all Project Site subterranean parking facilities on all three properties (Sites I, II and III), with room for 2 cars to queue.

f. Parking lots located adjacent to residential buildings shall have a solid decorative wall adjacent to the residential uses. (MM)

g. During construction activities, the Project developer shall ensure that all onsite areas of active development, material and equipment storage, and vehicle staging, that are adjacent to existing public roadways, be secured to prevent trespass. While the Proposed Project would not have a significant impact on police protection services following its buildout, the following mitigation measure is recommended to ensure that the LAPD's recommendations for the Proposed Project are addressed: (MM)

14. **Parks and Open Space** The Applicant shall pay the required $200 per dwelling unit fee paid to the Department of Building and Safety in accordance to the Dwelling Unit Construction Tax required by the Los Angeles Municipal Code Section 21.10.3(b). In addition, the following recreational facilities shall be provided as part of the Proposed Project: (MM)

- A public pedestrian plaza opening onto Santa Monica Boulevard on Site I (MM);
- Surveys which include collection and analyses of representative asbestos building material samples, and quantification of these materials for asbestos abatement purposes prior to or during demolition/renovation (MM);
- A landscaped open space area along Virginia Avenue shall be provided on Site I, connected to the Santa Monica Boulevard plaza by a landscaped pedestrian walkway (Paseo) (MM) ;
- The roof-top of the existing 3-story (above grade) retail department store building shall be converted to a landscaped open space area for use by residents and the general public for leisure activities as per (Q) Condition number 25 of this Staff Report; (MM) and
- Approximately 52,633 sq. ft. on Site I shall be left as common open space for use by all the residents at grade (or 1st story), at the 2nd story, and at the 4th story. (MM)

15. **Construction**

a. Construction-related Parking. Off-street parking shall be provided for all construction-related employees generated by the proposed project. No employees

or subcontractor shall be allowed to park on the surrounding streets for the duration of all construction activities. There shall be no staging or parking of construction vehicles, including vehicles to transport workers on any street in the immediate area. All construction vehicles shall be stored on site unless returned to their owner's base of operations.

b. Truck Traffic Restricted Hours. Truck traffic directed to the project site for the purpose of delivering construction materials or construction-machinery shall be limited to the hours beginning at 9:00 AM and ending at 3:00 PM, Monday through Friday. No construction truck deliveries shall occur outside of that time period. No truck queuing related to such construction deliveries to the project site shall occur on any local or collector street within the project vicinity outside of that time period.

c. Construction excavation trucks shall be limited to travel outside of the AM and PM peak hours to reduce truck traffic impacts. (MM)

d. Construction workers shall be encouraged to carpool or vanpool to the Project Site during construction of the Proposed Project to reduce vehicle trips. (MM)

e. Projects involving the import/export of 20,000 cubic yards of more of dirt shall obtain haul route approval by the Department of Building and Safety. (MM)

f. The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety. (MM)

g. Fences shall be constructed around the site to minimize trespassing, vandalism, short-cut attractions and attractive nuisances. (MM)

16. Traffic

a. The northbound approach of Gower Street, south of Santa Monica Boulevard, shall be re-striped, and on-street parking restrictions shall be implemented, to provide one left-turn only lane, one through lane, and one right-turn only lane. This improvement would result in the loss of approximately three parking spaces on Gower Street in order to accommodate the northbound right-turn only lane. (MM)

b. The north side of Santa Monica Boulevard shall be dedicated and widened along the project frontage to install a new right-turn only lane in addition to one left-turn only lane and two through lanes in the westbound direction. Additionally, the east side of Wilton Place shall be widened within the existing right-of-way south of Santa Monica Boulevard, to provide one-left through shared lane, one through lane, and one right-turn only lane in the northbound direction. Roadway improvements along Santa Monica Boulevard require coordination and concurrence of Caltrans. (MM)

c. The north and south sides of Santa Monica Boulevard shall each be widened by one foot within the existing right-of-way east of Western Avenue to install a new westbound right-turn only lane, in addition to one left-turn only lane and two through lanes. The eastbound approach of Santa Monica Boulevard shall be restriped to appropriately align the travel lanes.

d. As part of the Project's mitigation for pedestrian and transit access at this location, the developer shall work with the Metropolitan Transportation Authority (MTA), LADOT, and Community Redevelopment Agency (CRA) to identify potential strategies and/or improvements to address this issue. These improvements could

include relocation of some or all of the bus stops to minimize pedestrian needs to cross streets to accommodate the most popular route transfers, upgrading of the pedestrian crosswalk indicators to include "count down" timers for remaining crossing time, installation of physical barriers to direct and encourage pedestrians to use the crosswalks, or a combination of these and other measures to reduce existing and future pedestrian/vehicular conflicts at this intersection. (MM)

e. Melrose Avenue, south of Western Avenue shall be restriped to install a new northbound right turn only lane, in addition to one left-turn only lane and two through lanes. (MM)

f. The Proposed Project could also create significant impacts along several of the residential streets surrounding the Project Site. In order to address this impact, the developers shall provide funding for development and implementation of a neighborhood traffic management program, to minimize or mitigate the impacts of additional daily traffic in the Project vicinity. This program would be developed jointly by LADOT and representatives of the homeowners associations surrounding the project site to could include, but not be limited to, installation of additional STOP signs or speed humps to reduce travel speeds on these local streets, chokers or diverters to channel traffic, turn restrictions, or even cul-de-sacs. Other measures, including funding of the design for a new traffic signal at the project-adjacent intersection of Wilton Place and Virginia Avenue, for City installation should it meet the appropriate warrants, could also be included. The amount of the fund will be determined by LADOT. (MM)

g. The project applicant shall provide gated entry into all Project Site subterranean parking facilities on Sites I with room for at least 2 vehicles to queue. (MM)

h. Loading and unloading activities shall not interfere with traffic on any public street. Public sidewalks, alleys and/or other public ways shall not be used for the parking or loading or unloading of vehicles. The location of loading areas shall be clearly identified on the site plan to the satisfaction of the Department of City Planning.

17. Water

a. The Project developer shall ensure that the landscape irrigation system is designed, installed and tested to provide uniform irrigation coverage. Sprinkler head patterns shall be adjusted to minimize over spray onto walkways and streets. (MM)

b. The Project developer shall install either a "smart sprinkler" system to provide irrigation for the landscaped areas or, at a minimum, set automatic irrigation timers to water landscaping during early morning or late evening hours to reduce water losses from evaporation. Irrigation run times for all zones shall be adjusted seasonally, reducing water times and frequency in the cooler months (fall, winter, spring). Sprinkler timer run times shall be adjusted to avoid water runoff, especially when irrigating sloped property. (MM)

c. The Project developer shall select and use drought-tolerant, low-water-consuming plant varieties to reduce irrigation water consumption. (MM)

d. The Project developer shall install low-flush water toilets and water-saving showerheads in new construction. Low-flow faucet aerators shall be installed on all sink faucets. (MM)

18. Solid Waste

a. In compliance with AB 939, the construction contractor shall only contract for waste disposal services with a company that recycles construction-related wastes. (MM)

b. In compliance with AB 939, to facilitate the onsite separation and recycling of construction related wastes, the construction contractor shall provide temporary waste separation bins onsite during construction. (MM)

c. In compliance with Los Angeles City Ordinance 171.687, to support recycling of operational wastes, the Proposed Project shall include required minimum space for recycling containers. (MM)

19. Energy Conservation The Project Applicant shall comply with Title 24 of the California Administrative Code with regard to potential energy conservation measures for the Project. Examples of such energy conservation measures include: (MM)

- Install windows (i.e., tinting, double pane glass, etc.) to reduce thermal gain and loss, thus cooling loads during warm weather and heating loads during cool weather.
- Install thermal insulation in walls and ceilings.
- Install time control exterior lighting. These systems should be programmed to account for variations in seasonal daylight times.
- Limit outdoor lighting while still maintaining minimum security and safety standards.
- Install built-in appliances, refrigerators, and space-conditioning equipment.
- Use natural ventilation wherever possible.

C. <u>Other Conditions</u>

20. Rooftop Screening. Any structure on the roof, such as air conditioning units, antennae, and other equipment, except solar panels, shall be fully screened from view from any existing adjacent residential uses as seen from grade.

21. Noise (Residential). All exterior windows having a line of sight from Santa Monica Boulevard shall be constructed with double-pane glass and use exterior wall construction which provides a Sound Transmission Class of 50 or greater as defined in UBC No. 35-1, 1979 edition or any amendment thereto. As an alternative, the developer may retain an acoustical engineer to submit evidence, along with the application for a building permit, any alternative means of sound insulation sufficient to mitigate interior noise levels below a CNEL of 45 dBA in any habitable room.

22. Air Pollution (Stationary). The applicant shall install an air filtration system capable of removing 99.97% of all airborne contaminants at 0.3 microns in order to reduce the diminished air quality effects on occupants of the project.

23. Balconies. External facing balcony walls shall be constructed of opaque or solid materials so as to be enclosed from adjacent off-site residential uses and street traffic.

Internal Facing Balconies - No items shall be permitted to be placed or stored on balconies or balcony railings. The applicant shall ensure that appropriate restrictions are incorporated into the Declaration of Covenants, Conditions and Restrictions governing the use of the property, that each owner is aware of such restrictions, and that such restrictions are subject to appropriate enforcement measures.

24. **Roof Top Garden.** No building permit shall be issued for any renovation of the existing Sears building located at 5601 Santa Monica Boulevard., (with the exception of the 1 story portion of the Sears building located to the north and northwest of the main Sears Building as noted "to be demolished" on the Plot Plan dated May 16, 2006 and reviewed by the Planning Commission on March 8, 2007) unless the proposed renovation plans include the creation of a roof top garden. This restriction shall not apply to: i) the issuance of any demolition permit (except as it relates to demolition of the Sears building) or excavation permit ii) the issuance of any building permits or certificates of occupancy for any portion of the project other than the Sears building; iii) any work involving the Sears building which is necessary for the development of any portion of the project other than the Sears building and does not increase the floor area or height of the Sears building; or iv) Any work performed by the existing tenant in furtherance of their current operation pursuant to their existing lease without modification or extension..

25. **Pedestrian Improvement.** The project developer shall work in consultation with the Community Redevelopment Agency and the Department of City Planning Urban Design Studio on identifying potential pedestrian improvements to reduce interface between high-traffic vehicular areas and pedestrian paths, especially around traffic stops such as the Western Avenue and Santa Monica Boulevard intersection. In lieu of working in consultation with the Community Redevelopment Agency and the Department of City Planning Urban Design Studio, the developer may provide $10,000 to the Urban Planning Design Studio for the purpose of identifying potential pedestrian improvements in the project area.

D. <u>Administrative Conditions</u>

26. **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.

27. **Code Compliance.** Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions may vary.

28. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assigns. The agreement shall be submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.

29. **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.

30. **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.

31. **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.

32. **Project Plan Modifications**. Any correction and/or modifications to the Project plans made subsequent to this grant that are deemed necessary by the Department of Building and Safety, Housing Department, or other Agency for Code compliance, and which involve a change in site plan, floor area, parking, building height, yard or setbacks, building separations, or lot coverage, shall require a referral of the revised plans back to the Department of City Planning for additional review and final sign-off prior to the issuance of any building permit in connection with said plans. This process may require additional review and/or action by the appropriate decision making authority including the Director of Planning, City Planning Commission, Area Planning Commission or Board.

33. **Utilization of Concurrent Entitlement.** The subject Zone Change, Zone Variance, Height District Change, Area Adjustment, Project Determination and Site Plan Review requires completion of all applicable conditions of approval herein to the satisfaction of the Department of City Planning and the effective date of the Zone Change, Zone Variance, Height District Change, Area Adjustment, Project Determination and Site Plan Review shall coincide with that of the associated Zone Change on the property involved. The applicant/owner shall have a period of two years from the effective date of the subject Zone Change to effectuate the terms of for the Zone Variance 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 grant, the applicant files a written request, and is granted an extension to the termination period for up to one additional year pursuant to applicable provisions of the Municipal Code.

    The applicant/owner shall have a period of three years from the effective date of the subject grant for the Site Plan Review to effectuate the terms of this entitlement by securing a building permit.

    Thereafter, the entitlements shall be deemed terminated and the property owner shall be required to secure a new authorization for the use. If a building permit is obtained during this period, but subsequently expires, this determination shall expire with the building permit.

34. **Corrective Conditions.** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director of Planning, pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if in the decision makers opinion, such actions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.

35. **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.

"D" DEVELOPMENT CONDITIONS

Section 3. Pursuant to Section 12.32 H of the Municipal Code, the following limitations are hereby imposed upon the use of the subject property, subject to the "D" Development classification.

1. **Maximum Height** – The maximum height of the structures shall be as show on the elevations and plans dated March 8, 2007 but in no event be higher than 94 feet as defined per the Los Angeles Municipal Code (LAMC). An additional 19 feet of unoccupied space, to be used as an architectural feature (clock tower) for a total height of 113 feet, shall be permitted for a structure identified as structure "J" on the plot plans dated March 8, 2007 located approximately 385 feet east of the western property line and 147 feet south of the northern property line.

2. **Floor Area** – The total floor area of the non-residential uses shall not exceed the following:

   CPC-2006-4392-GPA-ZC-HD-ZV-ZAA-ZAI-SPR A Floor Area Ratio of 3:84:1 as defined by Section 12.03 and 12.21.1 of the Municipal Code. Commercial floor area shall be limited to a maximum of 377,900 square feet.

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

By _____

_____ 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.

Gabriele Williams
Commission Executive Assistant II

File No. _____

RESOLUTION

WHEREAS, the applicant has requested in its application a General Plan Amendment to add a footnote increasing the maximum floor area ratio (FAR) permitted in the Neighborhood Commercial designation over the entire site for the property bounded by Virginia Avenue, St. Andrews Place, Santa Monica Boulevard and Wilton Place, within the Hollywood Community Plan; and

WHEREAS, the City Planning Commission approved the applicant's General Plan Amendment request and recommended adoption by City Council of a General Plan Amendment to add a footnote increasing the maximum floor area ratio (FAR) permitted in the Neighborhood Commercial designation over the entire site; and

WHEREAS, a General Plan Amendment is necessary to achieve consistency between zoning and the adopted Community Plan as required by California State law; and

WHEREAS, pursuant to the provisions of the Los Angeles City Charter, the Mayor and the City Planning Commission have transmitted their recommendations; and

WHEREAS, the requested General Plan Amendment is consistent with the intent and purpose of the Hollywood Community Plan to designate land uses in an orderly and unified manner; and

WHEREAS, the subject request would provide for a more logical and uniform pattern of planned land use development that is compatible with surrounding land use designations on the General Plan; and

WHEREAS, the Neighborhood Commercial designation and the (T)(Q)RAS4-2D zone change and height district change will allow the development of a mixed-use project on the site and to be consistent with the Plan and zone and surrounding uses; and

WHEREAS, the subject project was issued a Environmental Impact Report ENV 2005-7720 EIR in accordance with the City's Guidelines for implementation of the California Environmental Quality Act (CEQA) by the Department of City Planning's Environmental Staff Advisory Committee.

NOW, THEREFORE, BE IT FURTHER RESOLVED that Footnote number 21 is added to the Hollywood Community Plan as shown on the attached page for the location shown on the attached General Plan Amendment map.

GENERAL PLAN AMENDMENT
TO ADD A FOOTNOTE

Pursuant to Section 11.5.6 of the Municipal Code the Hollywood Community Plan is amended to add the following Footnote.

Height District 2D with a maximum floor area ratio of 3.84:1 for the project described in CPC-2006-4392 the area bounded by Virginia Avenue on the north, St. Andrews Place on the east, Santa Monica Boulevard on the south, and Wilton Place on the west.

CONDITIONS OF APPROVAL

1. **Related Zone Variance and Site Plan Review.** The applicant or any successor in interest shall comply with all of the Site Plan Review requirements contained in Case No. CPC 2006-4392 GPA-ZC-HD-ZAA-ZAI-SPR being processed concurrently with this Zone Change and any subsequent modifications thereto, to the satisfaction of the Director of Planning.

2. **Related Tentative Tract.** The applicant or any successor in interest shall comply with all of the requirements contained in Vesting Tentative Tract No. VTT-66044 and any subsequent modifications thereto, to the satisfaction of the Advisory Agency of the Department of City Planning.

3. **Variance.** Site I of the project may be permitted have commercial uses below and above the ground floor in the RAS4 zone as condition herein.

4. **Variance.** The existing alley area of Site I of approximately 11,373 square feet may be added to the buildable area used to calculate the floor area of Site I prior to the completion of the alley vacation.

5. **Adjustment.** The project may observe a zero (0) foot yard setbacks along the street frontages of Santa Monica Boulevard, Wilton Place, and St. Andrews Place.

6. **Determination.** Site I of the project may be permitted to have a department store use or several retail uses below ground and the continued department store at the southeast corner of the site in the RAS4 Zone.

7. **Affordable Housing**. The applicant shall suitably guarantee to the satisfaction of the Housing Department that 10 percent of the dwelling units constructed on Site I of Vesting Tentative Tract (VTT) 66044 (10 percent of 375 units equals 38 units) shall be designated as affordable to low income households, as per Los Angeles Housing Department (LAHD) guidelines. The Applicant may provide these affordable units proportionately throughout the Tract (i.e. 32 units on Site I, 2 units on Site II, 4 units on Site III), or, as an alternative, the Applicant may provide all of the 38 low-income affordable units on Site III.

   The Applicant shall record a covenant, acceptable to LAHD, to provide 10% of the units constructed on Site I to be low income - affordable housing units to be located on Site I until a Building Permit is issued for Site III. Once the Building Permit is issued for Site III, the City Planning Department, LAHD, and Building and Safety Department shall, upon request, agree to terminate the covenant regarding the low income units on Site I. The affordable housing units shall be designed to accommodate families to the extent feasible.

8. **Site Plan.** The use and development of the subject property shall be in substantial conformance with the site plan, elevations, and floor plans labeled "Exhibit B," stamped and dated March 8, 2007 attached to the subject case file. Minor deviations may be allowed in order to comply with provisions of the Municipal Code, the subject conditions and the intent of the subject permit authorization.

   Note: This grant does not confer an approval of Project Plans as submitted. Detailed, revised plans and elevations indicating compliance with these conditions shall be submitted for review, to the satisfaction of the Director of Planning, prior to the issuance of any building permits, except demolition, excavation, or foundation permits.

   In accordance with the site plan, elevations, and section drawings labeled "Exhibit B," stamped and dated March 8, 2007 attached to the subject case file shall include, but not

limited to the following elements as shown in the exhibit:

a. Landscaping shall be provided to the satisfaction of the Planning Department. The final Landscape plans shall be subject to review by the Hollywood Studio District Neighborhood Council, and the Council Office.

b. Two swimming pools and a spa area shall be provided for use by residents and their guests.

c. Water fountain features shall be located on Site I near the pedestrian entrances on Santa Monica Boulevard and Virginia Avenue and on the second floor in the two garden/patio areas on the north side of the project.

d. The Paseo from Santa Monica Boulevard to Virginia Avenue shall be accessible by pedestrians at all times.

e. A five foot wide landscaped parkway for the entire length of Virginia Avenue, except for driveway cut outs, shall be provided and maintained.

9. **Site Plan Review for Site II and Site III**. The applicant shall provide updated architectural plans (including elevation detail, parking configuration, open space location, and landscape information) for Site II and Site III which show adequate detail shall be subject to review by the City Planning Department, Council Office and the Hollywood Studio District Neighborhood Council in order to obtain a Site Plan Review Approval for Site II and Site III of VTT-66044 prior to the issuance of any building permits for these two sites.

10. **Sustainable Development Practices.** The applicant shall submit a "green building" program prior to obtaining any building permit, to the satisfaction of the Department of City Planning. The program shall address the development's sensitivity to the environment, resources and energy consumption, the impact on people (quality and health of work environment), and financial impact (cost-effectiveness/savings in comparison to standard development practices). The program must include the following description of building materials and development techniques which shall be incorporated within the development project:

a. Recycled content products (i.e. Building materials, exterior deck material, lawn furniture, playground equipment, landscape edging and the like) features equivalent to those needed to earn one LEED 2.2 MR credit..
b. Utilize materials from renewable sources (Use rapidly renewable floor projects such as bamboo or linoleum to help reduce the amount of land and resources dedicated to producing construction materials features equivalent to those needed to earn one LEED 2.2 MR credit.
c. Roof systems (white roof/cool roof) - per relevant standards set forth in Title 24 of the California Code of Regulations.
d. Efficient modes of transportation - features equivalent to those needed to earn two LEED 2.2 SS 4.1 - 4.4 credits.
e. Energy efficient equipment and appliances (Energy Star certified appliances, photovoltaic applications, etc.) - energy star appliances and Mechanical equipment per Title 24 of the California Code of Regulations.
f. Water conserving devices (i.e. low flush toilets, shower heads, electronic plumbing sensors, waterless urinals, drip irrigation systems, landscape irrigation timers) – pursuant to the relevant requirements of the City of Los Angeles Municipal Code.
g. Landscaping plant materials (i.e. Native trees, shrubs and ground cover) - features equivalent to those needed to earn LEED 2.2 WE credit 1.1.

h. Use low Volatile Organic Compounds (VOC) emitting materials features equivalent to those needed to earn one LEED 2.2 EQ 4.1 – 4.4 credit.

As an alternative to the above green building program requirement, the applicant may submit documentation verifying certification by the Leadership in Energy and Environmental Design (LEED) rating system, with the minimum level of "LEED Certified". (Reference: www.usgbc.org/).

11. **Transportation Demand Management (TDM)/Ridesharing Plan.** The applicant shall prepare and implement a TDM/Ridesharing Plan for the development, to include, at minimum:
    - Dedicated parking spaces for use by a carsharing program;
    - Adequate bicycle parking facilities (number of racks to be determined by the Department of City Planning and the Department of Transportation);
    - Preferential parking for hybrid or alternative (non-gasoline) powered vehicles (developer to disclose the number and location of these parking spaces)
    - Metro pass promotional plan for new residents and employees.

    The TDM/Rideshare Plan should focus on alternative transportation options for the approximate 1,000 new jobs that will be created by the development. The plan shall be reviewed and approved by the Department of Transportation, in consultation with the Department. of City Planning and the Council Office.

12. **Hollywood Mobility Trust Fund.** Prior to the issuance of building permits, the applicant shall deposit $900,000 into the 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 East Hollywood residents (e.g. neighborhood traffic management plans; programs to support pedestrian connections to the Santa Monica Boulevard/Western Avenue transit node). This contribution can be used toward the satisfying conditions Q-16-d, Q16-f, and Q-26.

13. **Access to Recreational Facilities.** All recreational facilities on Site I shall be accessible for use by the residents of Site II and III. Access shall be provided in the same manner for all residents.

Administrative Conditions

14. **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.

15. **Code Compliance.** Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions may vary.

16. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assigns. The agreement shall be submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.

17. **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.

18. **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.

19. **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.

20. **Project Plan Modifications**. Any correction and/or modifications to the Project plans made subsequent to this grant that are deemed necessary by the Department of Building and Safety, Housing Department, or other Agency for Code compliance, and which involve a change in site plan, floor area, parking, building height, yard or setbacks, building separations, or lot coverage, shall require a referral of the revised plans back to the Department of City Planning for additional review and final sign-off prior to the issuance of any building permit in connection with said plans. This process may require additional review and/or action by the appropriate decision making authority including the Director of Planning, City Planning Commission, Area Planning Commission or Board.

21. **Utilization of Concurrent Entitlement.** The subject, Zone Variance, Area Adjustment, and Project Determination requires completion of all applicable conditions of approval herein to the satisfaction of the Department of City Planning and the effective date of the Zone Change, Zone Variance, Area Adjustment, and Project Determination shall coincide with that of the associated Zone Change on the property involved. The applicant/owner shall have a period of two years from the effective date of the subject Zone Change to effectuate the terms of for the Zone Variance, Zone Adjustment, and Zone Determination 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 grant, the applicant files a written request, and is granted an extension to the termination period for up to one additional year pursuant to applicable provisions of the Municipal Code.

    The applicant/owner shall have a period of three years from the effective date of the Zone Change for the Site Plan Review to effectuate the terms of this entitlement by securing a building permit.

    Thereafter, the entitlements shall be deemed terminated and the property owner shall be required to secure a new authorization for the use. If a building permit is obtained during this period, but subsequently expires, this determination shall expire with the building permit.

22. **Corrective Conditions.** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director of Planning, pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if in the decision makers opinion, such actions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.

23. **Indemnification.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from anyclaim, 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.

FINDINGS

General Plan Findings

1. **General Plan Land Use Designation.** The subject property is located within the Hollywood Community Plan area, which was adopted by the City Council on December 13, 1988 (pursuant to Council File 86-0695-S1. The Plan Map designates the subject property for Neighborhood Office Commercial land use with corresponding zones of C1, C4, C2, RAS3, RAS4, P, and PB. The City's Community Plans have been amended to include the RAS3 and RAS4 zones if the Plans contain residential density categories which correspond to the R3, R4 and/or R5 zones.

   Those Community Plans which only permit Medium Residential Density (R3 corresponding zone) are restricted to the RAS3 zone. Those Community Plans that include the High Medium and/or High Residential Density categories with the R4 and/or R5 corresponding zones are permitted to use the RAS3 and RAS4 zones. The recommended RAS4 zoning classification will therefore be consistent with the General Plan.

2. **General Plan Text.** The following Hollywood Community Plan's land use objectives are consistent with the proposed development:

   Objective 1: To coordinate the development of Hollywood with that of other parts of the City of Los Angeles and the metropolitan area.

   To further the development of Hollywood as a major center of population, employment, commercial services, and entertainment...

   Objective 2: To designate lands at appropriate locations for the various private uses and public facilities in the quantities and at densities required to accommodate population and activities projected to the year 2010.

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

   Approximately 5% of residents in the project site area's Census Tract are property owners and approximately 92% of residents are renters, compared to Los Angeles County, which has about half renters and half owners. There is also a significantly lower vacancy rate in this Census Tract than in the County and in California. This area, in particular, is in great need of newly constructed buildings that provide additional housing opportunities.

	Census Tract 190901 (Site)	**Los Angeles County**	**California State**
Renter	91.65%	49.96%	40.58%
Owner	5.24%	45.85%	53.59%
Vacant	3.11%	4.19%	5.83%

Source: US Census Data, 2000

3. The **Transportation Element** of the General Plan will be affected by the recommended action herein. However, any necessary dedication and/or improvements of Santa Monica Boulevard to designated Major Highway street standards will assure compliance with this Element of the

General Plan and with the City's street improvement standards pursuant to Municipal Code Section 17.05.

4. 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.

5. **Street Lights.** Any City required installation or upgrading of street lights is necessary to complete the City street improvement system so as to increase night safety along the street which adjoin the subject property.

6. **Charter Findings – City Charter Sections 556 and 558 (General Plan Amendment).** Section 556 of the City Charter requires the City Planning Commission make findings that the recommended action is in substantial conformance with the purposes, intent and provisions of the General Plan. Section 558 of the City Charter establishes the procedures for the adoption, amendment or repeal of ordinances, orders or resolution proposed by the City Council, City Planning Commission, or Director of Planning or by application of the owner of the affected property if authorized by ordinance.

   The General Plan land use designation for the subject site is "Neighborhood" commercial in the Hollywood Community Plan. The Applicant is requesting an amendment to add Footnote No. 22 to the Hollywood Community Plan to increase the maximum floor area ratio that is permitted for specific types of projects in the Neighborhood commercial designation to 3.84:1 for the Master Project, CPC-2006-4392.

   The current Footnotes 7 and 11 in the Hollywood Plan contain the following limitations:

   For properties limited to the 1XL and 1VL Height Districts, the recommended FAR is 1.5:1. This plan designation emphasizes pedestrian-oriented use and design.

   A maximum FAR of 3:1 may be permitted on sites located within designated centers with the application of the CSA 1 Height District.

   Further restriction of the Footnote amendment to just Site I is necessary because the Neighborhood Commercial designation covers a much broader area of the Hollywood Plan including other sections of Santa Monica Boulevard, Melrose Avenue, Sunset Boulevard and Vermont Avenue. A wholesale amendment to the cover the entire plan should not be considered by a single private application. The proposed EIR (ENV 2005-7720-EIR) restricts the General Plan Amendment to the one block. Further environmental impacts may occur if the footnote amendment goes beyond the scope of this application. The Hollywood Community Plan is currently in the process of being updated and any further revision of Footnote 7, 11 or the proposed footnote areas should be evaluated by the update of the Plan.

   The proposed General Plan amendment will provide a range of FAR's that allow for the development of residential and mixed use projects that are not subject to the FAR restrictions intended for purely commercial uses. Currently, because the property is designated Neighborhood commercial, a maximum FAR of 1.5:1 is imposed for all uses pursuant to the Community Plan Footnote 7 prohibiting the development of the project as proposed. The proposed General Plan Amendment is in conformity with public necessity and convenience because it will allow greater floor area for those projects that are mixed-use and pedestrian oriented. The proposed amendment to add a Footnote does not automatically make by-right the higher FAR in the Neighborhood commercial designation. In order to obtain the 3.84:1 or the 4.04:1 FAR an applicant must still go through a discretionary review process such as a RAS

Zone Change. By requiring that any increase in FAR go through a discretionary review, the city can insure that adequate mitigation measures are imposed that takes into consideration the individual location and neighborhood.

Public necessity and convenience is also served by utilizing the recently adopted RAS3 and RAS4 Zone to provide mixed-use projects consisting of commercial and residential uses on an underutilized property in the Hollywood Community Plan area. The RAS 3 and RAS4 Zones and the utilization of floor area averaging are intended to provide tools to accommodate projected population growth in mixed-use and residential projects that are compatible with existing residential neighborhoods. The additional FAR afforded to projects in the RAS Zone, and projects with affordable housing, would contribute to the expected growth and continued vitality of the community by providing additional opportunities for accessory services and additional residential units in projects in the Hollywood area.

The Framework Element of the General Plan states "Improvement of the jobs and housing relationships in sub-areas of the City may be accomplished through the re-use of commercially zoned corridors and development at transit stations which afford the opportunity for the development of a mix of uses, housing, local retail, and offices, and can improve localized jobs and housing relationships." Tracts of vacant properties are less available in urban areas and to accommodate the cumulative amount of population growth, much of new housing has turned to infill projects in the urban areas.

There is no detriment to the general welfare of the city, the surrounding community or the future residents of the Hollywood Community with the proposed General Plan amendment because the additional FAR can only be granted through a discretionary review of a zone change to the RAS Zone. Such cases are evaluated on a case-by-case basis to ensure mixed-use projects permitted by the RAS Zone are compatible with the surrounding area. This will also ensure the goals of the community plan are addressed.

The General Plan amendment fulfills the goal of the Redevelopment Plan by providing increased incentive for the development of projects which will provide neighborhood oriented goods and services, such as a restaurants and retail space, creative office space, mixed-use, and housing within an FAR compatible with that allowed for commercially zoned property. Not only will this promote community revitalization by replacing properties with more vibrant, active and unified mixed-use residential and commercial developments, but the project is also compatible with the adjacent residential uses and the adjacent residential neighborhoods. Additional residential development in Hollywood is appropriately located in close proximity to significant employment centers such as Hollywood, Universal City, Burbank studios and downtown Los Angeles, especially with connection via the MTA Red Line subway in Hollywood and the future Rapid-Bus service on Santa Monica Boulevard.

7. Zone Height District Change Findings

The proposed Zone/ Height District Change on Site I from C4-1VL and R4-1VL to RAS4-2D is in conformance with public necessity, convenience, general welfare and good zoning practices. The proposed Zone/ Height District Change on Site I will facilitate redevelopment of the subject property, permitting construction of a new mixed-use building comprised of a total of 375 residential units, approximately 263,780 square feet of new neighborhood commercial, and 1,447 parking spaces located in a subterranean garage in an area designated for such density and located near neighborhood commercial areas and major transit routes. The site is located on a General Plan Framework designated Mixed Use Boulevard.

The proposed Project represents good zoning practices, as the RAS Zone was designed to create more housing in areas best equipped to accommodate growth and revitalize commercial corridors. The City identifies the following areas as best suited for the RAS Zones:

(1) Under-performing commercial streets characterized by one-story, marginal development;
(2) Property that is already zoned commercial and designated "commercial" in the City's Community Plan and;
(3) Commercial corridors served by bus or rail.

The RAS4 Zone was created to provide a mechanism to increase housing opportunities, enhance neighborhoods, and revitalize older commercial corridors. The RAS4 Zone is also intended to provide a tool to accommodate projected population growth in mixed-use residential projects that is compatible with and preserves the existing residential neighborhoods. This project, with residential on top of neighborhood serving commercial situated in this high density community is designed to encourage pedestrian activity and minimize traffic impacts, and creates residential and job opportunities and provides neighborhood services all within the same project site.

The proposed mixed-use Project is appropriate for the RAS Zone, as the physical environment can and should permit this type of development. The current zoning on Site I is zoned C4-1VL and R4-1VL. Both the C4 Zone and the R4 Zone are designated for Neighborhood Commercial uses in the Hollywood Community Plan, corresponding to the C1, C4, C2, and P Zones. The Subject Site is currently underdeveloped in an area that is characterized by neighborhood commercial uses, multi-family residences, and some remaining single-family homes. Additionally, the Subject Site is located along a commercial corridor and is currently served by multiple public transportation opportunities along routes on both Santa Monica Boulevard and Western Avenue. The proposed mixed-use development will enhance livability through its pedestrian and transit friendly design. This type of high-density residential, mixed-use Project near public transit promotes pedestrian activity in an area that is an optimal location for housing immediately adjacent to a jobs rich area.

Public Necessity. According to the adopted City of Los Angeles Housing Element, the City is in need of new dwelling units to serve both the current population and the projected population. In conjunction with housing demand, the cost of housing continues to rise. An objective of the Community Plan is to "provide a diversity of housing opportunities capable of accommodating all persons regardless of income, age or ethnic background."1 The proposed project will provide the Hollywood community with 437 new residential units (375 units on Site I, 24 on Site II, and 38 on Site III). Although pricing is not determined at this point, the Applicant plans to provide residential units ranging in prices in order to create a diverse residential community. In addition, the applicant volunteered and the Planning Department is requiring the inclusion of at least 10% affordable units for a portion of the project.

Convenience. One of the objectives of the Hollywood Community Plan is, "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." Changing the existing zone to an RAS4 Zone and allowing the height to the proposed 94 feet is consistent with the objectives of the Community Plan.

Through the development of mixed-use (residential and commercial), the project envisions a mix of compatible uses that will create a community center, complement the existing residential uses in the area and provide expanded modern retail opportunities to existing residents and users of the commercial corridor along Santa Monica Boulevard. The Community Plan encourages new

housing in proximity to goods, services, and facilities. The subject site is located on an existing commercial corridor near the junction of two major transit corridors and a variety of nearby employment centers. The site is also adjacent to many existing commercial establishments providing tenants the opportunity to walk to their shopping and dining destinations. By locating residential development close to major transit, job centers, and shopping areas, the proposed Project will facilitate residents' interaction with the community, bringing more people onto the street, without the need for their cars, and providing more customers for local businesses. It will create a public convenience by reducing reliance on the automobile; alleviating traffic congestion as a result.

There are multiple public transportation opportunities in the Subject Site's immediate area. The Metro Red Line Hollywood/ Western Metro Station is located approximately 1 mile away from the Project site while the Metro Rail Line Vermont/ Santa Monica Metro Station is located approximately 1.25 miles away from the project site.

Good Zoning Practices The Subject Site is planned for Neighborhood Commercial uses over the entire site, yet it is dual zoned, a commercial zone (C4-1VL) of approximately 129,680 square feet facing Santa Monica Boulevard and a residential zone (R4-1VL) of approximately 135,984 square feet facing Virginia Avenue. The site's current zoning has an allowable residential density of 400 square feet of lot area per unit, which would permit 539 units (215,495 sf/400 square feet). The Applicant is proposing to provide 375 units (164 units less than what is allowed). However, the Subject Site is limited by its current zoning which includes a limited height district and allowable floor area. These zoning guidelines make it difficult to develop the proposed mixed use project with much needed housing opportunities and neighborhood commercial amenities. Additionally, Site I is split by two alleys, one running north/south and another east/west totaling 11,373 square feet of area. The site's existing configuration makes it difficult to develop a cohesive project. Therefore, in order to provide a well-designed unified development with large commercial floorplates, public plazas and paseos and enough floor area ratio to permit the residential density, the applicant is requesting the RAS4 zone and Height District 2D to provide more FAR that the 3:1 permitted by the RAS 4-1 zone.

The Hollywood Community Plan, Footnote No. 7 limits the subject site's FAR to 1.5:1. The proposed RAS zone allows for greater floor area than the existing commercial zone and greater height than the existing -1VL Height District. The subject site is also restricted by the above mentioned footnote in the General Plan. Additionally, the Hollywood Community Plan is currently being updated and the draft document for that project proposes to allow a 3:1 FAR on the entire site for mixed use and residential buildings. The applicant has applied for a General Plan Amendment to add a footnote for Site I to allow an FAR of 3.84:1 for the Master Project.

Current Zoning	**Height**	**Floor Area Ratio**
C4-1VL	3 stories, 45 feet	1.5:1
R4-1VL	3 stories, 45 feet (not limited by the number of stories)	3:1
Proposed Zoning		
RAS4-2D Zone	Unlimited Vertical Height	Permitted FAR in HD 2 of 6:1
Self-imposed D Limitations	94 ft with 113 feet. architectural feature (See Height Diagram for further detail)	**3.84: 1** 202,106 x 3.84 = **775,770 sf**

Incidental to the request for a Zone Change, the applicant is requesting a Height District Change from -1VL to -2D for Site I. Height District -2D is proposed to limit the maximum number of stories on Site I to 8 stories and the height to a maximum of 113 feet, which includes unoccupied space.

Although the maximum height of the building is proposed to reach 94 feet of occupied space and 19 additional feet (up to a height of 113 feet) of unoccupied architectural features, numerous setbacks minimize the massing of the proposed Project, as it incorporates a "wedding-cake" design with varying setbacks and heights for the commercial and residential uses throughout the Project. Due to the complexity of the proposed project and the intricacy of the design, the Applicant prepared a Height Diagram for Site I with 5 Tiers, which define the proposed height limits of 5 specific areas within the Project (Site I). (See Height Diagram included in the architectural drawings.)

The main pedestrian access to the commercial portion of the Proposed Project is off of Santa Monica Boulevard. Fronting along Virginia Avenue are residential uses, with no commercial uses on the ground floor. Similarly, the front yard setbacks are proposed to be 5 feet for the residential portion of the project and 0 feet for the first and second stories of exclusively commercial uses facing Santa Monica Boulevard.

The floor area and height gained by the requested Zone/Height District Change with D Limitations will be dedicated to residential and neighborhood commercial uses. Without such changes, the combined residential and commercial component of this Project would not be possible; the site is large enough to support the residential density requested or most of the commercial square footage, however the current zoning limits the height and the floor area necessary to support it. The proposed Zone Change and Height District Change are, therefore, necessary to facilitate the transformation of the currently underutilized site into a vibrant mixed-use community.

8. Zone Variance Findings

A. That the strict application of the provisions of the zoning ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations.

Below and Above Grade Commercial

Strict application of the provisions of the RAS4-2D zone allowing commercial uses only on the ground floor would result in practical difficulties and unnecessary hardships to the property. The site is currently partially zoned C4 which permits commercial uses on multiple levels. The RAS4 zoning designation is intended to enhance neighborhoods and revitalize declined or underutilized commercial corridors. The restriction to first floor commercial development is intended to preserve traditional mixed-use in which most of the structure is residential and only the pedestrian streetscape is commercial. The proposed Project is consistent with this intention because most of the development is residential. However, applying the strict first floor commercial limit to this development may be inappropriate because the existing streetscape along Santa Monica Boulevard is multi-story commercial. Below grade commercial development is consistent with the intent of the RAS4 zone so long as most of the development is residential and the above-grade commercial is compatible with existing adjacent commercial development. Further, below-grade commercial uses would complement and be consistent with the existing subterranean level of the existing department store currently operated by Sears. Below-grade commercial uses will not add to the appearance of bulk or mass of the buildings.

A strict application of the RAS4-2D zoning provisions would result in a Project that is

incongruous with adjacent commercial structures. The commercial portion of the proposed Project is one level below grade and two levels above grade, and is oriented towards Santa Monica Boulevard to compliment the existing commercial uses along that commercial corridor. As contemplated by the RAS4 zone, the Project as proposed will enhance and revitalize the neighborhood by providing commercial services in a contemporary shopping center that blends with the frontage along Santa Monica Boulevard, will maintain the character of the existing commercial corridor, and is compatible with existing subterranean commercial uses. Most of the neighboring commercial properties on Santa Monica Boulevard are commercially zoned C2-1D, C4-1VL, or CM-1VL. There is a five story mixed use commercial and residential center on the southeast corner of Santa Monica Boulevard and Wilton Place, and there are many neighborhood retail stores and shopping centers along Santa Monica Boulevard up to two stories in height above grade. These commercial properties create a consistent multiple-story commercial frontage, and are part of the greater commercial corridor along Santa Monica Boulevard. Surrounding commercial zones on Santa Monica Boulevard do not prohibit multiple level commercial developments.

Area of Alley to be Vacated added to Buildable Area for Floor Area Calculation
The owner requests relief from the regulation that does not allow the addition of alleys to be vacated to the buildable area when calculating floor area. The applicant desires to use the existing alley to be vacated as part of the buildable area in order to develop the project as requested prior to recordation of the tract map which would complete the alley vacation.

The existing alley has an area of 11,373 square feet. If the area of the existing alley to be vacated were included in the buildable area, the allowable floor area would increase by 43,672 square feet (11,373 square feet x 3.84 FAR).

While Vesting Tentative Tract Map No. 66044 proposes to vacate and merge the existing alley, technically, the area cannot be used as buildable area until the Final Map has been recorded. Since the recordation of the Final Map happens after the Tract Map conditions are cleared which is months after the decision letter is issued, the applicant has requested that the area be included in the buildable area rather than waiting for several months. Since the condominiums cannot be sold until the Final Map is recorded, the alley vacation which is part of the Vesting Tract Map application will occur during construction.

The Project site, located in the Hollywood Community Plan area of Los Angeles, is proposed to be zoned RAS4-2D. The zoning as conditioned permits a floor area ratio (FAR) of 3.84:1. If the alley to be vacated is not included in the buildable are when calculating the allowable floor area, the proposed FAR would increase to 4.1:1 and the project would have to be redesigned to keep the existing alley open even though the tract map when recorded would remove them.

B. *That there are special circumstances applicable to the subject property such as size, topography, location or surroundings that do not apply to other properties in the same zone and vicinity.*

Below and Above Grade Commercial
There are special circumstances applicable to the subject property that do not apply to other properties in the same zone and vicinity. This Project is an urban infill redevelopment project located in the heart of an emergent commercial district and residential neighborhood. Due to the residential and commercial density in the Project vicinity, there is little space to build a development providing a multitude of services and community benefits. The intent of the Project therefore is to create as many benefits to the community as possible, including much needed housing opportunities, neighborhood commercial services for daily or weekly

use, common open space, and a reduction in traffic through a pedestrian friendly Project design which would reduce traffic due to the residential density of the project and the large scale commercial square footage. The site fronts along a dense commercial corridor – Santa Monica Boulevard, while the rear of the property is primarily residential. The property straddles the transition between larger scale strip commercial uses and high medium residential uses. This necessitates clustering commercial density where it is most appropriate – along Santa Monica Boulevard. The RAS4 zone, however, limits commercial development to the ground level of a mixed-use structure. The special circumstance on Site I is the location, as the property straddles the transition between commercial uses and residential uses as the entire site is planned for commercial use but is split between residential and commercial uses. The RAS4 zone is the appropriate zone for a commercial/residential transition property, but the first-floor commercial limitation prevents a transition site from appropriately clustering the commercial development along the Santa Monica Boulevard frontage while preserving the residential face of Virginia Avenue, thereby preserving the residential area.

The Project's design incorporates an open-air structure with commercial oriented towards Santa Monica Boulevard, a focal point clock tower for community gathering, and an open-air pedestrian passage between Virginia Avenue and Santa Monica Boulevard for the convenient access of community residents to the Project. In contrast, the existing and neighboring commercial uses do not encourage pedestrian activity, are aging commercial structures, are unrelated uses, and are oriented toward vehicular use to access the commercial uses.

Additionally, the subject site is zoned R4 and C4. The multi-level commercial is substantially proposed over the existing commercially zoned portion of the site. The C4 zone permits commercial levels on multiple levels. The proposed multi-level commercial component of the mixed use project provides the neighborhood serving commercial uses which is encouraged through the RAS zone, and also provides various commercial opportunities much needed in this area. There are various commercial complexes in the area that provide multi-level commercial components most notably the existing Sears store which is included in the zone change but would be made a non-conforming use without the variance.

Area of Alley to be Vacated added to Buildable Area for Floor Area Calculation

The close proximity to the subway, to a number of bus lines and to the other neighborhoods in Los Angeles, and the fact that this is an urban development make the site a prime location to allow the subject request. Approval of this request will increase the total floor area permitted for the site and therefore will encourage the development of additional residential units and large scale commercial uses in the Hollywood area.

The alley to be vacated is wholly within the project site and will not be needed for access once the project is completed. The design of the project provides a pedestrian walkway from Santa Monica Boulevard to Virginia Avenue and throughout the project. The intent of the mixed-use project is to encourage people to get out of their cars and walk. Maintaining the alleys would not allow the project to be built as currently designed which encourages pedestrian activity and connects the community. The applicant is proposing an alley vacation to achieve a pedestrian friendly, mixed-use environment through the recordation of the tract map which includes the alley vacation. Not allowing the project to add the area of the alley would limit the potential to provide needed housing and commercial facilities in this area of Hollywood because the project would have to be redesigned to account for the alleys even though they are being eliminated.

C. *That such variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other properties in the same zone and vicinity,*

but which, because of such special circumstances and practical difficulties or unnecessary hardships, is denied to the property in question.

The variances requested herein are necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other properties in the same zones and vicinity, but which, because of the Property's special circumstances, practical difficulties and unnecessary hardships, is denied to the Property. The right to enjoy full economic use of the property is currently enjoyed by the surrounding properties on Santa Monica Boulevard, which are able to maximize the multi-story commercial use of the properties within their floor area limitations. Unlike those properties, the Project site is a transitional site with a split zone and alleys which preclude its full development to the commercial and residential intensities and densities anticipated by its Plan designation.

Restricting commercial uses to only the ground level of the Project makes it infeasible to develop the mixed-use development with 263,780 square feet of commercial space, on the Santa Monica boulevard commercial frontage and maintaining the Virginia Avenue frontage for residential uses consistent with existing development patterns. It is also therefore difficult to develop a unique and cohesive Project that will serve the neighborhood commercial needs of the community if commercial uses on the property are limited. Providing the proposed commercial uses below and above the ground level will allow the new commercial uses to be consistent with the existing department store, which is currently located below-, at- and above-ground level. The subject site is an appropriate location for the proposed Project as it is located on an existing commercial corridor near transportation opportunities, a variety of employment centers, and complements adjacent neighborhood serving commercial establishments.

D. *That the granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the same zone or vicinity in which the property is located.*

Below and Above Grade Commercial

The granting of the requested variance for commercial uses above and below ground level will not be materially detrimental to the public welfare or injurious to the property or improvements in the same zone or vicinity in which the property is located. The project is requesting a Zone and Height District change to the RAS4-2D zone in order to accommodate a proper FAR for such a project. The use of basements and upper floors of mixed use buildings is permitted by commercial zones but not the RAS zone. As the entire site is proposed for the RAS zone, without this variance, the existing Sears building would become a non-conforming use and the project could not be built in such a manner as to properly integrate the Sears building into the new development. In addition, other properties proposed for the RAS zone have had variances approved for commercial uses on multiple floors when such projects were proposed over multiple lots with FAR's exceeding the normal 3:1 of the RAS zone. Approval of multiple floors of commercial uses would also result in compressing the commercial portion of the project to the Santa Monica Boulevard frontage while maintaining the residential frontage of Virginia Avenue in conformance with existing development patterns.

Area of Alley to be Vacated added to Buildable Area for Floor Area Calculation

Because the owner is going to build residential units and commercial facilities together, it is obligatory that the Final Map be recorded before any units are sold. The alley vacation is included as a portion of the tract map. Denying the Applicant to ability to include the area of the alleys that will be vacated until after the Map is recorded is would require a redesign of the building to not include the area of the alleys which are being vacated to accommodate the project. This would be injurious to both the project and the property as the alleys are no

longer required for access.

E. The granting of the variance will not adversely affect any element of the General Plan.

Below and Above Grade Commercial

The granting of the variance will not adversely affect any element of the Hollywood Community Plan. The Hollywood Community Plan does not restrict commercial uses in mixed use development to the first floor. Rather, the Plan establishes broad policy goals and land use designations which would be served by the proposed Project. The variance requested herein allows for the Project to meet the goals expressly stated in the Community Plan. Commerce policies include ensuring that future development is compatible with existing development and surrounding residential neighborhoods. The requested variance and the proposed Project are consistent with this goal, as the Project is compatible with existing developments along Santa Monica Boulevard while preserving the residential frontage along Virginia Avenue. Most of the neighboring commercial properties on Santa Monica Boulevard are zoned C2-1D, C4-1VL, or CM-1VL. Commercial properties along Santa Monica Boulevard are therefore permitted to provide commercial services to a height of 45 feet or three stories. With commercial services only one story above grade in height, the Project would therefore maintain the integrity of the commercial corridor by providing a consistent frontage along Santa Monica Boulevard.

The Project will also be consistent with the surrounding residential neighborhoods along Virginia Avenue between Wilton Place and Western Avenue, and along St. Andrews Place between Santa Monica Boulevard and Lexington Avenue in development standards. The Project will preserve well defined residential neighborhoods in Hollywood. Further, along Virginia Avenue, the Project will be setback and landscaped to preserve the residential atmosphere of the street. Separate parking for the residential portion of the Project on Virginia Avenue will also maintain the distinct character of the street for residential uses. The Project will maintain the integrity of the surrounding residential community by providing design and development features that blend with adjacent residences.

Area of Alley to be Vacated added to Buildable Area for Floor Area Calculation

Granting the variance will not adversely affect any element of the General Plan as it is consistent with the Hollywood Community Plan and the Housing Element. Alleys are not a part of either the Community Plan or the Circulation element of the General Plan and their vacation will have no effect on circulation as they are no longer needed for access to the site.

9. Zone Variance Findings "Early Start" (Denial). Pursuant to Section 12.27.D of the Municipal Code:

A. The strict application of the provisions of the zoning ordinance would NOT result in practical difficulties or unnecessary hardships inconsistent with the general purposes and intent of the zoning regulations.

The applicant has requested a Zone Variance to start construction on the project with City Planning Commission approval of the zone change and variance (or if appealed by City Council approval), and prior to the recordation of a Final Tract Map (Vesting Tentative Tract Maps No. 66044). The reason for the request is to start construction on the building as soon as possible without the full processing of the zone change ordinance and prior to completing all of the conditions of the tract map (required for a Final Tract Map). Typically the applicant agrees to abide by the conditions of approval by recording a covenant and agreement. However, in this case there is a concurrent zone change being requested as part of the

overall project entitlement procedures that may alter the final zone change ordinance and the Final Tract Map conditions of approval which may create an inconsistency between the "Q" conditions of approval and the tract map conditions.

B. *There are NO special circumstances applicable to the subject property such as size, shape, topography, location, or surroundings that do not apply generally to other property in the same zone or vicinity.*

The requested variance is requested by the desire to start early construction prior to the zone change ordinance and recordation of a Final Tract Map and is a self-imposed special circumstance. By waiting for the zone change to become effective, the Final Tract Map can be recorded and the project built without a zone variance. The structures on the site can be demolished prior to completion of the zone change and grading of the site can also occur. There are no special circumstances about the subject property.

C. *The variance is NOT necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of the special circumstances and practical difficulties or unnecessary hardships, is denied to the property in question.*

The requested variance is not a result of special circumstances or practical difficulties encountered on site; rather the variance is a request to jump start a project prior to full processing of Planning Department entitlements. In this respect there is no hardship or taking of property rights since the applicant has applied for the zone change and Tentative Tract Map and the requests are being processed in a timely manner.

D. *The granting of the variance WILL BE materially detrimental to the public welfare, or injurious to the property or improvements in the same zone or vicinity in which the property is located.*

Allowing a mixed-use structure to be built under the current zoning regulations which do not permit the proposed floor area or height prior to the final recordation of a Tract Map and adoption of a concurrent zone change for the convenience of the property owner negates the purpose of the discretionary review process. Tract Map conditions as well as zone change conditions require compliance with certain public improvements and project conditions of approval that are in place to protect public welfare of both project residents and adjacent residents. Allowing a project to be built without these conditions in place could compromise the ability of the city to enforce the pending zone change conditions of approval.

E. *The granting of the variance WILL adversely affect any element of the General Plan.*

Zone variance procedures are established to grant relief when certain hardships and where site impracticality makes compliance with the zoning regulations impossible. The applicant has shown only that the variance is necessary to start early construction on a project. The General Plan has established certain land uses and criteria for implementing zone changes and granting an instant variance for a project that is still being processed could potentially cause conflicts between the other actions. Since the concurrent zone change procedure is a more permanent action implementing the General Plan, this approval requires compliance with the tract map as a condition of the zone change.

10. Adjustment Findings. Pursuant to Section 12.28 of the Municipal Code

A. *That the granting of an adjustment will result in development compatible and consistent with the surrounding uses.*

The Applicant is requesting a reduction in setbacks to provide a 0-foot front yard setback along Santa Monica Boulevard, Wilton Place and St. Andrews Place. The RAS4 Zone requires a 5-foot front yard setback or the "average of the adjoining buildings".

The general purpose of the zoning regulations is to provide setbacks in areas with similar setbacks. Other buildings in the area, both existing and new, observe front and other yard setbacks similar to the setbacks proposed by the Project. For example, the existing commercial buildings along Santa Monica Boulevard, located to the east and west of the subject site, observe 0-foot setbacks. Thus, the proposed setback of 0 feet in the yards along Santa Monica Boulevard, Wilton Place, and St. Andrews Place will provide a building footprint consistent with surrounding existing commercial developments.

The northerly side of the project along Virginia Avenue will provide a 5-foot front yard setback (5 feet over what is required) to compliment the adjacent residential buildings across Virginia Avenue. On Santa Monica Boulevard, the Project proposes to provide a 0-foot yard setback along the entire street frontage. However, the Project also proposes a large pedestrian plaza with the primary entrance off of Santa Monica Boulevard, and therefore the entire project will not be built to the property line for a significant portion of the site along Santa Monica Boulevard. Also, the Applicant requests a 0-foot front yard setback along Wilton Place and St. Andrews Place. However, only a portion of the ground floor and second floor commercial along Wilton Place and St. Andrews will provide 0-foot front yard setbacks, while the remainders of those portions, which are residential, are proposed to be setback 5-feet. In addition, the existing department store, currently operated by Sears, located on the southeast corner of Site I currently provides 0-foot setbacks along both Santa Monica Boulevard and St. Andrews Place.

The Project proposes numerous setbacks to minimize the massing of the project with its incorporated "wedding-cake" design, providing varying setbacks for the commercial and residential uses throughout the project. (See the table below.) In addition, the setbacks at the street level will reduce massing. For example, the front yard setbacks are proposed to be 5 feet along Virginia Avenue, Wilton Place and St. Andrews Place for the residential uses. The project proposes a 0-foot setback along Santa Monica Boulevard for the commercial uses (first and second floors) and a 5-foot setback for the residential uses on the 3rd floor (see table below). The proposed project design is consistent with the community vision of providing urban amenities at the street frontage along Santa Monica Boulevard in order to enhance pedestrian activity and urban experiences.

REQUIRED YARDS		
RAS Zone	**Required Setbacks**	**Proposed Setbacks**
Front Yards	5 feet or average of adjoining buildings less than 5 feet	**Santa Monica Boulevard:** 1st story (commercial): None 2nd story (commercial): None 3rd story (residential): 5 feet **Virginia Avenue:** 1st story (residential): 5 feet **Wilton Place:** 1st story (commercial): None 2nd story (commercial): None 3rd story (residential): 5 feet 1st story of residential: 5 feet **St. Andrews Place:** 3 story existing commercial: None 1st story (residential): 5 feet
Side Yards	5 feet for residential / None for commercial at ground floor.	N/A
Rear Yards	5 feet	N/A

The main pedestrian access to the commercial portion of the Proposed Project is off of Santa Monica Boulevard. Fronting along Virginia Avenue are residential uses, with no commercial on the ground floor. Similarly, the yard setbacks are proposed to be 5 feet for the residential portion of the project and 0 feet for the first and second stories of exclusively commercial uses (see Height Diagram included within the architectural drawings and the below table).

Providing the Code required residential front yard setbacks would further reduce the building footprint area beyond the lot area lost to the probable street dedications; a loss of 9,459 square feet (212,629 square feet – 203,170 square feet). The reduction of buildable area makes it a hardship to build a high-density mixed-use development in an urban area on an existing zone which generally has no building setbacks.

The proposed site's close proximity to public transportation and jobs, the surrounding commercial properties have similar setbacks which are consistent with the development pattern of any urban area in proximity to major transportation routes.

B. *That the granting of an adjustment will be in conformance with the intent and purpose of the General Plan of the City.*

The General Plan designates the subject site as Neighborhood commercial with corresponding zones of C1, C4, C2, RAS3, RAS4, P and PB. The requested zone of RAS4 is a relatively recent addition to the zoning categories and is permitted within the commercial designation. The intent of the RAS Zone is to take advantage of the commercial corridors and allow greater floor area for buildings that contain a mix of commercial and residential uses. Because the upper floors are residential uses, setbacks are required to allow project residents some separation from adjacent commercial uses. Considering that the commercial zone would not normally require setbacks for commercial buildings along Santa

Monica Boulevard and that the first two levels are commercial uses, the request to maintain zero–foot setbacks along the yards is in conformance with the intent of the General Plan.

C. *That the granting of an adjustment is in conformance with the spirit and intent of the Planning and Zoning Code of the City.*

The requested adjustment is in conformance with the spirit and intent of the Planning and Zoning Code of the City. The RAS4 zone is a zone created relatively recently by the City to encourage mixed-use development. The subject site is commercially zoned along Santa Monica Boulevard and would not require a front yard setback if the project were proposing a commercial use. The RAS4 setback requirements are citywide and do not take into account the unique characteristics of the urban area which typically has a dense building pattern with reduced yard setbacks. The zoning regulations require certain setbacks from respective property lines in order to provide for buffering distance/compatibility between respective uses as well as to ensure access in the event of an emergency. Such regulations, however, are written on a citywide basis and cannot take into account the unique characteristics of a specific site. The proposed project occupies an entire city block, thus the code requirements for side yard setbacks between buildings to ensure light and air circulation between adjacent buildings is not needed in this case.

The Zoning Code allows adjustments from the Code when special circumstances exist, provided that the development does not result in any adverse impacts. The proposed building will be compatible with adjacent uses and also consistent with surrounding development.

D. *That there are no adverse impacts from the proposed adjustment or any adverse impacts have been mitigated.*

The granting of the Adjustment to reduce the yard setbacks along Santa Monica Boulevard, Wilton Place, and St. Andrews Place will not result in adverse impacts to the surrounding properties or to the subject property as the surrounding buildings in the area and many buildings in the Hollywood area have reduced yard setbacks.

There are no adverse impacts from the proposed adjustment to reduce the yard setbacks of the proposed development because doing so conforms to the development and land uses that surround the project site and provides for the habitability needs of the proposed development's residents and commercial patrons. The granting of the request to reduce the yard setbacks will not result in adverse impacts to the surrounding properties or to the subject property.

An Environmental Impact Report (EAF-2005-7720-EIR, State Clearinghouse No. 2005111018) has been prepared for this project. Potential environmental impacts from the proposed Project were identified, analyzed and, mitigated to the extent feasible, as analyzed in the project's EIR. The EIR contains appropriate mitigation measures, monitoring programs, and examination of alternatives that are part of the case file.

E. *The site and/or existing improvements make strict adherence to the zoning regulations impractical or infeasible.*

The subject site is located in a high-density urban area where real estate is at a premium. Setbacks in a mixed-use project on a site that is currently commercially zoned, in addition to street dedications, make it a hardship to build well-design residential projects in urban areas. Furthermore, residential setbacks on the Subject Site would be incongruent with surrounding property, most of which is developed with commercial uses with zero setbacks.

The fact that the project site includes an entire city block make strict adherence to the zoning regulation impractical as there are no other buildings to be set back from except the original Sears building which is being integrated into the whole project.

11. **Use Determination.** The Applicant requests a Determination to permit a department store use or several retail uses below ground on Site I and the continued department store use on the southeast corner of Site I in the RAS4-2D Zone. The mixed-use Project proposes to provide one level of below-ground retail, and two-levels of above-ground retail with housing above the proposed two-level retail along Santa Monica and housing on the ground level along Virginia Avenue. There is an existing 114,120 square foot department store on-site. The existing department store is four levels, with 3 levels above ground and 1 level below ground. The Project on Site I proposes to provide a new department store use or several retail uses below-grade to compliment and interconnect with the existing department store currently operated by Sears.

The property is currently zoned R4 and C4. The C4 zoned portion of the subject site permits department store uses below-grade and on a second level. The RAS zone is a relatively recent zone created by the City of Los Angeles to encourage mixed-use development. The intent and purpose of the RAS zone is to promote the development of additional housing opportunities near neighborhood retail serving uses within a pedestrian friendly design. The proposed Project meets the purpose and intent of the RAS zone and is a development that is compatible and consistent with the surrounding uses.

The existing retail store on site, currently operated by Sears, is a multi-level department store which has existed on the site since 1928, and has served the community, providing typical retail services of a department store and will be retained as part of this development. Development of the proposed Project involves demolition of the six neighborhood retail buildings on Site I, which consists of 47,430 square feet of retail, and the existing 335 surface parking stalls. The proposed Project will provide neighborhood serving retail uses on the ground floor and the second level of the proposed project and will replace the existing 335 surface parking stalls within a subterranean parking garage.

Providing a below-ground department store use or several retail uses which compliment the existing department store serves the needs of the community, and is hidden from the pedestrian view at the ground level. Since the proposed department store use or several retail uses are proposed below ground, the proposed project will serve the retail needs of the community and maintain a neighborhood feel to the community by providing typical neighborhood serving retail above ground to encourage pedestrian activity. Therefore the proposed department store use or several retail uses below ground are similar to and no more objectionable to the public welfare than those listed in the RAS4 zone.

12. **Site Plan Review Findings.**

The following Findings can be made for the project and allow for the submittal of updated plans for Site II and Site III that require more detail including: Full elevation detail, Parking configuration, Open Space location, and landscape information. Conditions of Approval have been added as part of this recommendation requiring the applicant to provide updated architectural plans (including elevation detail, parking configuration, open space location, and landscape information) for Site II and Site III which show adequate detail shall be subject to review by the City Planning Department, Council Office, and the Hollywood Studio District Neighborhood Council in order to obtain Site Plan Review Approval of Site II and Site III to the satisfaction of the Director of Planning prior to the issuance of any permits on those sites at a future date. This condition was included because Site II and III are integral parts of the project as they are lots identified in VTT-66044.

A. The project complies with all applicable provisions of this Municipal Code and any applicable Specific Plan.

The Project complies with all zoning requirements of the Municipal Code proposed RAS4 zone, except as varied by this action.

The Residential Accessory Services Zone, RAS4, is a mixed use zone which is the zone proposed for the site. It permits both retail and residential uses. Residential densities are based on the R4 zone which permits multi-family dwelling units, 1 dwelling unit for every 400 square feet of lot area. The site is approximately 4.9 acres. The RAS4 zone would permit 531 dwelling units. The residential density of the development proposed, 375 dwelling units, complies with the allowable density. The proposed project consists of 375 dwelling units in addition to 377,900 square feet of commercial retail space located along the Santa Monica Boulevard side of the project.

The requested Height District No. 2D restricts floor area to 3.84:1 for the Master project. As conditioned the project will be limited to 94-feet in height for occupied spaces and 113 feet for an unoccupied architectural feature. The "D" Development conditions of the requested Height District were formulated to accommodate the proposed project but provide reasonable limits to address concerns regarding overdevelopment. The Master Project proposes approximately 822,999 sq. ft. of development (397,800 sq. ft. of residential area and 377,900 square feet of commercial area), which at the requested 3.84:1 FAR, is within the proposed FAR for the Project site.

Off-street parking is conditioned to be provided, per Section 12.21 A 4 of the Municipal Code.

The proposed project is not located within a Specific Plan Area.

B. The project is consistent with the General Plan

As described below, the Project complies with the applicable regulations, standards, and provisions of the General Plan including the Hollywood Community Plan as amended by this action.

The Project site is located within the boundaries of the Hollywood Community Plan. An Objective of the Plan is 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. Another Objective is to promote economic well being and public convenience through allocating and distributing commercial lands for retail, service, and office space in quantities and patterns based on accepted planning principles and standards.

The proposed project is comprised of 437 new dwelling units and approximately 377,900 square feet of commercial uses. The project will provide needed housing units in the Hollywood Community Plan Area, as well as provide a neighborhood serving commercial use. The project as an infill development will take advantage of the new RAS4 zoning and allow for a mixed-use project along a major commercial corridor, Santa Monica Boulevard, without converting dwelling units or displacing existing residents.

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

This site is within the Hollywood Redevelopment Plan area and is consistent with the Plan's goals. The following sets forth the ways in which the Project meets and addresses the goals stated in the Redevelopment project plan.

> Goal 3: Promote a balanced community meeting the needs of the residential, commercial, industrial, arts and entertainment sectors.

The City's Housing Element states that the population of Los Angeles will grow by 821,165 persons between 1993 and 2010. The amount of housing needed to accommodate citywide growth is estimated to be 60,280 dwelling units (from 1998-2005) or an annual need of 8,037 dwelling units. In the proposed Project's census tract, approximately 92% of the population is renters, while the remaining 5% (approximately) are property owners. The proposed project is a step towards meeting this demand for housing opportunities.

> Goal 5: Improve the quality of the environment, promote a positive image for Hollywood and provide a safe environment through mechanisms such as (for example):
> a. encouraging maintenance of the built environment
> b. integrating public safety concerns.

The Applicant proposes to construct a mixed-use Project consisting of neighborhood retail and residential components. The architectural style provides multi-faceted massing, roof forms, fenestration, and other architectural elements consistent with the architecture in the area.

> Goal 9: Provide housing choices and increase the supply and improve the quality of housing for all income and age groups and to provide home ownership opportunities and other housing choices which meet the needs of the resident population.

The proposed Project directly addresses this goal by proposing the construction of 437 residential units. As stated previously, approximately 92% of the residents in the census tract are renters while only about 5% are property owners. With 437 new residential opportunities, the proposed project would be a step towards creating a balance of housing choices. Vesting Tentative Tracts 66044 has been filed to convert the residential units into condominium units for sale increasing the number of home owners in the area. The residential component of the project increases the variety of housing types and helps meet the needs of the resident population. The area the subject site is located in is in need of additional housing opportunities.

> Goal 10: Promote the development of sound residential neighborhoods through mechanisms such as land use, density and design standards, public improvements, property rehabilitation, sensitive in-fill housing, traffic and circulation programming, development of open space and other support services necessary to enable residents to live and work in Hollywood.

The proposed Project is located in an area with a Neighborhood Office Commercial General Plan Designation. The Project proposes to provide a total of 62,033 square feet of open space, which is more than the 58,150 square feet of required open space. In addition, the proposed Project contributes to the development of a sound residential neighborhood through its mixed-use land use component and high-quality design standards.

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

The arrangement of the proposed development is consistent and compatible with existing and future development on the neighboring properties. The Subject Site is surrounded by a number of multi-story residential buildings as well as commercial/ retail structures. To the north, across Virginia Avenue, are multi-family apartments, two and three stories in height. There is also one single-family home. South of the site, across Santa Monica Boulevard, are neighborhood retail buildings. There is a retail center on the southeast corner of Santa Monica Boulevard and Wilton Place. There are also mixed-use sites with retail on the ground floor and residential/multi-family apartments above, which are two to five stories. South of Site III is neighborhood retail, including a restaurant, indoor swap meet, and clothing store. East of Site II are multi-family apartments, two and three stories in height and east of Site III is surface parking and neighborhood retail. West of the subject site, across Wilton Place on the northwest corner and southwest corner of Santa Monica Boulevard and Wilton Place, are single story retail shopping centers. On the southwest corner of Wilton Place and Virginia Avenue are multi-family and single-family residential uses.

Although the maximum height of the building is proposed to reach 113 feet, numerous setbacks minimize the massing of the proposed project as the project incorporates a "wedding-cake" design with varying setbacks for the retail and residential uses throughout the project.

In addition, due to the complexity of the proposed project and the intricacy of the design, the Applicant proposes a Height Diagram for Site I with 5 Tiers, which define the proposed height limits of 5 specific areas within the Project (Site I). The first Tier fronts on Virginia Avenue, has a varying depth of between 37 feet to 77 feet, is proposed to allow a maximum height of 60 feet, and comprises residential uses. Tier 2 proposes to allow a maximum height of 65 feet and two stories, is proposed to front along Santa Monica Boulevard, and has a varying depth from 13 feet to approximately 90 feet. The third Tier is located on both Wilton Place and St. Andrews place and comprises the two 5-story residential structures and is proposed to allow a maximum height of 75 feet. The eastern area of Tier 3 is set back from Virginia Avenue approximately 37 feet, has a depth of 108 feet, and a length of 82 feet for a total square footage of 8,856 sq. ft. The western area of Tier 3 is set back from Virginia Avenue approximately 40 feet and has a depth of 81 feet and a length of 81 feet, for a total square footage of 6,561 sq. ft. Tier 4 is the majority of the proposed project and is located within the block on Site I with street frontage on portions of Wilton Place, Santa Monica Boulevard and St. Andrews Place. Tier 4 proposes to allow a height limit of 94 feet and 8 stories. Tier 5 is primarily the location of the proposed architectural features which includes a clock tower. Tier 5 is located wholly within the project and proposes to allow a maximum height of 113 feet and 8 stories.

The proposed Project is providing the required residential setbacks along Virginia Avenue on Site I to compliment the existing residential uses to the north of the Subject Site and is meeting the setback requirements on Sites II and III. The proposed Project will also provide more than the required number of parking spaces on Site I as 1,186 spaces are required and 1,447 spaces are proposed (residential and commercial combined.) The Project will also provide over Code required parking on Sites II and III.

Residential density in the RAS4 Zone is 400 square feet of lot area per dwelling unit, which equates to 531 units on Site I. However, the applicant proposes to construct 375 units on Site I in order to provide residential units that will allow for more livable space per unit. The proposed project is a mixed-use project providing a total of 437 residential units.

The Project's lighting will be low-level walkway lighting with some exterior illumination for security purposes. All lighting will be directed on site and shields will be provided to prevent

spillover onto adjacent properties. The Project is providing approximately 62,033 square feet of open space, which is 1,283 square feet more than the 58,150 square feet of open space required by the Code. Landscaping and trash collection will also be provided based on Code Requirements and the practices of the surrounding community. These proposed pertinent improvements are compatible with existing and future developments on the neighboring properties.

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 effect of the project and/or additional findings as may be required by CEQA.*

An Environmental Impact Report (EAF-2005-7720-EIR, State Clearinghouse No. 2005111018) has been prepared for this project. Potential environmental impacts from the proposed Project were identified, analyzed and, mitigated to the extent feasible, as analyzed in the project's EIR. The EIR contains appropriate mitigation measures, monitoring programs, and examination of alternatives that are part of the case file.

F. *That 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 includes specific dedicated areas for community-based social and recreation functions. The Project proposes two pools, a spa, community room, and gymnasium, which will be located on Site I and will be available for residential use. Other amenities that the Project proposes include laundry facilities and trash chutes, which would improve habitability for the residents and minimize impacts on neighboring properties. The project proposes to provide a town center which includes retail and residential uses in one project. A Paseo is provided at mid-block of Site I with the main entrance on Santa Monica Boulevard and a secondary entrance on Virginia Avenue. These entrances are accessible and ADA compliant.

Additionally, the Project proposes to include a total of 62,033 square feet of Open Space (Site I: 52,633 sq. ft., Site II: 3,790 sq. ft., Site III: 5,610 sq. ft.). The open space provided will offer appropriate amenities and recreational facilities for the Project's residents and are expected to minimize impacts on neighboring properties.

As far as nearby existing public spaces and parks, there are six parks located within a mile of the subject site. The closest outdoor park is Robert L. Burns Park located 1.1 miles south of the subject site at 4900 Beverly Boulevard. Barnsdall Art Park is located 1.3 miles northeast of the site at 4800 Hollywood Boulevard and De Longpre Park is located 1.4 miles west of the subject site at 1350 North Cherokee Avenue. This park is a pocket park; it is open from dawn to dusk and offers a children's' play area.

There are also a number of Recreation Facilities within the immediate area. The Lemon Grove Recreation Center is located 0.7 miles southeast of the subject site at 4959 Lemon Grove. The second closest recreation facility is The Hollywood Recreation Center located within one mile from the subject site. The Hollywood Recreation area offers recreational programs such as Pre-school, After-school, and Winter-Spring-Summer Camp.

In December 2002, the CRA completed the construction of Selma Park, a 10,000 square foot community park located at the northwest corner of Selma Avenue and Schrader Boulevard. The park serves surrounding community residents and organizations that

include Selma Elementary School, YMCA facility, the Gay and Lesbian Community Services Center, various post production offices and the Casa Verde Apartments.

13. Environmental Findings (CEQA)

HAVING RECEIVED, REVIEWED, AND CONSIDERED THE FOLLOWING INFORMATION AS WELL AS ALL OTHER INFORMATION IN THE RECORD OF PROCEEDINGS ON THIS MATTER, THE CITY PLANNING COMMISSION OF THE CITY OF LOS ANGELES HEREBY FINDS, DETERMINES, AND DECLARES AS FOLLOWS:

I. CERTIFICATION OF EIR

The City Planning Commission of the City of Los Angeles (the "City") hereby certifies that the Final Environmental Impact Report State Clearinghouse No. 2005111018, dated April 28, 2006 (the "Revised Final EIR") for the project described below has been completed in compliance with the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq. in connection with the following approvals granted to St. Andrews-Santa Monica, LLC (the "Applicant"). This Revised Final EIR is being certified in connection with all discretionary or ministerial approvals and permits required to implement the Project.
Based on the City's Environmental Review Committee, the City determined an EIR was necessary to analyze the potential environmental effects of the proposed project. The Notice of Preparation for a draft EIR (the "Draft EIR") was circulated for a 30-day review period starting on November 2, 2005 and ending on December 2, 2005. Based on public comments in response to the NOP and a review of environmental issues by the City, the Draft EIR analyzed the following environmental impact areas:

- Aesthetics
- Air Quality
- Biological Resources (Trees)
- Cultural Resources (Historic, Paleontological and Archaeological Resources)
- Energy Conservation
- Geology and Soils
- Hazards and Hazardous Materials
- Land Use Planning
- Noise
- Population and Housing
- Public Services
- Transportation and Traffic
- Utilities and Service Systems

On May 19, 2006, the City released the Draft EIR for public comment. The comment period was 45 calendar days, ending on July 5, 2006. The lead agency also accepted comment letters after the comment period closed. The lead agency received 6 written comments on the Draft EIR from public agencies, groups and individuals. Due to an administrative error, two individuals did not receive requested copies of the Draft EIR. Copies were sent to these individuals and the comment period was extended to September 5, 2006. In addition, one late comment letter from a State agency (dated July 14, 2006) was received. Responses to all comments received between May 19 and September 5, 2006 are included in the Final EIR.
III. FINDINGS

Section 21081 of the California Public Resources Code and Section 15091 of the State CEQA Guidelines (the "Guidelines) require a public agency, prior to approving a project, to identify significant impacts of the project and make one or more of three possible findings for each of the significant impacts.

A. The first possible finding is that "Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the final EIR." (Guidelines Section 15091 (a)(1));

B. The second possible finding is that "Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency." (Guidelines Section 15091(a)(2)); and

C. The third possible finding is that "Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible, the mitigation measures or project alternatives identified in the final EIR." (Guidelines, Section 15091(a)(3)).

The Department of City Planning served as the Lead Agency under CEQA with respect to the Project. In approving the City Planning Commission's Determination and making these findings, the City Planning Commission has considered the Initial Study, the Draft EIR, the Final EIR, and the Revised Final EIR, and

1. Finds, pursuant to Public Resources Code Section 21081(a)(1), that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant effects on the environment as identified in the Revised Final EIR; and

2. Finds, pursuant to State CEQA Guidelines Section 15091(a)(1), that changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the Revised Final EIR; and

3. Finds, that the Revised Final EIR has been completed in compliance with CEQA and is adequate under CEQA for approval of the Director's Determinations and all other City permits, entitlements, and discretionary approvals for the Project; and

4. Rejects the alternatives set forth in Section III.F below, for the reasons set forth in that Section.

A. Impacts Found To Be Insignificant (No Significant Impacts Would Occur and No Mitigation Required) The City Planning Commission has determined that there is no substantial evidence that the proposed Project would result in any potentially significant impacts in the environmental subject areas presented below and no mitigation is required.

1. Aesthetics (Shade and Shadow)

Winter Shadows

The sun angle during the winter solstice is responsible for casting the longest shadows of the year, with peak shadows occurring shortly after sunrise and before sunset. West of the Project Site, there is a single-story commercial/retail building and two 2-story residential structures fronting Wilton Place. Since these land uses are located west of the Project Site, they will receive morning shadows. By noon the shadows shift in a northerly direction and are shorter in length and partially cover only Virginia Avenue. The noontime shadows do not encroach on any off-site shadow-sensitive land uses. By 3:00 PM the shadows shift in a northeasterly direction, covering parts of Virginia Avenue and the sidewalk on the north side of the street and possible very little frontage of residential structures. Given that the shadow

is cast towards the end of the day, it is not expected that the shadow would last more than 3 hours and shadows from Site I would not result in a significant impact. The shadow also stretches across most of St. Andrews Place and some sidewalk on the east side of the street, however, no off-site shadow sensitive use would be shaded. Consequently, winter shadow impacts to shadow-sensitive land uses across Virginia Avenue (Site III residential building) would be less than significant. Therefore, winter shadow impacts from Site I to surrounding land uses would be less than significant.

Summer Shadows

Summer shadows from the Project Site would primarily be cast to the east and west. At 9:00AM, shadows would cast towards the west, shading Wilton Place and partially the sidewalk and parking area of the commercial buildings across the street from the Project Site. At midday (noon), shadows to the north would be very short and would not encroach on any off-site shadow-sensitive land uses. At 3:00PM, the shadows begin to shift eastward, but continue to be short and do not encroach on any off-site shadow-sensitive land uses. At 5:00PM, the shadows become more elongated and stretch across St. Andrews Place and cover the sidewalk on the easterly side of the street. The shadows may cover parts of the existing commercial buildings frontage on St. Andrews Place as well as the Project Site's Site III residential building. However, given that the shadows are cast towards the end of the day light hours, the shadows would not last longer than four hours and shadows from Site I would not result in a significant impact. Consequently, summer shadow impacts to this shadow-sensitive land use (Site III residential building) would be less than significant. Therefore, summer shadow impacts from Site I to surrounding land uses would be less than significant. No mitigation measures are required.

2. Agricultural Resources

The Project Site is currently developed with commercial buildings and associated paved, surface parking lots and has been used for commercial purposes for several decades. Investigation of the Project Site concluded that no farmland or agricultural activity exists on or in the vicinity of the Project Site. In addition, the Site has not been mapped pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency.

3. Biological Resources

The Project Site is located in a highly urbanized area in the City of Los Angeles. The existing Project Site is landscaped with non-native, ornamental trees, shrubs, and ground cover. As currently proposed, all of the on-site trees and plantings would be removed with development of the Proposed Project. There are no oak or other indigenous plant species found on the Project Site, and the Project Site does not contain any animal species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game (Fish and Game) or U. S. Fish and Wildlife Service. In addition, there are no locally-designated natural communities on the Project Site or in the project vicinity. The Proposed Project would not result in significant impacts to biological resources. No mitigation is required.

4. Cultural Historic Resources

According to the "Historic Resources Report", prepared by Grimes Historic Preservation, dated November 23, 2005, there are no historic resources on the Project Site; therefore the Proposed Project will have no impacts on historic resources. Projects, which may affect historical resources, are considered to be mitigated to a level of less than a significant impact, if they conform to the Standards. Projects with no other potential impacts qualify for a Class 31 exemption under CEQA if they meet the Standards. (CEQA Guidelines, Section

155331). No mitigation is required.

5. Land Use

Physically Divide an Established Community

The entire Project Site is surrounded by either existing structures or surface parking areas. Currently residential uses are located across from Site I on Virginia Avenue as well as adjacent to Site II. The Proposed Project would provide housing on all three sites. Residential uses on Site I would complement the existing uses across Virginia Avenue from Site I. Commercial uses on Santa Monica Boulevard complement the retail pattern of the Project on Site I. Therefore, the Proposed Project would not physically divide any established community or uses (and existing neighborhoods, communities, or land uses would not be disrupted, divided or isolated) and the duration of the disruptions and impacts would be less than significant.

Conflict with Applicable Conservation Plan or Natural Community Conservation Plan

The Project Site does not include or involve any conservation plan or natural community conservation plan. The Project Site is located in a highly urbanized area of the City of Los Angeles. The Project Site is improved with structures and surface parking lots. Therefore, the Proposed Project would not conflict with any habitat conservation plan or community conservation plan and impacts would be less than significant.

6. Mineral Resources

The Project Site is currently developed with commercial buildings and associated paved, surface parking lots and has been used for commercial purposes for several decades. Investigation of the Project Site concluded that there are no onsite dry wells, irrigation wells, injection wells, observation wells, monitoring wells, potable water wells, recovery wells, or mining sites. According to the California Department of Conservation, Division of Oil, Gas, and Geothermal Resources District 2 Regional Wildcat Map (W1-2), no oil wells are present on the Project Site or proximate to the Project Site. In addition, the Project Site is not located in an area containing significant mineral deposits or designated as a locally important mineral resource site. The Project Site is not zoned for oil extraction and drilling or mining of mineral resources, and there are no oil wells or mining sites on the Project Site.

Therefore, development of the Proposed Project would not result in the loss of availability of a mineral resource that would be of value to the residents of the State or a locally-important mineral resource, or mineral resource recovery site, as delineated on a local general plan, specific plan, or land use plan. Thus, no impact associated with mineral resources would occur.

7. Population and Housing

Construction Impacts

Construction of the Proposed Project would result in increased employment opportunities during the Project's construction period. However, the employment opportunities provided by the construction of the Proposed Project would not likely result in household relocation by construction workers to the vicinity of the Project Site for various reasons, including: 1) Construction employment has no regular place of business; rather construction workers commute to job sites that may change several times a year; 2) Many construction workers are highly specialized and move from job site to job site as dictated by the demand for their skills; and 3) The work requirements of most construction projects are also highly specialized, and workers are employed on a job site only as long as their skills are needed to complete a particular phase of the construction process. Additionally, construction workers would likely be drawn from the construction employment labor force already resident in the surrounding communities. It is not likely that construction workers would relocate their place of residence as a consequence of working on the Proposed Project. Since construction workers would not relocate to the area, such workers would not cause an increase population or housing. Overall, the construction of the Proposed Project would have a less-than-significant direct impact on housing and population growth.

Long Term Operational Impacts

Population

As the Project Site is currently developed with non-residential uses, increase in residential population represents a 100 percent increase in population and housing on the Project Site. The direct physical impacts resulting from this increase in population and housing are analyzed under each issue area throughout the Draft EIR (see Sections IV.A through IV.M). The increase in residential population resulting from implementation of the Proposed Project of 748 persons is considered minimal as it would represent approximately 8.8 percent of the anticipated population growth in Hollywood by 2010. This would not be a substantial increase, because the addition of 748 persons would be within the population projection in the Hollywood Community Plan. As a result, the development of the Proposed Project would not directly induce substantial residential population growth not planned or anticipated, and impacts relating to residential population would be less than significant.

Housing

The Proposed Project would add 437 housing units to the City's housing inventory. The Proposed Project's residential component would provide additional units to the City's housing stock. This increase represents approximately 7.5 percent of the projected housing growth within the Hollywood Community Plan area between 2005 and 2010. This would not be a substantial increase because it would not exceed the projected/planned levels for the year of project occupancy/buildout and therefore would not introduce unplanned infrastructure that was not previously evaluated in the adopted Community Plan or General Plan. As a result, the development of the Proposed Project would not directly induce substantial housing growth, and impacts relating to housing would be less than significant

Indirect Growth

Based on a ratio of approximately 2.3 persons per household,2 the 416 net jobs generated by the Proposed Project would generate an additional 956 new residents. It can be assumed that these 956 individuals would either: (1) live in the residences of the Proposed Project; (2) already reside in Hollywood; (3) commute to Hollywood; or, (4) relocate to Hollywood. However, for a conservative analysis, it is assumed that all 956 individuals would be new to Hollywood, which represents approximately 11.3 percent of the overall population growth expected to occur in Hollywood between 2005 and 2010. The total Project population, including the residential component combined with the retail uses, 1,704 new residents, would constitute 20.1 percent of the Hollywood population growth expected by 2010. This is not considered to be a substantial increase as the Project's contribution to the growth does not exceed the population estimate for the Hollywood Community Plan by 2010. As such, the population growth associated with the Proposed Project has already been anticipated and planned for in the Hollywood Community Plan, and impacts would be less than significant.

The Proposed Project would not require the extension of roadways and other infrastructure (e.g., water facilities, sewer facilities, electricity transmission lines, natural gas lines, etc.) into undeveloped areas. Furthermore, the existing infrastructure in the Project area would serve the Proposed Project. As a result, the development of the Proposed Project would not indirectly induce substantial growth as a result of the extension of infrastructure, and the associated impact would be less than significant.

Housing or Population Displacement

The Project Site is currently developed but does not contain any housing or residents. The implementation of the Proposed Project would not displace any housing or people, necessitating the construction of replacement housing elsewhere. Therefore, no impacts with respect to housing or population displacement would occur.

8. Utilities and Service Systems

Wastewater

The Proposed Project is anticipated to generate a net increase of 81,308 gpd of wastewater. The existing sewer lines are not experiencing any problems or deficiencies and would be able to handle the additional flow of sewage from the Proposed Project. A disruption in sewer service in the Project area would not occur because there are existing 12-inch and 8-inch sewer lines in the vicinity of the Proposed Project. Sewage generated by the Proposed Project would continue to flow to the Hyperion Treatment Plant, which will have adequate capacity to accommodate the increase in sewage flow. In addition, in order to comply with the City's water conservation and sewer allocation ordinances, the Proposed Project's new commercial and residential development shall be equipped with water conservation devices (i.e., toilets, faucets, showerheads, etc.), which would help to reduce the amount of wastewater. The Proposed Project would not require or result in the construction of new wastewater treatment facilities or expansion of existing facilities. Therefore, the Proposed Project would have a less than significant impact upon sewer lines and services.

2 The Hollywood Community Plan has a total population of approximately 224,296 persons in 2005 and a total of 98,070 housing units. This equates to an average of approximately 2.3 persons per unit.

Energy Conservation - Natural Gas

The estimated net increase in natural gas consumption by the Proposed Project is approximately 79,347 cubic feet per day. According to the Southern California Gas Company, the existing natural gas mains in the Project area could accommodate the demand for natural gas of the Proposed Project. Because demand projected for the Proposed Project would not exceed available or planned supply, and new infrastructure would not be required to serve the Project Site, this impact would be less than significant.

Title 24 of the CCR established energy conservation standards for new construction, including residential and non-residential buildings. These standards relate to increased energy conservation standards for insulation, glazing, lighting, shading, and water and space heating systems in new construction. The Proposed Project would comply with the standards in Title 24 as they relate to the conservation of natural gas. Furthermore, the Proposed Project would use modern energy-efficient construction materials and otherwise comply with the State's energy conservation standards. Thus, the Proposed Project would not conflict with adopted energy conservation plans.

B. *Impacts Determined To Be Potentially Significant, But Can Be Mitigated To Less Than Significant Levels.*

1. Aesthetics Visual Resources

Significant Effects

The Project Site is located in the Hollywood area of the City of Los Angeles. There are no dominant physical features of the Project Site or immediate Project vicinity. There are no surface water features in the immediate area or open spaces such as parks or mountains. The neighborhood is within the flat areas of the Los Angeles Basin and the Santa Monica Mountains (Hollywood Hills) are approximately one to one and a half miles to the north.
The Project Site would be altered with implementation of the Proposed Project. The most notable visual change would be the replacement of the six single-story commercial/retail buildings on Site I with one large mixed-use structure with 8-stories above grade and one level of below grade retail and 3 levels of below grade parking, one with commercial/retail space level. The existing 4-story (3 above grade, 1 below grade) department store building currently occupied by Sears would remain. On Site II and Site III, a temporary trailer and surface parking lots would be replaced with a 4-story residential building on each site. In addition, all 18 trees on the Project Site would be removed. The Proposed Project would include a landscape plan that would include trees, shrubs, grass and hardscape patios, courtyards and planters.
Though the Project Site I buildings contribute to areas grouping of commercial/retail buildings, the surrounding area would continue to possess a significant concentration of buildings united aesthetically by their architecture and style. Therefore, demolition of these buildings would not significantly diminish the valued visual character or image of the neighborhood, and the impact of eliminating the Project Site buildings from the neighborhood would be less than significant.
Since the Project Site is located in an urban area, there is no concern regarding the placement of the proposed mixed-use complex and residential structures within a natural open space area. Therefore, the Project impact on grading of natural open space areas and placement of the proposed structure within open space areas is not significant.
The Proposed Project would be consistent with the design of existing buildings within the area. Further, the six single-story Site I Project buildings are in need of update and repair. It is possible that potential significant impacts may occur 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 would be mitigated with recommended Mitigation Measures. Implementation of the Proposed Project would improve the aesthetic image of the neighborhood with a new, modern complex while evoking a unifying architectural style and elements of the area.

There are no known applicable design guidelines or criteria for multiple family residential developments under the Hollywood Redevelopment Plan. According to the Hollywood Community Plan, there is no Community Design Overlay for the Project Site and immediate area. Consequently, there are no corresponding design guidelines specifically oriented to the project neighborhood. Therefore, no impacts would occur to Applicable Guidelines and Regulations pertaining to design.

The prominent natural visual features in the Project area are the Santa Monica Mountains (Hollywood Hills), located approximately one mile to one and a half miles north of the Project Site. The Project Site is located in a highly urbanized area with no natural features on site or in the immediate area that would be considered prominent.

The Proposed Project Site I complex could be potentially visible from the 101 Freeway and Western Avenue (both approximately two blocks east of the Project Site) to the east and possibly from other streets such as Bronson Avenue to the west (approximately two blocks west of the Project Site). These views would not obstruct, totally block, partially interrupt or create a minor diminishment of a valued public view or provide a visual element that would considerably deter from a valued public view as there are no valued public views looking east and west. Therefore, the impact on the public view looking east and west would be less than significant.

None of the streets surrounding the Project Site are designated scenic highways or roadways. Therefore, the Project impact on a designated scenic highway is less than significant.

Views of the Santa Monica Mountains as seen from Santa Monica Boulevard are mostly blocked by existing Project Site buildings. The mountains can be viewed at one location along Site I of the Project Site, however, its brief for motorists who are focused on an east or west orientation. Though project implementation would create a minor diminishment in this view (of the Santa Monica Mountains), views are limited and intermittent and views of the mountains can be afforded in many other locations. Therefore, the impact on the view of the mountains from a public roadway looking north would be less than significant.

Implementation of the Proposed Project at Sites II and III would not obstruct or totally block existing views of the Santa Monica Mountains (Hollywood Hills) as viewed along St. Andrews Place. The existing view is partially interrupted by trees lining the street, intervening topography, and buildings which limit the views of the mountains afforded for motorists on St. Andrews Place traveling north. Therefore, the impact of the Proposed Project on this view from St Andrews Place would be less than significant. For motorists along Wilton Place, the Project Site buildings (Sites I, II and III) do not block existing views due to the proposed location of the structures, which would be to the east and views of the mountains are afforded to the north. Due to the project location, these views would not be blocked, partially interrupted or diminished by the Proposed Project. Views of the mountains from this public roadway would not be affected by Project implementation, and impacts would be less than significant.

Facts in Support of Findings

The project would not significantly diminish the valued visual character or image of the neighborhood and does not involve grading or removal of natural open space areas. Potentially significant impacts related to graffiti and accumulation of rubbish and debris along public rights-of-way would be less than significant with implementation of the recommended Mitigation Measures. Project impacts relative to blockage, partial interruption or minor diminishment of existing valued public views of natural features such as the Santa Monica Mountains would be less than significant.

Illumination/Glare

Significant Effects

Though Site I currently contains existing structures and surface parking areas lit at night, implementation of the Proposed Project would create additional sources of illumination on the Project Site, as the site would be built with more structures including a mix of retail, office and residential uses intensifying the uses currently on-site. In addition, uses on Sites II and III would also intensify from surface parking areas (containing light standards) with residential structures that would illuminate with additional lighting. Though the Proposed Project would increase ambient light levels on the Project Site and in the vicinity, the increase would be considered nominal, as the area is located in an urbanized location that is already illuminated at night. The streets are illuminated with lights and surrounding buildings emanate light with residential lighting and sources of artificial light from security lighting, as well as from automobiles. Consequently, the change in levels of ambient illumination as a result of Project implementation would be less than significant. In addition to increasing the ambient "glow" presently associated with urban settings and with this part of Los Angeles, Project-related light sources would likely spill over onto and potentially illuminate, off-site vantages, including adjacent streets and land uses. However, this spill is considered insignificant as the area is already illuminated with nighttime lighting sources. In addition, Mitigation Measures are recommended to ensure that spillover lighting does not cause a significant impact. Therefore, Project lighting affecting adjacent light-sensitive areas would be less than significant.

Building surfaces or glass windows have the potential to create glare, particularly during the early morning and later afternoon time periods. The Proposed Project would not include exterior materials that would create glare impacts. Compliance with the Los Angeles Municipal Code's reflective materials design standards (City Municipal Code Lighting Regulations, Chapter 9, Article 3, Section 93.0117), which limits reflective surface areas and the reflectivity of architectural materials used, would reduce any adverse impact from window glass glare. Implementation of the Project would therefore not produce glare which would create a visual nuisance, a hazard or result in differential warming of adjacent residential properties. The Project impact with regard to glare would be less than significant.

Facts in Support of Findings

Potentially significant impacts related to illumination and glare would be less than significant with implementation of code required Mitigation Measures. Project impacts relative to blockage, partial interruption or minor diminishment of existing valued public views of natural features such as the Santa Monica Mountains would be less than significant.

2. Cultural Resources

Significant Effects

Archaeological Resources

Surface examination often cannot reveal whether archeological resources are present at a specific project location. However, according to the records search conducted by the South Central Coastal Information Center, there are no identified prehistoric archaeological sites, prehistoric isolates, historic archaeological sites, or historic isolates within the boundaries of the Project Site. Thus, no evidence of archeological remains on the Project Site has ever been discovered, and excavation on site and development of the Project Site is not anticipated to affect archaeological resources. However, the Project Site has been developed with at-grade land uses since 1928, and it is difficult to know what lies beneath the ground surface. Even though the records search identified no known archaeological within a 0.5-mile radius of the Project Site, since no substantial excavation has ever occurred within the Project Site, impacts to archaeological resources could occur during excavation activities for proposed subterranean parking uses. In the event that archaeological resources are encountered during Project activities (e.g., demolition, excavation, etc.) mitigation measures have been provided to mitigate potential impacts. Therefore, with implementation of the mitigation measures, impacts to archaeological resources would be reduced to less than significant.

Paleontological Resources

Surface examination often cannot reveal whether paleontological resources are present at a specific project location. However, according to the records search conducted by the Natural History Museum of Los Angeles County, no identified vertebrate fossil localities lie directly within the Project Site boundaries. Thus, no evidence of paleontological resources on the Project Site has ever been discovered, and excavation on site and development of the Project Site is not anticipated to affect paleontological resources. However, the Project Site has been developed with at-grade land uses since 1928, and it is difficult to know what may lie beneath the ground surface. The records search identified known vertebrate fossil localities from older Quaternary sediments near the Project Site. Since the Project Site contains surficial sediments consisting of similar older Quaternary sediments, and since no substantial excavation has ever occurred within the Project Site, impacts to paleontological resources could occur during excavation activities for proposed subterranean parking uses. In the event that paleontological resources are encountered during Project activities (e.g., demolition, excavation, etc.), mitigation measures have been provided to mitigate potential impacts. Therefore, with the implementation of the mitigation measures, impacts to paleontological resources would be reduced to less than significant.

Facts in Support of Findings

Impacts of the Proposed Project on archaeological and paleontological resources would be mitigated to less-than-significant with implementation of the recommended Mitigation Measures.

3. Geology and Soils

Significant Effects

Geologic/Seismic Hazards

Implementation of the Proposed Project would increase the density of development and the human occupancy at the site, increasing the potential for damage or injury during a major earthquake. State mandatory mitigation of ground-shaking effects is provided through enforcement of structural and nonstructural seismic design provisions defined in the Uniform Building Code (UBC). Application of these design provisions to the Proposed Project will mitigate potential effects of ground shaking to a level considered less than significant.

The preliminary soils and engineering evaluation prepared by GEOCON, April 2005, identified that there is a low potential for liquefaction occurring on site due to the underlying soil deposits. The topography at the Proposed Project Site is relatively flat. The site is not located near any foothills or mountains, meaning that the possibility of landslides occurring on the Project Site minimal. Therefore, the potential impact associated with landslides would be less than significant.

The near-surface soils of the Proposed Project site consist primarily of fill, which will be excavated as part of project construction, while the remainder of on-site soils are interbedded, silty to clayey sand. With construction of the Proposed Project in accordance with the Los Angeles Building Code Chapter IX and the implementation of the recommendations in the Geotechnical Report, a less than significant impact associated with expansive soils would occur.

Facts in Support of Findings

The Proposed Project's impacts on geology and soils would be less than significant without mitigation. The implementation of the recommended Mitigation Measures would further reduce the Proposed Project's impacts.

4. Hazards and Hazardous Materials

Significant Effects

Accidental Explosion or Release of Hazardous Substances

Based on the nature of the automotive service business, the length of time in operation, the types of chemicals handled on site, and storage tanks used for the various chemicals, the potential exists for underlying soils to contain hydrocarbons. Due to the staining and chemical residue around and under the sink in the x-ray development room in the 5661 Santa Monica Boulevard location, the potential exists for the underlying soils to contain hazardous chemicals. Hydrocarbons and hazardous chemicals in soils present a potential significant impact to the environment as they can emit these pollutants into the air or surface water runoff when disturbed during construction activities. They could also leach into underground aquifers causing contamination to ground water supplies, and permanent damage to the aquifer. Soil sampling and analysis would be required to identify the presence of hydrocarbon or other hazardous chemicals in the soil. If contamination is present, the affected soils would need to be removed and disposed of according to the appropriate federal and State regulations. Once the affected soils are removed, the environmental impacts would be less than significant.

Facility Storage Tanks and Pipelines (above or below ground)

The 3-story (above grade) retail department store building contains one below grade basement level with one Above Ground Storage Tank (AST). The California Office of Environmental Information maintains an inventory of registered Underground Storage Tanks (UST) and ASTs. The 3-story department store building was listed as containing one unknown UST. Two steel covered trenches were identified during the ESA that house piping extending from pumping equipment to the boilers.

Two subsurface structures were also identified in the basement level of the department store building. The structures were partially filled with water and are most likely associated with the sewer system. Construction plans reviewed by SECOR identified the structures as an ejector and blow off basin.

The building located at 5667 Santa Monica Boulevard (currently occupied by Sears Automotive Center) contains three ASTs, one suspected UST, and one multi-stage wastewater clarifier. One 1,000-gallon AST containing waste oil, and two 500-gallon ASTs containing product oil were observed. The condition of the ASTs and whether staining was observed from previous spills was not identified in the ESA report. One possible UST was observed by Altec to have been abandoned in place in the tire room. Information regarding this UST or the presence of any USTs, past or present, located at the site was not identified in LAFD records. One multi-stage wastewater clarifier was observed in the battery storage room. Provided the removal of ASTs and USTs from the Project Site follows the various required mitigations described below, hazardous materials impacts relative to ASTs and USTs would be less than significant.

Polychlorinated Biphenyls (PCBs)

Based on the age of the structures, the potential exists for the pad-mounted and pole-mounted transformers, and fluorescent light ballasts to contain PCBs. Exposure of workers and underlying soils to PCBs during the demolition of the Project Site structures would be a significant impact. A qualified PCB abatement contractor would be required to comply with applicable state and federal rules and regulations governing PCB removal and disposal. Provided that removal and disposal rules and regulations are followed, hazardous materials impacts caused by exposure to PCBs would be less than significant.

Asbestos-Containing Materials (ACMs)

Demolition of the five commercial buildings and associated asphalt-paved parking areas on site, which were built prior to the ban on use of asbestos as building insulation, could release asbestos-containing materials present in the structures. Exposure of workers to ACMs during demolition or renovation of the Project Site structures would be a significant impact. Prior to the demolition activities, a complete asbestos survey will be conducted to identify all sources of asbestos. This activity is required by the USEPA National Emission Standard for Hazardous Air Pollutants (NESHAP) regulation and the South Coast Air Quality Management District's (SCAQMD's) Rule 1403. Bulk samples of all materials which are suspected of containing asbestos will be collected and analyzed for asbestos content. In accordance with the EPA's NESHAP regulation and SCAQMD's Rule 1403, all materials, which are identified as ACMs would be removed by a trained and licensed asbestos abatement contractor. The asbestos removal operations would be conducted in accordance with CAL-OSHA Asbestos for the Construction Industry Standard, SCAQMD and EPA rules and regulations and industry standards. Provided the removal and disposal of ACMs from the Project Site follows the various required

guidelines described above, hazardous materials impacts relative to exposure to asbestos would be less than significant.

Lead-Based Paint (LBP)
Based on the age of the structures, the potential exists for such structures to contain lead-based paint. A qualified lead-paint abatement consultant would be required to comply with applicable state and federal rules and regulations governing lead paint abatement. A qualified lead-paint abatement consultant would be required to comply with applicable state and federal rules and regulations governing lead paint abatement. Such regulations that would be followed during demolition include Construction Safety Orders 1532.1 (pertaining to lead) from Title 8 of the California Code of Regulations, and lead exposure guidelines provided by the U.S. Department of Housing and Urban Development (HUD). Provided that abatement rules and regulations are followed, hazardous materials impacts caused by exposure to lead-paint would be less than significant.

Operation

The Proposed Project is not anticipated to result in a substantial release of hazardous materials into the environment. The Project would utilize limited quantities of common cleaning and maintenance materials, which would be shipped, stored, used and disposed of in accordance with applicable statutes. All land uses and materials would be in accordance with City zoning and local, state, and federal regulations. Based on the amount stored, nature of packaging, materials involved, and the Proposed Project's required compliance with applicable regulations, the risk from use of these materials is considered to be low. Therefore, accidental conditions involving the release of hazardous materials into the environment during Project operation is considered to be less than significant.

Facts in Support of Findings

With implementation of the code required Mitigation Measures, project impacts associated with hazards and hazardous materials would be less than significant.

5. Hydrology and Water Quality

Significant Effects

Surface Water Quality

Project construction would involve a variety of construction materials that are potential sources of stormwater pollution, such as adhesives, cleaning agents, landscaping, plumbing, painting, heat/cooling, masonry materials, floor and wall coverings, and demolition debris. Construction material spills can also be a source of stormwater pollution and/or soil contamination. According to the Los Angeles City Bureau of Engineering, routine safety precautions for handling and storing toxic and hazardous materials, and maintaining construction equipment in proper working condition, may effectively control the potential pollution of stormwater by these materials. These same types of common sense, "good housekeeping" procedures can also be extended to non-hazardous stormwater pollutants such as sawdust and other solid wastes.

Construction silt washed from the project site by stormwater can be minimized by limiting the area of exposed soil, implementation of erosion control measures and dust suppression techniques such as watering or tarping. Erosion control devices, including temporary

diversion dikes/berms, drainage swales and siltation basins, are typically required around construction areas to insure that sediment is trapped and properly removed. Also, construction activities must adhere to the relevant stormwater management regulations under Los Angeles County's NPDES Permit No. CA0061654. When properly designed and implemented, these Best Management Practices would ensure that short-term construction related water quality impacts are not significant.

Water Quality – Long Term Operational Impacts

Under existing conditions, runoff from the Project Site may contain urban pollutants such as automotive fluids, heavy metals and chemical constituents, fertilizers, pesticides and herbicides that could be discharged into the storm drainage system. Because there would be no substantial increase in runoff as a result of the project, urban contaminants that may be present in runoff from the site would not differ substantially in type or quantity than that which currently exists. The Proposed Project would be required to submit site drainage plans to the City Engineer and other responsible agencies for review and approval prior to development of any drainage improvements. Impacts to stormwater quality as a result of project implementation would be less than significant.

Groundwater

Construction

A Sample of the groundwater was investigated for contamination as construction dewatering activities during excavation for construction of the proposed subterranean parking structure. A permit to discharge the groundwater to a storm drain is required by the Los Angeles Regional Water Quality Control Board. One soil boring was advanced on the Site on November 14, 2005. The boring was located north of Santa Monica Boulevard and west of the existing 3-story (above grade) retail department store building (currently occupied by Sears). The soil boring was excavated to a total depth of 40 feet below ground surface. A temporary well was set within the boring. One groundwater sample was collected from the temporary well. After collection of the groundwater sample, the temporary well casing was removed from the boring and the boring was backfilled with cement grout and capped at the surface with asphalt.

Reported concentrations of metals cadmium, chromium, copper, nickel and zinc were detected. These concentrations were compared to the Screening Levels for General NPDES Permits. The Los Angeles River, the receiving water, via a storm drain, for the discharge form the Project Site, is designated as a groundwater recharge area by the California Regional Water Quality Control Board, Los Angeles Region (LARWQCB). The results were compared to the municipal and domestic supply and/or groundwater recharge beneficial use screening levels. The reported concentrations of metals cadmium, chromium, copper, nickel and zinc exceeded the screening levels concentrations. Therefore, it is likely that the LARWQCB will require treatment of the water, to remove the concentrations of metals exceeding the screening levels prior to discharge to a storm drain.

Operation

The Proposed Project would not contribute to groundwater depletion or interfere with groundwater recharge to an environmentally significant degree. The Proposed Project would not increase the amount of impervious surface area on the site, as currently the site is almost entirely covered with impermeable surfaces (e.g., structures, concrete, and asphalt). While the Proposed Project would replace retail uses with like uses, the construction of 437 residential units would result in an increase in water demand. However it is not anticipated that the added water demands of the project would exceed current supply (see Section

IV.M.2 Utilities, Water). Therefore potential impacts to groundwater supplies or recharge would be less than significant.

Surface Water Hydrology

The Proposed Project would not increase total run-off from the project site since it would include approximately the same impervious and permeable surface ratios as existing conditions. Due to the urban setting of the site and surrounding area, the Proposed Project would not significantly change drainage patterns. Roof drains from the building as well as area drains from the landscaped areas around the building would be connected to an on-site underground drainage system. The proposed on-site storm drain system would deliver the peak run-off values not exceeding existing conditions. Therefore, Project-specific impacts associated with drainage and surface runoff and the potential for increased flooding would be less than significant.

Flooding

According to the Safety Element of the City General Plan, the Project Site lies within the area of potential inundation in the event of seismically induced or other failure of the Hollywood Reservoir, located to the northwest of the Project Site and operated by the Los Angeles Department of Water and Power (LADWP)3. However as the LADWP conducts daily surveillance and periodic safety inspections of all LADWP reservoirs and dam structures to ensure the safety of the structures and the water they contain, the sudden and catastrophic failure of the structure is considered remote. The City of Los Angeles Bureau of Engineering designates the Proposed Project Site as within the Flood Zone C. 4 According to Federal Emergency Management Agency (FEMA), Flood Zone C describes flood insurance rate zones that are located outside of the 500-year floodplain, with minimal chance of flooding.5 Furthermore, the Project Site is located in a dense urban area that is completely surrounded by existing urban uses. Development of the Proposed Project would not introduce persons or structures into an area where they might be subject to flood hazards not previously experienced. In addition, implementation of the Proposed Project would not place structures, which would impede or redirect flood flows. Therefore, flooding impacts as a result of project implementation would be less than significant.

A seiche is an oscillation of a body of water in an enclosed or semi-enclosed basin, such as a reservoir, lake or storage tank. Although the Proposed Project Site is located near the Hollywood Reservoir water storage facility, according to the LADWP no seiche at a LADWP facility has ever been recorded, even during the 1994 Northridge earthquake and the LADWP does not consider seiches to be a potentially significant hazard. The Proposed Project Site is not located proximate to coastal waters, and as such is not susceptible to tsunami (seismically induced tidal wave) hazards. The topography of Proposed Project Site and surrounding area is fully developed and generally flat, therefore there would be no risk of mudflows affecting the Proposed Project Site and impacts would be less than significant.

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3 *City of Los Angeles, Safety Element of the Los Angeles City General Plan, Exhibit G, Inundation & Tsunami Hazard Areas, March 1994.*

4 *City of Los Angeles, Bureau of Engineering, Navigate LA, website: http://navigatela.lacity.org/floodgis/, November 23, 2005.*

5 Federal Emergency Management Agency (FEMA), Flood Hazard Mapping, Frequently Asked Questions, website: http://www.fema.gov/fhm/fq_term.shtm, November 23, 2005.

Facts in Support of Findings

No significant hydrology-related impacts are anticipated. Compliance with the Mitigation Measures and requirements of NPDES Permit No. CA0061654 would ensure that the Proposed Project does not create any significant water quality impacts .

6. Noise

Significant Effects

Construction-Related Noise

Project development would require the use of heavy equipment for ground clearing, site grading, roadway construction, and building construction. Development activities would also involve the use of smaller power tools, generators, and other sources of noise. During each stage of development, there would be a different mix of equipment operating and noise levels would vary based on the amount of equipment in operation and the location of the activity.

The U.S. Environmental Protection Agency (EPA) has compiled data regarding the noise generating characteristics of specific types of construction equipment and typical construction activities. These noise levels would diminish rapidly with distance from the construction site at a rate of approximately 6 dBA per doubling of distance. For example, a noise level of 84 dBA measured at 50 feet from the noise source to the receptor would reduce to 78 dBA at 100 feet from the source to the receptor, and reduce by another 6 dBA to 72 dBA at 200 feet from the source to the receptor.

During construction, three basic types of activities would be expected to occur and generate emissions. First, the existing structures would be demolished and the surface parking lots would be removed. Second, the development sites would be prepared, excavated, and graded to accommodate the subterranean parking structures and building foundations. Finally, the new parking structures and buildings would be constructed and readied for use.

Section 41.40 of the Los Angeles Municipal Code regulates noise from demolition and construction activities. Exterior demolition and construction activities that generate noise would be prohibited between the hours of 9:00 PM and 7:00 AM Monday through Friday, and between 6:00 PM and 8:00 AM on Saturday night through Sunday morning in accordance with Section 41.40 of the Los Angeles Municipal Code. Demolition and construction would not occur on Sundays and all federal holidays. Therefore, they would not occur during recognized sleep hours for residences. These restrictions would reduce the potential construction-related impact to less-than significant levels for nearby residents.

Operational Noise Levels –Locations On Site

Future noise levels at the proposed Project site would continue to be dominated by vehicular traffic on Santa Monica Boulevard and Wilton Place. Exterior-to-interior reduction of newer residential units is generally 30 dBA or more. With this assumption, future exterior and interior noise levels associated with roadway traffic would not exceed City standards at the Project Site. Noise levels at the buildings at Site I, Site II, and Site III facing Virginia Avenue and St. Andrews Place would be lower due to roadway traffic volumes that are lower than Santa Monica Boulevard and Wilton Place. This would be a less-than-significant impact.

New stationary sources of noise, such as rooftop mechanical heating, ventilation, and air conditioning (HVAC) equipment would be installed at the proposed buildings. This

equipment would be shielded and appropriate noise muffling devices installed to reduce noise levels that affect nearby noise-sensitive uses. The shielding installed around the new equipment reduces these noise levels by around 15 dBA. These noise levels would not exceed the City's exterior noise standards.

Potentially significant environmental impacts may result from project implementation due to noise from cars using parking ramps on Sites I, II and III. However, the potentially significant impacts will be mitigated to less than significant with implementation of recommended Mitigation Measures.

Operational Noise Levels –Locations Off Site

Locations in the vicinity of the Proposed Project Site could experience slight changes in noise levels as a result of an increase in the on-site population and resulting increase in motor vehicle trips. The changes in future noise levels associated with the Proposed Project at locations along the roadway segments in the Project vicinity are identified in Section IV.I, Noise, Table IV.I-9.
As shown, the Proposed Project would increase local noise levels by a maximum of 0.2 dBA CNEL, which is inaudible/imperceptible to most people and would not exceed the identified thresholds of significance.

New HVAC equipment would be installed at the proposed buildings. This equipment would be shielded and appropriate noise muffling devices installed to reduce noise levels that affect nearby noise-sensitive uses. The type of HVAC equipment currently installed on new multi-family buildings generates noise levels that average around 66 dBA L_{eq} on the air inlet side and 62 dBA L_{eq} on the other sides when measured at 50 feet from the source. The shielding installed around the new equipment reduces these noise levels by around 15 dBA. Because existing daytime noise levels at the nearby buildings currently average between 56 and 69 dBA L_{eq}, the resulting equipment noise levels of less than 51 dBA L_{eq} at nearby buildings would not cause a substantial permanent increase in noise levels of 5 dBA CNEL or more.

Based on this information, implementation of the Proposed Project would not result in a substantial permanent increase in ambient noise levels above existing ambient noise levels without the project. This is a less-than-significant impact.

Operational Groundborne Vibration

When the Proposed Project is completed and operational, background vibration levels would be expected to average around 50 VdB, as discussed previously in this EIR section. This is substantially less than the 80 VdB threshold for residential buildings. Therefore, this would be a less-than-significant impact regarding the exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels.

Facts in Support of Findings

With the successful implementation of the recommended mitigation measures, the noise levels associated with Project construction and operation activities would be less than significant.

7. Public Services

Fire Protection

Significant Effects

Short-Term Construction Impacts

Removal of the existing commercial/retail building and construction of the Proposed Project would increase the potential for accidental onsite fires from such sources as the operation of mechanical equipment, use of flammable construction materials, and from carelessly discarded cigarettes. In most cases, the implementation of "good housekeeping" procedures by the construction contractors and the work crews would minimize these hazards. Good housekeeping procedures that would be implemented during demolition and construction of the Proposed Project include: the maintenance of mechanical equipment in good operating condition; careful storage of flammable materials in appropriate containers; and the immediate and complete cleanup of spills of flammable materials when they occur

Construction activities also have the potential to affect fire protection services, such as emergency vehicle response times, by adding construction traffic to the street network and by partial lane closures during street improvements and utility installations. These impacts, while potentially adverse, are considered to be less than significant for the following reasons:

(1) Construction impacts are temporary in nature and do not cause lasting effects; and
(2) Partial lane closures would not greatly affect emergency vehicles, the drivers of which normally have a variety of options for avoiding traffic, such as using their sirens to clear a path of travel or driving in the lanes of opposing traffic. Additionally, if there are partial closures to streets surrounding the Project Site, flagmen would be used to facilitate the traffic flow until construction is complete.

Project construction would not be expected to tax fire fighting and emergency services to the extent that there would be a need for new or expanded fire facilities, in order to maintain acceptable service ratios, response times, or other performance objectives of the LAFD. Therefore, construction-related impacts to fire protection services would be less than significant.

Long-Term Operational Impacts

The Proposed Project would introduce 748 new residents to the Project Site. In addition, the number of employees and customers (i.e., non-residents) visiting the Proposed Project on a daily basis is anticipated to be greater than that associated with the current commercial/retail use when it is fully operational. Thus, an increase in the demand for fire protection services is anticipated. However, the LAFD has indicated that staffing and resources are adequate to meet the Project area's proposed demand for fire and emergency services.6 The following discussion analyzes the major criteria for determining the Proposed Project's impacts to fire protection services, including response distance, emergency access/evacuation, and fire flows.

Response Distance

As previously mentioned, the Project Site is within a 0.7-mile radius of a LAFD fire station housing a Fire Engine Company and Paramedic Rescue Ambulance Company. In addition, the Project Site is within a 1.2-mile radius of a LAFD fire station housing another Fire Engine Company and Paramedic Rescue Ambulance Company. Furthermore, the Project Site is within approximately 1.4 miles of a third fire station that houses a Light Force (Fire Truck and

6 Written correspondence from Captain William Wells, City of Los Angeles Fire Department, October 20, 2005.

Engine Company), Fire Engine Company, and Paramedic Rescue Ambulance Company and could provide supplemental fire protection services. The response distance from these fire stations meets L.A.M.C recommendations; however, the proposed commercial and residential structures would be recommended to be equipped with automatic fire sprinkler systems and any other fire protection devices deemed necessary by the Fire Chief (e.g., fire signaling systems, fire extinguishers, smoke removal systems, etc.). Therefore, with implementation of such fire protection devices and the Project Site's proximity to three well-quipped fire stations, fire protection response would be considered adequate with respect to response distance.

Emergency Access

With the implementation of recommended mitigation measures, traffic impacts during operation of the Proposed Project would not result in a significant impact on any nearby roadways or intersections, which could thereby impede emergency access. The Proposed Project would not involve any other activities during its operational phase that could impede public access or travel upon public rights-of-way or would interfere with an adopted emergency response or evacuation plan. Furthermore, implementation of Mitigation Measures would ensure that emergency access to the project site would be sufficient and, thus, would not require the construction or expansion of fire stations or other fire protection facilities.

Fire Flows

As determined by the LAFD, the overall fire flow requirement for the Proposed Project is 4,000 gpm from 4 fire hydrants flowing simultaneously with a 20 PSI minimum residual pressure.7 Currently, water pressure and availability in the Project area are expected to be sufficient to meet the existing LAFD's fire flow requirements.

The Water Operations Division of the DWP would perform a fire flow study at the time of permit review in order to ascertain whether further water system or site-specific improvements would be necessary. Hydrants, water lines, and water tanks would be installed per Fire Code requirements and would be based upon the specific land uses of the Proposed Project. Therefore, with respect to fire flows, fire protection would be adequate.

LAFD Review

Based on the existing staffing levels, equipment, facilities, and most importantly, response distance from existing stations, it is expected that the LAFD could accommodate the Proposed Project's demand for fire protection service.8 Therefore, the Proposed Project would not necessitate the construction or expansion of a fire station to maintain acceptable service ratios, response times, or other performance objectives of the LAFD, and a less-than-significant impact would occur.

Facts in Support of Findings

The Proposed Project's impacts on fire protection services would be less than significant

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7 *Written correspondence from Douglas Barry, Assistant Fire Marshal, Los Angeles Fire Department, November 30, 2005.*

8 *Written correspondence from Captain William Wells, Los Angeles Fire Department, October 6, 2005.*

without mitigation. The implementation of the recommended Mitigation Measures would further reduce the Proposed Project's less-than-significant impacts.

Police Protection

Significant Effects

Short-Term Construction Impacts

Construction sites can be sources of attractive nuisances, providing hazards, and inviting theft and vandalism. Therefore, when not properly secured, construction sites can become a distraction for local law enforcement from more pressing matters that require their attention. Consequently, developers typically take precautions to prevent trespassing through construction sites. Most commonly, temporary fencing is installed around the construction site to keep out the curious. Deployment of roving security guards is also an effective strategy in preventing problems from developing. When precautions are taken, as recommended in the Mitigation Measures, there is less need for local law enforcement at the construction site. Therefore, the Proposed Project's construction-related impacts to police protection services would be less than significant.

Long-Term Operational Impacts

The Proposed Project would introduce 748 new residents to the Project Site. In addition, the number of employees and customers (i.e., non-residents) visiting the Proposed Project on a daily basis is anticipated to be greater than that associated with the current commercial/retail use when it is fully operational. Thus, an increase in the demand for police protection services is anticipated. According to the Draft L.A. CEQA Thresholds Guide, police protection population is calculated according to the amount of square footage associated with a certain land use. The Proposed Project is estimated to generate a total of 1,442 persons (includes Project residents and employees) that would require police protection services. However, considering the police service population generation of the existing commercial/retail uses on the Project Site, the Proposed Project would result in a net increase of 1,442 persons that would require police protection services.

While there is not a directly proportional relationship between increases in land use activity and increases in demand for police protection services, the number of request for assistance calls for police response to retail burglaries, vehicle burglaries, damage to vehicles, traffic-related incidents, and crimes against persons would be anticipated to increase with the increase in onsite activity and increased traffic on adjacent streets and arterials. However, such calls are typical of problems experienced in existing commercial and residential neighborhoods in the project area and do not represent unique law enforcement issues specific to the Proposed Project.

The Proposed Project would include adequate and strategically positioned functional and thematic lighting to enhance public safety. Visually obstructed and infrequently accessed "dead zones" would be limited, and security would be deployed on the site. The building and layout design of the Proposed Project would also include crime prevention features, such as nighttime security lighting, full-time onsite professional security, building security systems, secure parking facilities, and any other security features recommended by the LAPD. In addition, the continuous visible and non-visible presence of residents, employees, and customers at all times of the day would provide a sense of security during evening and early morning hours. The LAPD has stated that the Hollywood Community Police Station is staffed and equipped to provide full service to the Hollywood area, which includes the Project Site, and that the Proposed Project would not result in the need for construction or

expansion of police stations or other police protection facilities.9

With the development of the Proposed Project, the 1,442-person net increase (748 population; 694 employees) in persons at the Project Site is anticipated to require an increase in police protection services (i.e., 2 additional officers)10 in order to maintain the current officer to civilian ratio. However, the number of police officers assigned to any of LAPD's geographical police stations is based on the workload, not the population.11 In addition, as previously stated, the current staff level of the existing Hollywood Community Police Station is adequate to effectively serve the project area, which includes the Project Site. Furthermore, the addition of 2 officers to the Hollywood Division would not require the construction of new police facilities. As such, no new or expanded police stations would be needed as a result of the Proposed Project, and there would be no long-term operational impacts to police protection services.

Facts in Support of Findings

The Proposed Project's impacts on police protection services would be less than significant without mitigation. The implementation of the recommended Mitigation Measures would further reduce the Proposed Project's less-than-significant impacts.

Schools

Based on LAUSD student generation rates, the Proposed Project would generate a net increase of approximately 97 elementary students, 45 middle school students, and 44 high school students. Assuming the most conservative estimate, it is assumed that all of the students projected to be generated by the Proposed Project are not currently enrolled in the LAUSD schools near the Project Site and would be enrolled upon relocation to the Project Site. While the Proposed Project would slightly increase the enrollment of Le Conte Middle School and Hollywood High School, which is expected to already be operating over capacity by the 2010-2011 school year, the middle and high school level students generated by the Proposed Project would not be expected to generate the specific need for a new or expanded school. This is partially attributed to the fact that there are several new or expanded schools that are currently under construction or have had sites selected in the Project area. Furthermore, implementation Mitigation Measures would require the mandatory payment of school fees by the Applicant in conformance with SB 50, and in accordance with SB 50, payment of school fees is deemed to provide full and complete mitigation to impacts on schools pursuant CEQA. Thus, implementation of the recommended Mitigation Measure would ensure a less-than-significant project impact on schools.

Facts in Support of Findings

The Proposed Project's impact to schools would be reduced to a less-than-significant level with the implementation of the recommended Mitigation Measure.

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9 Written correspondence from Captain James Cansler, Los Angeles Police Department, October 25, 2005.

10 Based upon the LAPD officer per population ratio of 1 officer for every 615 civilians.

11 Written correspondence from Captain James Cansler, Los Angeles Police Department, October 25, 2005.

Parks

Construction Impacts

As the Proposed Project would contribute 748 residents to the City's population, the Proposed Project is required to construct recreational facilities or pay applicable park/recreation fees. However, the Proposed Project does not entail the construction of any public park or recreational facilities. Thus, the Proposed Project would have no environmental impacts related to the construction of park and recreational facilities.

Operational Impacts

Typically, residential developments have the greatest potential to result in impacts to parks and recreation facilities. This is a result of residential developments generating a permanent increase in the population. The Proposed Project would result in a net increase of approximately 748 permanent residents to the site. This net Project population increase would generate additional demand for recreation and park services when the Project is complete. Applying the long range planning goal in the Public Recreation Plan of four acres of parkland per 1,000 residents, the additional residents created by the Project would demand an equivalent of 2.99 acres of recreational space and uses.

The parkland to resident ratio for both the Hollywood Community Plan Area and the City of Los Angeles falls below the City's preferred standard of 4 acres per 1,000 residents at 0.41 and 0.70 acres per 1,000 residents, respectively. The flat portions of the Hollywood CPA is completely urbanized and built out with commercial and residential uses. The Los Angeles Department of Recreation and Parks (LARDP) does not at this time have any specific projects to develop new, or expand, existing parks in the Project area.

With the lack of, and opportunities for, new and/or expanded park projects on the planning horizon, current and future residents would continue to utilize existing LARDP facilities for recreation. Further, residents would need to seek out other opportunities such as privately owned and operated gymnasiums, swimming pools, golf courses, etc. to supplement recreational activities.

As identified above, the net increase in population for the Project Site would result in a demand equivalent to approximately 2.99 acres (or 130,244 square feet) of recreational opportunities. The Project is designed to include passive and active recreational opportunities for its residents. The Project's courtyards, swimming pool area and landscape areas would provide a total of approximately 57,860 square feet (approximately 1.2 acres) of common space. In addition, the Project would be required to pay fees to the City of Los Angeles Department of Building and Safety per dwelling unit in accordance with the Dwelling Unit Construction Tax requirements of Los Angeles Municipal Code Section 21.10.3.(b) to reduce impacts to parks and recreational uses. Based on the incorporation of on-site recreational amenities and the payment of the Dwelling Unit Construction Tax, demand for park recreation services generated by the Proposed Project would not be anticipated to exceed expected levels of service. For these reasons, the Project's impact on park and recreational uses within the Hollywood Community Plan area would be less than significant.

Facts in Support of Findings

The Proposed Project's impact to parks and recreational facilities would be reduced to a less-than-significant level with the implementation of the recommended Mitigation Measures.

Libraries

Development of the Proposed Project would increase the demand for library services in the area, with the addition of 748 new permanent residents. The Proposed Project would also result in a net increase of 694 employees; however, in general, employees of commercial sites are not likely to patronize libraries during working hours, as they are more likely to use libraries near their homes during non-work hours. Therefore, based on the State of California standards, the Proposed Project would generate need for 374 square feet (748 x 0.5) of library space and 1,496 (748 x 2) volumes of permanent collection.

The Cahuenga Branch does not currently meet the demand of the surrounding community, as its size is smaller than that required by the Los Angeles Public Library Branch Facilities Plan.12 In addition, this library would be affected by the development of the Proposed Project, as it would result in the need for additional library facility space and permanent collection. As the Proposed Project would contribute new permanent population to the City and further increase demands on the currently inadequate Cahuenga Branch Library, the payment of library fees to the City would be required by the recommended Mitigation Measure. Thus, with implementation of the identified mitigation, the Proposed Project would have a less than significant impact related to library facilities.

Facts in Support of Findings

The Proposed Project's impact to library facilities would be reduced to a less-than-significant level with the implementation of the recommended Mitigation Measure.

8. Transportation and Traffic

Significant Effects

Construction

Potential traffic impacts from the demolition and excavation phases of the Project were examined. Based on the current Project design and existing site improvements, it is estimated that the demolition phase of the Project would require approximately 45 calendar days to complete. Demolition of the existing structures and parking areas would result in approximately 3,200 cubic yards of concrete, asphalt, and brick material to be removed from the site. An additional 600 tons of other debris generated by the demolition of the existing facilities would also be produced. Haul trucks will consist of three low-sided dump trucks, and two high-sided dump trucks. These trucks have a capacity of approximately 10 cubic yards of concrete, asphalt, or brick material, or approximately 19 tons of debris material each. Therefore, the demolition activities will result in a total of approximately 320 truckloads of concrete, asphalt, and brick materials, and 32 truckloads of debris.

For purposes of analysis, it is assumed that each haul truck (dump truck) is the equivalent of 2.0 passenger vehicles, due to their size and operational characteristics. Based on these assumptions, the demolition phase would result in 10 outbound pce trips (eight trips to the reclamation landfill, two pce trips to the transfer station). During the PM peak hour, a total of 10 inbound and 10 outbound pce trips would travel between the freeway and the site.

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12 Written correspondence from Rona Berns, Los Angeles Public Library, Library Facilities Division, November 10, 2005.

Additionally, the demolition phase would include a total of two equipment operators and four laborers at the Project Site. Assuming conservatively that each of these individuals drive separately to the Project Site in the morning, and leaves alone at the end of the workday, this would produce an additional six inbound trips in the morning (for a total of six inbound and 10 outbound pce trips), and six additional outbound trips in the evening (for a total of 10 inbound and 16 outbound pce trips). This amount of demolition traffic is not anticipated to result in significant impacts at any of the study intersections, street segments, or freeway facilities and impacts would be less than significant. However, environmental impacts on pedestrians and vehicles may result from project implementation due to haul routes. These potentially significant impacts will be mitigated to less than significant with implementation of recommended Mitigation Measures.

Excavation Phase

The excavation phase of the Project would entail the removal of approximately 300,000 cubic yards of earth from the site. This would be accomplished over an approximately 4 and one-half month period using approximately 50 14-cubic yard bottom dump semi-trailer trucks. The excavation phase would include a total of five equipment operators and six laborers at the site. Assuming conservatively that each of these individuals drives separately to the Project Site in the morning, and leaves alone at the end of the workday, this would produce an additional 11 inbound trips in the morning (for a total of 11 inbound and 83 outbound pce trips), and 11 additional outbound trips in the evening (for a total of 72 inbound and 83 outbound pce trips). This amount of excavation traffic is substantially higher than that anticipated for the demolition phase, and as a result, a supplemental traffic impact analysis was performed to identify whether the excavation hauling activity would produce any significant traffic impacts at the four study intersections along the proposed haul route between the project site and the Hollywood Freeway.

Excavation haul traffic would not have any significant impacts during the AM peak hour. However, during the PM peak hour, a temporary but significant traffic impact could result at the intersection of Santa Monica Boulevard and Western Avenue due to excavation haul truck activity. This impact would be limited in duration to the four and one-half months needed to complete the excavation of the site, and would disappear following this period.

Mitigation measures for this excavation phase impact would consist primarily of limiting peak hour haul truck traffic to the extent feasible, and encouraging worker carpools or vanpools to reduce the number of worker trips to and from the site. However, it is expected that, even with these measures, the excavation phase traffic impacts from the Project would be significant and unavoidable, although these impacts would also be transient, and would diminish and disappear as the Project's excavation phase is completed.

Operation

Project Intersection Impacts

The City of Los Angeles defines a significant traffic impact based on a "stepped scale", with intersections at high volume –to-capacity ratios being more sensitive to additional traffic than those operating with available surplus capacity. A significant impact is identified as an increase in the Critical Movement Analysis (CMA) value of 0.010 or more, where the final ("With Project") Level of Service (LOS) is E or F; a CMA increase of 0.020 or more where the final LOS is D, or a CMA increase of 0.040 or more when the final LOS is C. No significant impacts are deemed to occur at LOS A or B, as these operating conditions exhibit sufficient surplus capacities to accommodate large traffic increases with little effect on traffic

flows. The traffic conditions were evaluated at 20 study intersections that were selected in conjunction with the LADOT in the vicinity of the Project. These intersections included:

1. Sunset Boulevard & Van Ness Avenue
2. Sunset Boulevard & Wilton Place
3. Sunset Boulevard & Western Avenue
4. Fountain Avenue & Wilton Place
5. Hollywood Freeway NB On-Ramp & Western Avenue*
6. Lexington Avenue & Wilton Place
7. Lexington Avenue & St. Andrews Place**
8. Lexington Avenue & Western Avenue
9. Santa Monica Boulevard & Gower Street***
10. Santa Monica Boulevard & Bronson Avenue
11. Santa Monica Boulevard & Wilton Place
12. Santa Monica Boulevard & Western Avenue
13. Santa Monica Boulevard & Oxford Avenue/Hollywood Freeway SB On-Ramp
14. Santa Monica Boulevard & Serrano Avenue/Hollywood Freeway NB Off-Ramp
15. Santa Monica Boulevard & Normandie Avenue
16. Romaine Street & Western Avenue
17. Lemon Grove Avenue & Wilton Place
18. Lemon Grove Avenue & Western Avenue
19. Melrose Avenue & Wilton Place
20. Melrose Avenue & Western Avenue

* uncontrolled intersection
** all-way STOP-sign controlled intersection
*** two-way STOP-sign controlled intersection

Nine of the study intersections will continue to operate at good levels of service (LOS A through LOS C) in the future year 2010, both with and without the Project. Future (2010) conditions at the intersections of Sunset Boulevard/Wilton Place and Santa Monica Boulevard/Normandie Avenue are forecast to operate at LOS C during the morning peak hour and LOS D during the P.M. peak hour. The intersections of Sunset Boulevard/Van Ness Avenue and Melrose Avenue/Wilton Place are forecast to operate at LOS D during both peak hours, both without and with the Project. The remaining study intersections are expected to operate at LOS E and/or LOS F during both peak hours.

Although the addition of Project traffic will increase the CMA or delay value at all of the study intersections during both peak hours, the incremental Project traffic additions will result in a change in level of service at only two of the study intersections. Prior to the addition of Project traffic, the intersection of Santa Monica Boulevard/Gower Street is expected to operate at LOS E during both peak hours. With the addition of Project traffic, this intersection is expected to operate at LOS F during the P.M. peak hour. The intersection of Santa Monica Boulevard/Wilton Place, immediately adjacent to the Project, is forecast to operate at LOS C for the Future (2010) Without Project condition. With the addition of Project traffic, this intersection is expected to operate at LOS D during both peak hours.

The Proposed Project would significantly impact the following five study intersections:

5. Hollywood Freeway NB On-Ramp & Western Avenue
8. Santa Monica Boulevard & Gower Street
10. Santa Monica Boulevard & Wilton Place
11. Santa Monica Boulevard & Western Avenue
19. Melrose Avenue & Western Avenue

Therefore, traffic impacts associated with the Proposed Project would be potentially significant. However, with the implementation of the mitigation measures listed below, impacts would be reduced to less than significant.

Neighborhood Traffic Impacts

The Proposed Project is expected to result in significant traffic impacts to five intersections in the Project vicinity. These intersections are located along the Major and Secondary Highways providing the primary access routes to and from the Proposed Project, and would therefore be expected to carry the majority of the development's new traffic. However, as described earlier in this report, most of the street system immediately surrounding the Project Site is generally comprised of local residential streets. Despite the removal of the existing commercial development on the Project Site, the Project is expected to increase the amount of trips to and from the site by approximately 6,734 net new trips per day. It is possible that Project-related traffic traveling to and from the site could utilize local residential streets as access routes to avoid congestion on the primary travel routes, and thus could disrupt neighborhood traffic.

To evaluate the potential for future Project traffic impacts on the area neighborhood streets, an additional analysis was conducted to evaluate the effects of Project-related traffic increases on Wilton Place and St. Andrews Place north of the Project Site, on Virginia Avenue adjacent to the Project Site, and on Lexington Avenue north of the site.
Neighborhood traffic impacts, unlike the intersection analyses, are based on daily traffic volumes. City of Los Angeles guidelines for the evaluation of project traffic impacts on local streets utilizes a variable scale to determine the significance of potential traffic additions. Impacts are evaluated based on the project's traffic percentage of the total future (With Project) average daily traffic (ADT) volumes.

In order to determine the potential impacts of the Project on the neighborhood, a total of seven residential street locations were examined. Neighborhood traffic impacts were evaluated for Wilton Place between Virginia Avenue and Lexington Avenue, and for north of Lexington Avenue; for St. Andrews Place between Virginia Avenue and Lexington Avenue; for Virginia Avenue adjacent to the Project Site and between St. Andrews Place and Western Avenue; and on Lexington Avenue between Wilton Place and St. Andrews Place, and between St. Andrews Place and the Hollywood Freeway (US-101) southbound off-ramp. These locations are along the residential streets that would most likely to be affected by Project traffic.

New 24-hour traffic counts were performed for the two street segments to establish existing conditions. Future traffic volumes for these facilities were estimated using the same procedures and assumptions described previously in the development of future intersection volumes. These future traffic estimates included both ambient traffic growth and "related project" traffic. Finally, Project traffic volumes, including the removal of existing traffic from the commercial developments on the site, were added, and the incremental effects of that traffic calculated.

The Proposed Project could produce significant traffic impacts on four of the seven residential street segments analyzed, although the largest impacts will occur on the street segments located immediately adjacent to the Project Site. The locations of the residential street impacts are listed below.

- Virginia Avenue, east of Wilton Place
- Virginia Avenue, west of Western Avenue
- St. Andrews Place, south of Lexington Avenue

- Lexington Avenue, west of Hollywood Freeway (US-101) SB Off-Ramp

Mitigation measures to address these significant impacts are difficult to assess. Although this component of the Project is expected to increase the number of vehicles traveling on the nearby residential streets during the day, these vehicles will be residential-oriented automobiles that have the right to use the residential streets within their own community, rather than being larger commercial trucks or other vehicles associated with the commercial components of the development. Additionally, although not specifically identified in the Project traffic analysis, many additional vehicles on the nearby residential streets will be generated by residents of those communities themselves, as they take advantage of the services and amenities provided by the Proposed Project. These types of trips would not reasonably be considered new traffic in a residential area, although it is identified as such as part of this conservative impact analysis. Additionally, the Project's retail components are intended to serve the local community, and are not anticipated to add substantially to the traffic levels on the nearby residential streets. The residents of the residential component of the Project will likely have to travel to and from work, most likely utilizing the nearby Hollywood Freeway along Lexington Avenue and St. Andrews Place, and beginning the commute from the Project residential driveways on Virginia Avenue. This would affect the three street segments potentially impacted by the Project.

Despite these factors, and the fact that actual neighborhood impacts are expected to be substantially less than are indicated in the preceding analysis, it is recommended that the Project developer provide funding for the development and implementation of a meaningful neighborhood traffic management program. This program would be developed jointly by LADOT and representatives of the homeowners associations surrounding the Project Site, and could include, but not be limited to, installation of additional STOP signs or speed humps to reduce travel speeds on these local streets, chokers or diverters to channel traffic, turn restrictions, or even cul-de-sacs. Other measures, including funding of the design for a new traffic signal at the Project-adjacent intersection of Wilton Place and Virginia Avenue, for City installation should it meet the appropriate warrants, could also be included. The amount of the fund will be determined by LADOT as appropriate to provide adequate measures to achieve the neighborhood traffic management goals identified above.

Future Freeway Conditions

A review of the Project vicinity indicates that nearest Congestion Management Program (CMP) intersections are located on Santa Monica Boulevard at Western Avenue and at Santa Monica Boulevard at Highland Avenue. However, the Project would not add 50 or more new trips to these CMP intersections. Thus, no additional CMA analysis is required at these CMP intersections. In addition, the Project would not add more than 150 new trips to any freeway segment in the study area. Therefore, no additional freeway segment analysis is required.

Parking and Access

The City of Los Angeles Municipal Code specifies parking requirements for new developments. Commercial uses (office, retail) within the Redevelopment Area provide a minimum of two parking spaces per 1,000 square feet of floor area. The following ratios apply to the development of residential uses:

- One parking space per unit for each unit with less than three habitable rooms.
- One and one-half parking spaces for each unit with three habitable rooms.
- Two parking spaces for each unit with more than three habitable rooms. (L.A.M.C §12.21.A.4(a))

Habitable rooms are defined by the L.A.M.C as any interior space, over 50 square feet, of a residential dwelling unit, not including lobbies, closets, hallways, bathrooms, or storage areas (L.A.M.C §12.03). Based on these requirements, the Proposed Project must provide 1,339 parking spaces for Site I, 36 for Site II, and 57 for Site III to meet the L.A.M.C requirements.

As part of the Proposed Project, a multi-level subterranean parking garage will be constructed beneath Site I. This parking garage will provide a total of 844 parking spaces exclusively for the residential use and 827 spaces for the retail/restaurant use, for a total parking supply of 1,671 spaces for Site I. As part of the Proposed Project, a single-level subterranean parking garage with 54 spaces will be constructed beneath Site II and a single-level subterranean parking garage with 86 spaces will be constructed beneath Site III. The Proposed Project would provide a total of 1,811 parking spaces. Therefore, parking demand would not exceed the amount of parking provided by the Project, and the Project would help relieve existing on-street parking demand. As such, no parking deficiency is anticipated and parking impacts associated with the Proposed Project would be less than significant.

Project access will be provided via driveways on Virginia Avenue, Wilton Place, and Saint Andrews Place. There will be no Project driveway on Santa Monica Boulevard. The Project driveway on Virginia Avenue, approximately 140 feet east of Wilton Place, will provide access to resident-only parking for Site I. Driveways on Wilton Place and Saint Andrews Place will provide access to parking for the Project retail/restaurant uses. Access to the site's loading docks will also be located on Wilton Place and Saint Andrews Place. Driveways on the north and south side of Virginia Avenue, approximately 84 feet east of Saint Andrews Place, will provide access to the subterranean parking provided for Site II and Site III, respectively.

The driveway volumes are not expected to be excessive, with peak driveway volumes well within the capacity of the proposed driveways. It is not currently known what type of access control, if any, will be utilized at the driveways. However, typical gate-arm "ticket spitters" or other manually operated access controls typically exhibit capacities of approximately 450 to 650 vehicles per hour per lane, depending on the method of operation. The anticipated peak driveway volumes for the Proposed Project are far below these capacities. As a result, no significant access impacts are expected to occur at any of the Project driveways, even if access controls are installed. However, in order to ensure that no vehicular queues develop onto the fronting streets, it is recommended that any gate arms or kiosks should be placed sufficiently far into the site to allow a minimum queue of two vehicles.

Facts in Support of Findings

Project construction excavation would result in a temporary significant impact. With implementation of the recommended Mitigation Measures, impacts would still be significant and therefore unavoidable, though temporary until the construction excavation phase has been completed. With the implementation of the recommended traffic Mitigation Measures, impacts associated with the operation of the Proposed Project would be reduced to a level of less than significant. However, some recommended Mitigation Measures require coordination and concurrence of Caltrans. In the event that the concurrence of Caltrans cannot be obtained, these improvements cannot be implemented, and impacts along Santa Monica Boulevard at Wilton Place and Western Avenue, and at Western Avenue and the Hollywood Freeway (US-101) northbound on-ramp would remain significant and unavoidable.

9. Utilities

Water

Significant Effects

The Proposed Project would result in a net increase of 97,569 gpd of water consumption. The existing water infrastructure serving the Project area could accommodate estimated water consumption for the Proposed Project and thus, service will be provided routinely in accordance with the LADWP's Rules and Regulations. Therefore, the Proposed Project will have a less than significant impact upon water service.

Facts in Support of Findings

The Proposed Project would not have an impact on water supply. However, the implementation of the recommended Mitigation Measures ensure compliance with the L.A.M.C.

Solid Waste

Significant Effects

Construction activities generate a variety of scraps and wastes, with the majority of recyclables being wood waste, drywall, metal, paper, and cardboard. Based on a construction generation rate of 4.38 pounds of waste for every square foot of new residential construction and 3.89 pounds of waste for every square foot of new nonresidential construction,13 the construction of the Proposed Project is estimated to generate approximately 2,988,271 pounds (1,494 tons) of solid waste over the construction period14. Recycling of construction-related waste materials in compliance with AB 939 would substantially reduce this waste stream that would otherwise go to a landfill. Therefore, approximately 1,494,136 pounds (747 tons) of construction waste15 would be disposed of in the landfills.

The remaining combined daily intake of the Sunshine Canyon and Chiquita Canyon Landfill is 6,279 tons per day. As such, they would have adequate capacity to accommodate the average daily construction waste of 567.2 tons generated by the Proposed Project over its approximately three-year construction period. Therefore, a less-than-significant impact associated with construction waste would occur.

The Proposed Project would result in a net increase 2,880 pounds or 1.44 tons of solid waste per day. The Sunshine Canyon Landfill is permitted to receive 11,000 tons per day and currently receives 5,781 tons per day. Therefore, the Sunshine Canyon Landfill can receive an additional 5,219 tons per day before it reaches its permitted daily capacity. If the Proposed Project's entire 2,880 pounds or 0.72 tons per day of solid waste (that would be disposed in local landfills) was disposed of in the Sunshine Canyon Landfill, the Sunshine Canyon Landfill would have more than enough permitted capacity to accommodate this

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13 USEPA Report No EPA530-98-010, Characterization of Building Related Construction and Demolition Debris in the United States, July 1998, page A-1.

14 Based on approximately 448,090 sq. ft. of new residential uses and 263,660 sq. ft. of new non-residential uses.

15 (2,988,271 pounds of solid waste generated by construction of the Proposed Project)/2 per AB 939.

additional contribution of approximately three quarters of one ton per day. Given the minimal increase, the Proposed Project would not result in the need for additional waste collection routes, recycling or disposal facilities to dispose of he small amount of proposed waste, therefore, project impacts on solid waste would be less than significant.

Facts in Support of Findings

The Proposed Project's impacts on the City's solid waste disposal facilities would be less than significant without mitigation. However, implementation of the recommended mitigation measures would further reduce the Proposed Project's impacts.

Energy Conservation - Electricity

The estimated net increase in electricity consumption by the Proposed Project is approximately 17,010 kwH per day. The LADWP has indicated that there are no service problems in the Project area and that they can accommodate the electricity demands of the Proposed Project with the existing infrastructure. Therefore, the Proposed Project would not entail expansion of distribution infrastructure nor capacity-enhancing alterations to existing facilities.

Title 24 of the California Code of Regulations establishes energy conservation standards for new construction, including residential and non-residential buildings. The Proposed Project would comply with Title 24 energy conservation standards for insulation, glazing, lighting, shading, and water and space heating systems in all new construction. With modern energy efficient construction materials and compliance with Title 24 standards, the Proposed Project would be consistent with the State's energy conservation standards and, therefore, would not conflict with adopted energy conservation plans.

The Proposed Project would result in a net increase in electricity consumption from the existing commercial/retail use, and would require the installation of on-site transformation facilities.16 However, under the City Charter, the LADWP has an obligation to serve the citizens of the City. Therefore, the Proposed Project has been factored into the projected load growth electricity demands. Therefore, there would be a less-than-significant impact on electrical supply systems.

Facts in Support of Findings

There would be no impact by the Proposed Project on electricity services.

C. *Impacts That Cannot Be Mitigated To Less Than Significant Levels.*

Air Quality

Significant Effects

Consistency with the 2003 Air Quality Management Plan

The 2003 AQMP was prepared to accommodate growth, to reduce the high levels of pollutants within the areas under the jurisdiction of South Coast Air Quality Management District (AQMD), to return clean air to the region, and to minimize the impact of pollution

16 Written correspondence from Charles Holloway, Los Angeles Department of Water and Power, October 4, 2005.

control on the economy. Projects that are considered to be consistent with the AQMP would not interfere with attainment because this growth is included in the projections utilized in the formulation of the AQMP. Therefore, projects, uses, and activities that are consistent with the applicable assumptions used in the development of the AQMP would not jeopardize attainment of the air quality levels identified in the AQMP, even if they exceed the SCAQMD's recommended daily emissions thresholds.

Projects that are consistent with the projections of employment and population forecasts identified in the Growth Management Chapter of the RCPG are considered consistent with the AQMP growth projections, since the Growth Management Chapter forms the basis of the land use and transportation control portions of the AQMP.

The Southern California Association of Governments (SCAG), estimates that population within the City of Los Angeles will increase from 3,694,820 persons in 2000 to 4,090,125 persons by 2020. According to projections in the SCAG Regional Transportation Plan (RTP), the permanent residential population in the Hollywood Community Plan area was 224,296 in 2005, and is projected to increase to 232,743 by 2010. The Proposed Project would not directly or indirectly induce substantial population or employment growth beyond current growth projections for the Hollywood area. Because, the Proposed Project would be consistent with the regional populations forecasts for the City of Los Angeles and the Hollywood area, and it would not jeopardize attainment of State and national ambient air quality standards in the Basin and the Los Angeles County portion of the Basin.

Another measurement tool in determining consistency with the AQMP is to determine how a project accommodates the expected increase in population or employment. Generally, if a project is planned in a way that results in the minimization of vehicle miles traveled (VMT) both within the project site and the community in which it is located, thus minimizing air pollutant emissions, that aspect of the project is consistent with the AQMP.

The Proposed Project Site is located in a highly urbanized area of the City of Los Angeles, which provides several modes of public transit service. The site is located within walking distance of public transit services, employment, and shopping sites for Project residents and the proposed retail use would be within walking distance of existing residents in the local vicinity. This type of infill development is consistent with the goals of the AQMP for reducing the emissions associated with new development.

Based on this information, the Proposed Project would not jeopardize attainment of air quality standards in the 2003 AQMP for the Basin and the Los Angeles County portion of the Basin, and this impact would be less than significant.

Construction Period Emissions – Daily Emissions of CO, VOC, NOx, SOx, and PM_{10}

During construction, three basic types of activities would be expected to occur and generate emissions. First, the existing structures would be demolished and the surface parking lots would be removed. Second, the development sites would be prepared, excavated, and graded to accommodate the subterranean parking structures and building foundations. Finally, the new parking structures and buildings would be constructed and readied for use.

The analysis of daily construction emissions has been prepared utilizing the URBEMIS 2002 computer model recommended by the SCAQMD. Due to the construction time frame and the normal day-to-day variability in construction activities, it is difficult, if not impossible to precisely quantify the daily emissions associated with each phase of the proposed construction activities.

Construction-related daily emissions would exceed SCAQMD significance thresholds for NOx, CO, and PM_{10} during the site grading and excavation phase, and VOC and NOx during the building construction phase. Therefore, this impact would be significant.

Operational Emissions – Daily Emissions of CO, VOC, NOx, SOx, and PM_{10}

Operational emissions generated by both stationary and mobile sources would result from normal day-to-day activities on the Project Site after occupation. Stationary area source emissions would be generated by the consumption of natural gas for space and water heating devices and cooking appliances, the operation of landscape maintenance equipment, the use of consumer products, and the application of architectural coatings (paints). Mobile emissions would be generated by the motor vehicles traveling to and from the Project Site.

The analysis of daily operational emissions has been prepared utilizing the URBEMIS 2002 computer model recommended by the SCAQMD. The Proposed Project would generate a net increase in average daily emissions that exceed the thresholds of significance for VOC recommended by the SCAQMD. This is a significant impact.

Operational Emissions – Localized CO Concentrations

The localized CO concentration impacts associated with the Proposed Project have been evaluated with the addition of traffic growth associated with cumulative development. As was done to assess existing CO concentrations, the simplified CALINE4 screening procedure was used to predict future CO concentrations at the study-area intersections in the vicinity of the project site in the year 2010 with cumulative development.

Future CO concentrations near these intersections would not exceed the national and State ambient air quality standards for CO. Therefore, implementation of the Proposed Project and cumulative development would not expose any possible sensitive receptors (such as residential uses, schools, hospitals) located in close proximity to these intersections to substantial localized pollutant concentrations. This would be a less-than-significant impact regarding the exposure of sensitive receptors to substantial pollutant concentrations.

Operational Emissions – Toxic Air Contaminants

Diesel particulate emissions, a known toxic air contaminant, would occur from trucks picking up garbage and recyclable materials, and making deliveries to the Project Site. To address diesel particulate emissions, statewide programs and regulations are presently being developed and implemented by the ARB and U.S. EPA to reduce the risks of exposure to diesel exhaust. These programs include emission control requirements along with subsidies for upgrading older diesel engines to low-emissions models. In light of the available information, the effects of the toxic emissions from future vehicle operations at the project site are not expected to be substantial.

Toxic or carcinogenic air pollutants are not expected to occur in any meaningful amounts in conjunction with operation of the proposed land uses at the Project Site. Only small quantities of common forms of hazardous or toxic substances, such as cleaning agents, which are typically used or stored in conjunction with residential and educational uses, would be present. Most uses of such substances would occur indoors. Based on the common uses expected on the site, any emission would be minor.

This would be a less-than-significant impact regarding the exposure sensitive receptors to

substantial pollutant concentrations.

Operational Emissions – Airborne Odors

The occurrence and severity of potential odor impacts depends on numerous factors. The nature, frequency, and intensity of the source, the wind speeds and direction, and the sensitivity of the receiving location each contribute to the intensity of the impact. While offensive odors rarely cause any physical harm, they can be unpleasant and cause distress among the public and generate citizen complaints.

Odors are typically associated with the use of chemicals, solvents, petroleum products, and other strong-smelling elements used in manufacturing processes. The Proposed Project would include residential and commercial uses, and would not contain any of the above-listed odor producing uses. Instead potential operational airborne odors could result from cooking activities associated with the new residential units and restaurants. These odors would be minimal, if at all noticeable; would be similar to existing residential and commercial uses in the local vicinity and would be confined to the immediate vicinity of the new buildings. Therefore, implementation of the Proposed Project is not expected to create objectionable odors affecting a substantial number of people. This is a less-than-significant impact.

Level of Significance After Mitigation

The URBEMIS 2002 computer model has calculated the emissions reduction efficiencies of the measures recommended to reduce construction-related emissions. Specifically, the model assumes that the use of low emission diesel fuel would reduce emissions of NOx by 14 percent and emissions of PM_{10} by 63 percent. The use of diesel-powered equipment that has been retrofitted with after-treatment products would reduce emissions of NOx by a further 40 percent (cooled exhaust gas recirculation) and PM_{10} emissions by 80 percent (diesel particulate filters) to 85 percent (cooled exhaust gas recirculation).

The recommended mitigation measures would reduce construction-related emissions of NOx and PM_{10}. However, the total emissions generated on peak construction days would continue to exceed the thresholds of significance recommended by the SCAQMD. Therefore, this would be a significant and unavoidable Project-specific and cumulative impact.

The recommended mitigation measures would also reduce the average daily operational emissions associated with the Proposed Project, although the actual reduction would be minimal. The use of solar or low-emission water heaters, and heating and cooking appliances would only reduce the emissions from these sources by approximately 0.5 percent. The primary source of emissions associated with the Proposed Project is motor vehicles. Although the Project is proposed to serve the local community and minimize the number of vehicle trips that would otherwise be made to other locations, no mitigation is available on a project-specific basis to reduce the number of vehicle trips to and from the Project Site and their associated emissions. The resulting average daily emissions would continue to exceed the thresholds of significance recommended by the SCAQMD. Therefore, this would be a significant and unavoidable Project-specific impact.

No additional mitigation can be recommended to reduce the impacts to less than significant.

Transportation and Traffic

Significant Effects

Of the 20 study intersections, the Proposed Project would significantly impact the following five study intersections:

5. Hollywood Freeway NB On-Ramp & Western Avenue
8. Santa Monica Boulevard & Gower Street
10. Santa Monica Boulevard & Wilton Place
11. Santa Monica Boulevard & Western Avenue
19. Melrose Avenue & Western Avenue

All of these intersections can be mitigated to a less than significant level with the exception of the Hollywood Freeway NB On-Ramp & Western Avenue. A signal was recommended as feasible mitigation, which would reduce this impact to less than significant. However, the Los Angeles Department of Transportation rejected this mitigation due to the high level of congestion at the intersection and on-ramp. Therefore, traffic impacts associated with the Proposed Project at the Hollywood Freeway NB On-Ramp at Western Avenue would remain significant and unavoidable during Project operation.

Mitigation Measures

There is no other feasible mitigation other than a traffic signal for this location.

Significant Irreversible Environmental Changes

The types and level of development associated with the Proposed Project would consume limited, slowly renewable and non-renewable resources. This consumption would occur during construction of the Proposed Project and would continue throughout its operational lifetime. The development of the Proposed Project would require a commitment of resources that would include (1) building materials, (2) fuel and operational materials/resources and (3) the transportation of goods and people to and from the Project Site.

Construction of the Proposed Project would require consumption of resources that are not replenishable or which may renew slowly as to be considered non-renewable. These resources would include certain types of lumber and other forest products, aggregate materials used in concrete and asphalt (e.g., sand, gravel and stone), metals (e.g., steel, copper and lead), petrochemical construction materials (e.g., plastics) and water. Fossil fuels, such as gasoline and oil would also be consumed in the use of construction vehicles and equipment.

The commitment of resources required for the type and level of proposed development would limit the availability of these resources for future generations for other uses during the operation of the Proposed Project. However, this resource consumption would be consistent with growth and anticipated change in the Los Angeles region.

Growth Inducing Impacts

The Proposed Project could foster economic growth in the Project area by increasing the number of residents at the Project Site who could patronize local business and services in the area. In addition, employment opportunities would be provided during the construction and operation of the Proposed Project. The Proposed Project would provide additional housing by adding 437 multi-family residences with 748 residents and 377,900 sq. ft. of retail/restaurant/office/medical office space at the Project Site. This growth would be consistent with area-wide population and housing forecasts. The Proposed Project would

provide increased tax revenue for the City with the 377,900 sq. ft. retail component. The revenue ultimately would be reinvested into the community. The Proposed Project could stimulate redevelopment and revitalization of the immediate neighborhood and contribute to the overall Hollywood and nearby areas revitalization. Other new projects in the immediate area can also enjoy the amenities of this Project with the pedestrian plaza as a community gathering location, use of the roof-top garden, etc. The Project is adding retail uses for the Project area thereby reducing vehicle miles traveled in the Project vicinity.

Also, the roadways and other infrastructure (e.g., water facilities, electricity transmission lines, natural gas lines, etc.) associated with the Proposed Project would not induce growth because they are existing and they would only serve Project residents and businesses.

Alternatives

The Draft EIR considered a reasonable range of alternatives to the Project to provide informed decision-making in accordance with Section 15126.6 of the State CEQA Guidelines. The alternatives analyzed in the Draft EIR included:

- Alternative A: No Build/No Project and Code Compliant Project/No Project (Without Linoleum City Parcel);
- Alternative B: Mixed Use Alternative Site Plan (Without Linoleum City Parcel)
- Alternative C: Office/Retail Alternative (With Linoleum City Parcel)
- Alternative D: Studio/Retail Alternative (With Linoleum City Parcel)
- Alternative E: Residential, Less Retail Alternative (With Linoleum City Parcel)
- Alternative F: Residential, Less Retail Alternative (Without Linoleum City Parcel)

Alternative A: No Build/No Project and Code Compliant Project/No Project (Without Linoleum City Parcel

Alternative A evaluated two variations of the No Project Alternative:

No Build (No Project Alternative). Under this variation of the No Project Alternative, the Proposed Project would not be constructed and the five retail single-story buildings (including the Linoleum City parcel) and the 3-story (above grade) retail department store building (currently occupied by Sears), totaling approximately 161,550 square feet, would continue to occupy the Project Site and would be operational. The analysis of the No Build/No Project Alternative assumes the continuation of existing conditions, as well as development of the related projects.

Code Compliant Project (No Project Alternative). Under this variation of the No Project Alternative, it is possible that disapproval of the Proposed Project could eventually result in development of another project in accordance with the requirements of the current Community Plan and existing C4 and R4 zoning on Site I of the Project Site. Site I currently includes five single-story and one 3-story (above grade) department store building (currently occupied by Sears). Four out of the five existing single-story buildings would be demolished under this scenario and the Linoleum City building and the 3-store (above grade) department store building would not be demolished and remain in their current condition. This variation of the No Project Alternative assumes that the Project Site is developed in conformance with the current land use regulations and does not include development on the Linoleum City parcel (and the Linoleum City building would remain as retail use) and the 3-story (above grade) department store building would continue to be retail. Under the Code Compliant scenario, feasible development of Site

I, approximately 4.9-acres, would involve construction of a residential complex. It is reasonable to assume that the 3-story (above grade) retail department store building that is currently leased to Sears would remain as a retail use in the foreseeable future on-site as retail, leased to a retail tenant or tenants. Based on the remaining size of Site I, a maximum of 351 multi-family units with 865 parking spaces, per the City Planning Commission Policy for Condominiums of 2.25 spaces per unit (including 75 spaces for the retail department store building), could be provided under the R4 allowable density zone. The maximum height allowed under the C4 and R4 zone is 45-feet. This scenario may not include the vacation of the entire alley, but may include the vacation of part of the alley.

Alternative A Impact Summary

The Proposed Project would result in significant impacts after mitigation in air quality construction and operation. The No Build scenario would not result in any significant environmental impacts associated with its implementation and would eliminate the Proposed Project's significant and unavoidable construction and operational air quality impacts. The Code Compliant Project scenario would result in significant impacts after mitigation with construction; however, the implementation of this development scenario would eliminate the operational significant and unavoidable air quality impacts and such impacts would be less than significant.

The No Build scenario would avoid most of the environmental impacts associated with the Proposed Project. However, the No Build scenario would not satisfy any of the project objectives. With respect to the Project objectives, the No Build scenario would not provide housing or additional retail, or a town center for the surrounding neighborhood as a gathering spot for the community and no public open spaces would be provided.

The Code Compliant Project scenario would avoid most of the environmental impacts associated with the Proposed Project, with the exception of aesthetics. With respect to the project objectives, the Code Compliant Project scenario would provide housing but no additional retail, or a town center for the surrounding neighborhood.

Alternative B: Mixed Use Alternative Site Plan (Without Linoleum City Parcel)

The Project Applicant does not currently own the Linoleum City Parcel. The Project Applicant and the Linoleum City Parcel owner have been in negotiations for several months for parcel acquisition by the Project Applicant. At the time of publication of this Draft EIR, there is no certainty that Linoleum City will be acquired. In the event that Linoleum City Parcel can be acquired, then the Project Applicant will move forward with the Proposed Master Project. If the Linoleum City Parcel is cannot be acquired, Alternative B (Alternative Project) will be replaced as the Proposed Project. Alternative B proposes a mixed use project in which the Project would be built around the Linoleum City Parcel and would reduce the proposed development, by approximately 24,000 square feet of retail space. Though the Linoleum City Parcel totals 20,020 sq. ft. (and the building is approximately 16,000 sq. ft.), the Project under Alternative B assumes approximately 24,000 sq. ft. less retail development for a conservative analysis. The Linoleum City building would not be demolished and would remain in its current existing condition. Alternative B addresses an altered site development condition on Site I only. The table below provides a breakdown of the uses provided under Alternative B with a comparison to the Proposed Project.

Table
Alternative B Project Characteristics

		Project (with Linoleum City)	Alt. B Alternative Site Plan (w/o Linoleum City Parcel)
Site I			
	Retail (SF)	263,780[1]	239,721
	Sears as Retail (SF)	114,120	114,120
	Residential (units)	375	375
	Studio (SF)	--	--
	Office (SF)	See retail	--
	Parking (spaces)	1,671	1,551[2]
Site II			
	Residential (units)	24	24
	Parking (spaces)	54	54
Site III			
	Residential (units)	38	38
	Parking (spaces)	86	86
Total (all sites)			
	Retail (SF)	377,900	353,841
	Office (SF)	--	--
	Studio (SF)	--	--
	Residential (SF)	448,090	448,040
	Residential (units)	437	437
	Parking (spaces)	1,811[1]	1,691
Total Height (ft)		94	94
Unoccupied Tower Height (ft)		113	113

NOTES:
1. Includes 25,000 sq. ft. restaurant and up to approximately 50,000 sq. ft. Office.
2 Includes 75 parking spaces for the 3-story (above grade) retail department store (Sears).

The Linoleum City building (approximately 16,000 sq. ft.) would not be demolished and would remain in its current existing condition. The remaining existing retail space on Site I, totaling 27,410 square feet, would be demolished. This includes some ancillary structures to the existing 3-story (above retail) department store building. The total new construction to be built under this Alternative would be approximately 239,721 sq. ft., which is approximately 24,000 sq. ft. less than the Proposed Project's 263,780 sq. ft.

Further, the approximately 114,120 sq. ft.17 existing 3-story (above grade) retail department store building would not be demolished and would continue to be used as retail like it would under the Proposed Project, or converted to residential. As compared to the Proposed Project's retail total of 377,900 sq. ft., the overall size of the Project the retail under this Alternative would be reduced by approximately 24,000 square feet of retail space and would total approximately 353,841 sq. ft (which is approximately 24,000 sq. ft. less than the Proposed Project).

In addition, this Alternative would include construction of 375 multi-family residential units on Site I, which is the same as the Proposed Project's 375 multi-family residential units for Site I. Since this Alternative would include less retail space, the total number of parking spaces would be reduced to approximately 1,551 spaces on Site I, which are about 120 spaces less than the Proposed Project's 1,671 parking spaces. Like the Proposed Project, the parking spaces on Site I would be provided in a below grade structure. Without the Linoleum City Parcel, the Project (including the underground parking structure) would have to be designed around that parcel. A variation of the alley vacations would be provided to allow rear access to the Linoleum City Parcel. Therefore, this Alternative would not result in greater development than the Proposed Project.

The height of the structure would be the same as the Proposed Project with a maximum height of approximately 94 feet of occupied space (up to approximately 113 feet, including 19 feet of unoccupied architectural features). Like the Proposed Project, a pedestrian plaza would be provided along Santa Monica Boulevard would be provided under this Alternative, as would a paseo between Santa Monica Boulevard and Virginia Avenue. The difference between the Proposed Project and this Alternative regarding the pedestrian plaza is the placement and size. Under the Proposed Project, the pedestrian plaza would be located in the general vicinity of the Linoleum City Parcel and under this Alternative the plaza would be located further east closer to the existing 3-story (above grade) retail department store building

Also, the plaza under this Alternative would not include a water fountain feature and the plaza size would be smaller. Though this Alternative would include a paseo connecting the plaza to Virginia Avenue like the Proposed Project, the paseo would be smaller and the area in which the paseo is accessed on Virginia Avenue would not be as large and open as the one under the Proposed Project. The proposed roof-top garden on top of the 3-story (above grade) department store building may not be provided under this Alternative, however, if provided, the garden may be smaller than under the Proposed Project. Access to this site would be the same as the Proposed Project with ingress/egress driveways on Wilton Place, Virginia Avenue and St. Andrews Place.

The open space areas under the Proposed Project would be provided under this Alternative with a smaller pedestrian public plaza on Santa Monica Boulevard. Further, a paseo connecting the plaza to Virginia Avenue would also be provided. Also, the proposed roof-top garden on top of the 3-story (above grade) department store building would be provided under this Alternative.
Site development conditions would remain the same for Sites II and II and no further analysis is necessary. Site II would include 24 multi-family units with 54 spaces below grade parking spaces and Site III would include 38 multi-family units with 86 below grade parking spaces. Access to the 62 residential units for Sites II and III would be on Virginia Avenue. These residential structures would be 45-feet tall.

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17 The existing 3-story (above grade) department store building currently occupied by Sears totals approximately 124,120 sq. ft. with the ancillary structures. It is proposed that those ancillary structures, totaling approximately 10,000 sq.ft. be demolished and the remaining structure would total approximately 114,120, sq.ft.

Alternative B Impact Summary

The Proposed Project would result in potentially significant environmental impacts to: air quality (construction and operation); cultural resources (archaeological and paleontological); geology and soils; hazards; noise (construction); and transportation and traffic (five study intersections). With implementation of recommended mitigation measures these potential impacts would be reduced to less than significant with the exception of air quality (construction and operation). Alternative B would result in similar impacts to the Proposed Project and would involve implementation of similar recommended mitigation measures to reduce impacts to less than significant with the exception of air quality (construction and operation).

This Alternative would be nearly the same as the Proposed Project with the exclusion of the Linoleum City parcel as part of the Project Site. The proposed total square footage and mix of uses would be the same though the total lot area of the Project Site would be smaller under this Alternative. This Alternative would provide open space areas such as the pedestrian public plaza but would be smaller than the one proposed under the Proposed Project. Consequently, a limited size town center would be provided for public gathering. Further, full traffic improvements will not be made on Santa Monica Boulevard. Finally, the visual aesthetics would be reduced with implementation of this Alternative. This Alternative would satisfy most of the Project objectives.

Alternative C: Office/Retail Alternative (With Linoleum City Parcel)

Alternative C would include demolition of existing retail space of approximately 47,430 square feet and continued use of the existing 3-story (above grade) department store building, approximately 114,120 square feet, as retail. This alternative would include construction of new retail space on Site I of approximately 263,780 square feet that would be incorporated with the existing 3-story (above grade) retail department store building, 114,120 square feet, and a total of 377,900 square feet of retail space would be provided. In addition, this Alternative would include construction of 397,870 square feet of office space, which is equivalent to the Proposed Project's residential square footage for Site I. Parking on Site I would include 1,399 spaces. Therefore, this Alternative would not result in greater development than the Proposed Project.

On Site I, this alternative would include a podium of 2-stories of retail space. There would be no a pedestrian plaza along Santa Monica Boulevard and there would not be a paseo linking Santa Monica Boulevard and Virginia Avenue. This Alternative would include an additional one level of below grade retail space. The office space would be placed in additional 6-stories above the 2-story retail podium, providing a maximum height of 8-stories for the entire development on Site I. The floor to ceiling height for retail/commercial uses are typically greater than for residential uses; therefore, the actual height would be approximately 16 feet taller with a height of approximately 110 feet above grade. Parking would be provided in below grade parking structure and access would be similar to the Proposed Project with driveways on Wilton Place, Virginia Avenue and St. Andrews Place.

Site II would include 24 residential units with 54 parking spaces and Site III would include development of 38 residential units and 86 parking spaces. This Alternative would include a total of approximately 1,539 parking spaces. For Sites II and III, residential would be constructed similar to the Proposed Project with 24 units on Site I and 38 units on Site III. Parking would be the same as the Proposed Project and access would be provided on Virginia Avenue. These structures would be 45-feet tall. Since

site development conditions remain unchanged under this Alternative for Sites II and III, no further analysis is necessary.

Alternative C Impact Summary

The Proposed Project would result in potentially significant environmental impacts to: air quality (construction and operation); cultural resources (archaeological and paleontological); geology and soils; hazards; noise (construction); and transportation and traffic (five study intersections). With implementation of recommended mitigation measures these potential impacts would be reduced to less than significant with the exception of air quality (construction and operation). Alternative C would not reduce the Proposed Project's potentially significant impacts to less than significant. In addition, this Alternative would result in greater impacts, though still less than significant, to: aesthetics (aesthetics/view; and shade/shadow); daytime operational noise; public services (fire protection); traffic (impacts same five study intersections plus additional AM peak hour impacts at two of the study intersections plus impacts at four new intersections); and utilities (water, solid waste and electricity).

Although a different mix of uses with office/retail for Site I Alternative would reduce some of the environmental impacts associated with the Proposed Project, it would increase several of the environmental impacts. Furthermore, this Alternative would not satisfy all of the project objectives. As this Alternative would not include residential uses, it could potentially increase reliance upon automobiles for transportation to retail uses.

Alternative D: Studio/Retail Alternative (With Linoleum City Parcel)

Alternative D would include demolition of existing retail space of approximately 47,430 square feet and re-use and rehabilitation of the existing 3-story (above grade) retail department store building, approximately 114,120 square feet. This Alternative would include construction of new retail space on Site I of approximately 263,780 square feet that would be incorporated with the existing 3-story retail department store building, 114,120 square feet, and a total of 377,900 square feet of retail space would be provided. In addition, this Alternative would include construction of 397,870 square feet of studio space for movie and television production, which is equivalent to the Proposed Project's residential square footage. Parking for Site I would include approximately 1,399 spaces. Therefore, this Alternative would not result in greater development than the Proposed Project.

The retail would be placed in two stories above grade with one level below, similar to the Proposed Project on Site I. However, due to the production needs of a studio space, the floor-to-ceiling height requirement would be greater for studio use than office space. The overall height requirement could be as much as twice an office space from floor-to-ceiling. Consequently, the height of the building would be estimated at 135 feet which is greater than the Proposed Project's approximate height of 113 feet, representing a 22 foot difference. Further, this Alternative would not include a pedestrian plaza or a paseo providing pedestrian passage from Santa Monica Boulevard to Virginia Avenue. The area would be used as building/structure to house the space for the proposed uses. Parking would be provided in below grade parking structure and access would be similar to the Proposed Project with driveways on Wilton Place, Virginia Avenue and St. Andrews Place.

This Alternative would include residential development on Sites II and III: approximately 24 units with 54 parking spaces on Site II, and approximately 38 units with 86 parking spaces on Site III. Total parking provided under this Alternative would include 1,539

parking spaces. For Sites II and III, residential would be constructed similar to the Proposed Project with 24 units on Site II and 38 units on Site III. Parking would be the same as the Proposed Project and access would be provided on Virginia Avenue. The structures on Sites II and III would be 45 feet tall. Since site development remains unchanged under this Alternative for Sites II and III, no further analysis is necessary.

Alternative D Impact Summary

The Proposed Project would result in potentially significant environmental impacts to: air quality (construction and operation); cultural resources (archaeological and paleontological); geology and soils; hazards; noise (construction); and transportation and traffic (five study intersections). With implementation of recommended mitigation measures these potential impacts would be reduced to less than significant with the exception of air quality (construction and operation). Alternative D would not reduce the Proposed Project's potentially significant impacts to less than significant. In addition, this Alternative would result in greater impacts, though still less than significant to: aesthetics (aesthetics/view); construction noise; daytime operational noise; public services (fire protection); traffic (same impacted 5 study intersections); and utilities (solid waste and electricity).

Although a different mix of uses with studio/retail for Site I Alternative would reduce some of the environmental impacts associated with the Proposed Project, it would increase other environmental impacts. Though this Alternative provides a mix of uses, residential units on Site I are eliminated, thus, significantly reducing the number of residential units. Consequently, traffic patterns may differ and possibly result in greater traffic circulation effects elsewhere in the Community as the goal of reducing traffic may not be realized to the same level as the Proposed Project. Furthermore, this Alternative would not satisfy all of the project objectives.

Alternative E: Residential, Less Retail Alternative (With Linoleum City Parcel)

Alternative E would include demolition of existing retail space of approximately 47,430 square feet and use the existing 3-story department store building, approximately 114,120 square feet as retail and construction of 599 multi-family residential units on Site I. Also, an addition of 33,000 square feet of retail space would be constructed on Site I; thus a total of 147,120 square feet of retail space would be provided on Site I under Alternative E. The parking required for Site I would be approximately 1,488 spaces which includes 75 spaces for the department store provided in a below grade structure. This Alternative would not include a pedestrian plaza or a paseo linking Santa Monica Boulevard and Virginia Avenue. The retail would be located along Santa Monica Boulevard. Further, no roof-garden would be provided; however, some landscaped open space areas would be provided per code requirements.

The height of the structure would be the same as the Proposed Project with a maximum height of 113 feet for an architectural feature and up to 94 feet of occupied space. Access to Site I would be the same as the Proposed Project with driveways on Wilton Place, Virginia Avenue and St. Andrews Place.

Sites II and III would be developed with 62 multi-family residential units, 24 units and 54 spaces on Site II, and 38 units and 86 spaces on Site III. For Sites II and III, parking would be the same as the Proposed Project and access would be provided on Virginia Avenue. The structures would be 45-feet tall. Since site development conditions remain the same under this Alternative as under the Proposed Project, no additional analysis is necessary.

Alternative E Impact Summary

The Proposed Project would result in potentially significant environmental impacts to: air quality (construction and operation); cultural resources (archaeological and paleontological); geology and soils; hazards; noise (construction); and transportation and traffic (five study intersections). With implementation of recommended mitigation measures these potential impacts would be reduced to less than significant with the exception of air quality (construction and operation). Alternative E would reduce the Proposed Project's potentially significant air quality operational impacts to less than significant. In addition, this Alternative would result in greater impacts, though still less than significant to: aesthetics (aesthetics, public services (police protection); traffic (eliminates impacts at three of the five significantly impacted intersections and eliminates PM peak impacts at all of the intersections); and utilities (wastewater, water, and natural gas).

Implementation of Alternative E would result in the construction of 599 residential units and retention of a 114,120 square foot retail department store building on Site I, construction of 24 units on Site II and 38 units on Site III for a total of 661 multi-family residential units. This Alternative would also increase some of the environmental impacts but reduce some of the Project identified impacts. However, this Alternative would not satisfy all of the project objectives. This Alternative would include only a (former) retail department store building, and 33,000 square feet of retail on Santa Monica Boulevard, which would provide some local retail tenants (as the department store building will be subdivided) but would provide a smaller mix of neighborhood retail services such as dry cleaners, specialty market, bakery, coffee house, banks, food and liquor establishments to name a few that would create a more limited mixed use environment and provide a more limited place for residents to shop locally at neighborhood for these services. Since a large mix of retail (like the Proposed Project) would not be provided, residents may need to use cars or other means of transportation to shop for daily and weekly retail needs and could generate traffic circulation effects elsewhere in the community. This Alternative would not meet all of the Project objectives, specially would not: encourage and enhance pedestrian activity in the Project Area.; create a community town center for the Project Area; and create various, business incubation retail space to provide the opportunity for first time store operators to enter the market and sell their products.

Alternative F: Residential, Less Retail Alternative (Without Linoleum City Parcel)

Alternative F would include demolition of existing retail space of approximately 27,410 square feet and retain the existing 3-story (above grade) department store building, approximately 114,120 square feet as multiple retail. New construction on Site I would include 599 residential units and 23,400 square feet of neighborhood serving retail along Santa Monica Boulevard in addition to the 114,120 square foot existing 3-story (above grade) retail and/or department store building. Therefore, the total retail provided under Alternative F would be 137,520 square feet. The parking required for Site I would be approximately 1,469 spaces which includes 75 spaces for the 3-story (above grade) retail department store provided in a below grade structure. This Alternative does not include the 20,020 square foot Linoleum City Parcel on Site 1. This Alternative would involve a vacation of all or part of the existing alleys. Also, this Alternative does not include a pedestrian plaza or a paseo linking Santa Monica Boulevard and Virginia Avenue.

The maximum height of the structure on Site I would be approximately 94 feet which

would be approximately the same height as the occupied areas of the Proposed Project and would include the architectural feature of the Proposed Project that would rise another 19 feet above the occupied space for height maximum of 113 feet. Access to Site I would be the same as the Proposed Project with driveways on Wilton Place, Virginia Avenue and St. Andrews Place.
Site II would be developed with 24 residential units and 54 underground parking spaces. Site III would 38 residential units with 86 underground parking spaces. For Sites II and III, parking would be the same as the Proposed Project and access would be provided on Virginia Avenue. The structures on Site II and III would be 45-feet tall. Since site development conditions would not change under this alternative for Sties II and III, no additional analysis is necessary.

Alternative F Impact Summary

The Proposed Project would result in potentially significant environmental impacts to: air quality (construction and operation); cultural resources (archaeological and paleontological); geology and soils; hazards; noise (construction); and transportation and traffic (five study intersections). With implementation of recommended mitigation measures these potential impacts would be reduced to less than significant with the exception of air quality (construction and operation). Alternative F would reduce the Proposed Project's potentially significant air quality operational impacts to less than significant. In addition, this Alternative would result in greater impacts, though still less than significant to: aesthetics; seismic hazards; public services (police); traffic (eliminates PM impacts at three of the five and AM impacts at one of the significantly impacted intersections); and utilities (wastewater and water).

Implementation of Alternative F would result in the construction of 599 residential units and retention of a 114,120 square foot retail department store building which will be adapted into multiple tenant spaces and construct an additional 23,400 square feet of retail fronting Santa Monica Boulevard on Site I, construction of 24 units on Site II and 38 units on Site III for a total of 661 multi-family residential units. This Alternative would also increase some of the environmental impacts but reduce some of the Project identified impacts. However, this Alternative would not satisfy all of the project objectives. This Alternative would include retaining the existing retail department store building and subdividing into two or more retail tenant spaces and additional neighborhood serving retail of approximately 23,400 square feet which would provide some local retail but would not provide a mix of neighborhood retail services such as a specialty market, and clothing stores, soft goods stores, and larger format tenants,, to name a few that would create an integrated mixed use environment and provide a place for residents to shop locally for these services. Since this mix of retail would not be provided, residents may need to use cars or other means of transportation to shop for daily and weekly retail needs and could generate traffic circulation effects elsewhere in the community. Specifically, Alternative F would not: create a community town center for Project Area; provide a mixed use development with a pedestrian plaza in the Project Area for neighbors to meet and gather; and create various, business incubation retail space to provide the opportunity for first time store operators to enter the market and sell their products.

Environmentally Superior Alternative

In addition to the discussion and comparison of impacts of a Proposed Project and the Alternatives, Section 15126.6 of the CEQA Guidelines requires that an "environmentally superior" Alternative be selected and the reasons for such a selection disclosed. In general, the environmentally superior Alternative is the Alternative that would be

expected to generate the least amount of adverse impacts. In this case, the No Build/No Project Alternative would result in the least impacts on the existing environment. However, Section 15126.6(e)(2) of the CEQA Guidelines states if the No Project Alternative is the environmentally superior alternative, then the EIR shall also identify an environmentally superior alternative among the other alternatives. Based on the alternatives analysis, Alternative F, Residential, Less Retail, Without Linoleum City Parcel Alternative is considered to be the environmentally superior alternative, since it would reduce the Proposed Project's significant air quality operational impact to less than significant. Finally, daytime operational noise would be less under Alternative F compared to the Proposed Project. However, as previously discussed, Alternative F would not satisfy all of the project objectives. Though Alternative F would not attain a more pedestrian environment with a plaza along Santa Monica Boulevard, (creating a town center as the Proposed Project) it would include a small mix of uses.

Statement of Overriding Considerations

The Final EIR has identified unavoidable significant impacts that will result from implementation of the Project. Section 21081 of the California Public Resources Code and Section 15093(b) of the CEQA Guidelines provide that when the decisions of the public agency allows the occurrence of significant impacts identified in the Final EIR that are not substantially lessened or avoided, the lead agency must state in writing the reasons to support its action based on the Final EIR and/or other information in the record. Article I of the City's CEQA Guidelines incorporates all of the State CEQA Guidelines contained in Title 15, California Code of Regulations, Sections 15000 et seq. and thereby requires, pursuant to Section 15093 (b) of the CEQA Guidelines, that the decision maker adopt a Statement of Overriding Considerations at the time of approval of a project if it finds that significant adverse environmental effects identified in the Final EIR cannot be substantially lessened or avoided. These findings and the Statement of Overriding Considerations are based on substantial evidence in the record, including but not limited to the Final EIR, the source references in the Final EIR, and other documents and material that constitute the record of proceedings.

Based on the analysis in the Final EIR, the Project would result in significant unavoidable environmental impacts with respect to construction-related emissions of NOx and PM_{10} and average daily emissions from motor vehicles during Project operation, and it is not feasible to mitigate such impacts to a less-than-significant level. Accordingly, the City adopts the following Statement of Overriding Considerations. The City recognizes that significant and unavoidable impacts will result from implementation of the Project. Having (i) adopted all feasible mitigation measures (the mitigation measures as set forth in the Paseo Plaza Environmental Impact Report are hereby incorporated herein by this reference), (ii) rejected as infeasible alternatives to the Project, (iii) recognized all significant, unavoidable impacts, and (iv) balanced the benefits of the Approved Project against the Approved Project's significant and unavoidable impacts, the City hereby finds that the each of the Project's benefits, as listed below, outweighs and overrides the significant unavoidable impacts of the Project's air emissions during construction and operation and the Project impact at the intersection of Western Avenue and the Hollywood Freeway NB On-Ramp. (LADOT rejected a signal at this intersection due to congestion at the ramp – a signal would have mitigated the impact and there is no other feasible mitigation at this location).

Summarized below are the benefits, goals and objectives of the Approved Project. These provide the rationale for approval of the Proposed Project. Any one of the overriding considerations of economic, social, aesthetic and environmental benefits individually would be sufficient to outweigh the significant unavoidable impacts of the Approved Project and justify the approval, adoption or issuance of all of the required permits, approvals and other

entitlements for the Approved Project an the certification of the completed Final EIR. Despite the unavoidable impacts regarding air emissions for the Proposed project, the City approves the project based on the following contributions of the Project to the Community

1. The Proposed Project will create a pedestrian-friendly, mixed use development with a variety of housing and neighborhood serving retail opportunities for the community.
2. The Proposed Project will increase the supply of housing in the City of Los Angeles, Hollywood Community.
3. The Proposed Project will develop an integrated mixed use project that is in close proximity to jobs and public transportation.
4. The Proposed Project will enhance the visual aesthetics of the area through redevelopment and provision of landscaping and design in an urban area.
5. The Proposed Project will encourage and enhance pedestrian activity in the Project Area.
6. The Proposed Project will provide employment associated with construction and operation of the Proposed Project.
7. The Proposed Project will create a community town center for the Project Area.
8. The Proposed Project will provide a mixed use development with a pedestrian plaza creating a safe public gathering place, policed by private security guards, where the community will feel secure in a family friendly environment in order to enhance the time spent shopping and engaging in leisure activities.
9. The Proposed Project will provide residential opportunities on land previously used for parking while not reducing code required parking for existing uses.
10. The Proposed Project will reduce traffic within the immediate Project Site neighborhood by locating housing near stores, goods and services.

Mitigation Monitoring Program

In accordance with the Requirements of Public Resources Code § 21081.6, the City Planning Commission hereby adopts the Mitigation Monitoring Program, which is described in full in Section IV of the Final EIR for the Proposed Project, and is incorporated herein by this reference. The City Planning Commission reserves the right to make amendments and/or substitutions of mitigation measures if the City Planning Commission or their designee determines that the amended or substituted mitigation measure will mitigate the identified potential environmental impacts to at least the same degree as the original mitigation measure, and where the amendment or substitution would not result in a new significant impact on the environment which cannot be mitigated.

Independent Judgment

The Applicant's consultants prepared the screencheck versions of the Draft EIR, Final EIR and Traffic Study. All such materials and all other materials related to the EIR were extensively reviewed and, where appropriate, modified by the Planning Department or other City representatives. As such, the Draft EIR, Final EIR, Traffic Study, and all other related materials reflect the independent judgment and analysis of the Lead Agency.

Substantial Evidence

The City Planning Commission finds and declares that substantial evidence for each and every finding made herein is contained in the Draft EIR, Final EIR, Traffic Study, and other related materials, each of which are incorporated herein by this reference. Moreover, the City Planning Commission finds that where more than one reason exists for any finding, the City Planning Commission finds that each reason independently supports such finding, and that any reason in support of a given finding individually constitutes a sufficient basis for that finding.

Relationship of Findings to EIR

These Findings are based on the most current information available. Accordingly, to the extent there are any apparent conflicts or inconsistencies between the Draft EIR and the Final EIR, on the one hand, and these Findings, on the other, these Findings shall control and the Draft EIR and Final EIR or both, as the case may be, are hereby amended as set forth in these Findings.

Project Conditions of Approval

Each of the Project features and mitigation measures referenced herein shall be conditions of project approval to be monitored and enforced by the City pursuant to the building permit process and the Mitigation Monitoring Program. To the extent feasible, each of the other findings and conditions of approval made by or adopted by the City Planning Commission in connection with the Project are also incorporated herein by this reference.

Custodian of Documents

The custodian of the documents or other material which constitutes the record of proceedings upon which the Director's decision is based is the City of Los Angeles, Planning Department, located at 200 North Spring Street, Room 750, Los Angeles, California 90012.

14. **Fish and Game** The subject project which is located in the County of Los Angeles, will not have an impact on fish or wildlife resources or habitat upon which fish and wildlife depend, as defined by California Fish and Game Code Section 711.2.

15. **Volunteered Conditions.** The City has a legitimate interest in regulating development to protect the health and safety of the public by ensuring development of a functionally integrated project where vehicle and pedestrian circulation occurs in a safe manner. Measures have been included to provide additional public open space and affordable housing units. An Environmental Impact Report in full compliance with CEQA was prepared for this project and impact mitigation has been incorporated. In addition, other conditions have been recommended to ensure that the project site is developed as presented. The nature and extent of the potential effects of this project will be further reduced by theses volunteered conditions and will further protect and enhance the surrounding neighborhoods.

DEPARTMENT OF CITY PLANNING

RECOMMENDATION REPORT

FILE COPY

5

Los Angeles City Planning Commission

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

Limited Public Hearing: March 8, 2007
Public Hearing: October 26, 2006
Appeal Status: To City Council
Expiration Date: March 8, 2007
Multiple Approval: Zone change and Height District Change is appealable by the applicant to City Council if disapproved in whole or in part. Per LAMC Sec. 12.36 (Multiple Entitlements) Variance, Adjustment, Determination, and Site Plan Review are appealable to City Council.

Case No.: CPC-2006-4392-GPA-ZC-ZV-HD-ZAA-ZAI-SPR and CPC-2006-4401-GPA-ZC-ZV-HD-ZAA-ZAI-SPR
CEQA No.: ENV-2005-7720-EIR, SCH No. 2005111018
Related Cases: Master VTT- 66044. Alternate VTT66814
Council No.: 13
Plan Area: Hollywood
Specific Plan: N/A
Certified NC: Hollywood Studio District
GPLU: Neighborhood Office Commercial
Zone: C4-1VL and R4-1VL
Applicant: St. Andrews- Santa Monica, LLC – Juri Ripinsky
Representative: Craig Lawson and Associates

PROJECT LOCATION: 5661 W. Santa Monica Boulevard, 5539–5545 W. Virginia Avenue, and 5536-5542 W. Virginia Avenue

PROPOSED PROJECT:

Master Project: CPC-2006-4392-GPA-ZC-HD-ZV-ZAA-ZAI-SPR and Vesting Tentative Tract No. 66044

The construction of a new mixed use project located on three sites. The total floor area to be provided including existing and new construction will be 822,999 square feet (sq. ft.), 377,900 sq. ft. for commercial uses, 445,099 sq. ft. for residential uses and 62,033 sq. ft. of Open Space. A total of 437 dwelling units will be provided. The project will be configured as follows: Site I: 397,800 sq. ft. of residential uses providing 375 condominium units; 377,900 sq. ft. of commercial space (95,570 sq. ft. of a new below-grade department store, 102,440 sq. ft. of at-grade commercial space, and 65,770 sq. ft. of second floor commercial space), ranging in height from 2 to 8 stories, a maximum of 113 feet high, providing 844 residential parking spaces, 827 commercial parking spaces in a 3-level subterranean garage, the existing 114,120 sq. ft. department store will remain; and 52,633 sq. ft. of Open Space; Site II: 16,512 sq. ft. of residential use providing 24 condominium units, 4-stories, 45-feet high, providing 54 parking spaces in a 3-level subterranean garage with 3,790 sq. ft. of Open Space; and Site III: 30,717 sq. ft. of residential uses providing 38 condominiums, 4-stories, 45 feet high, providing 86 parking spaces in a 3-level subterranean garage with 5,610 sq. ft. of Open Space.

Alternative Project: CPC-2006-4401-GPA-ZC-HD-ZV-ZAA-ZAI-SPR and Vesting Tentative Tract No. 66814.

The construction of a new mixed use project located on three sites. The total floor area to be provided including existing and new construction will be 783,469 square feet (sq. ft.), 353,300

sq. ft. for commercial uses, 430,169 sq. ft. for residential uses and 61,726 sq. ft. of Open Space. A total of 437 dwelling units will be provided. The project will be configured as follows: Site I: 382,940 sq. ft. of residential uses providing 375 condominium units, 353,300 square feet of commercial space (107,680 sq. ft .of a new below-grade department store, 84,780 sq. ft. of at-grade commercial space, and 46,720 sq. ft. of second floor commercial space), ranging in height from 2 to 8 stories, a maximum of 113 feet high, providing 844 residential parking spaces, 656 commercial parking spaces in a 3-level subterranean garage, the existing 114,120 sq. ft. department store will remain and 52,326 sq. ft. of Open Space; Site II: 16,512 sq. ft. of residential uses providing 24 condominium units, 4-stories, 45-feet high, providing 54 parking spaces in a 3-level subterranean garage with 3,790 sq. ft. of Open Space; and Site III: 30,717 sq. ft. of residential uses providing 38 condominium units, 4-stories, 45 feet high, providing 86 parking spaces in a 3-level subterranean garage with 5,610 sq. ft. of Open Space.

REQUESTED ACTIONS:

1. Pursuant to Section 11.5.6 of the Municipal Code, a **General Plan Amendment** to the Hollywood Community Plan to add a Footnote to increase the maximum floor area ratio (FAR) permitted in the Neighborhood Commercial designation on Site I generally bounded by Virginia Avenue, St. Andrews Place, Santa Monica Boulevard and Wilton Place (see attached maps) from the current 1.5:1 to 3.84:1 for CPC-2006-4392-ZC-HD-ZV-ZAA-ZAI-SPP or 4.04:1 for CPC-2006-4401- ZC-HD-ZV-ZAA-ZAI-SPP.
2. Pursuant to the Section 12.32 of the Municipal Code, a **Zone and Height District Change** from R4-1VL (Multiple Dwelling Zone, 3:1 Floor Area Ratio/45 feet maximum height) and C4-1VL (Commercial Zone, 45 feet maximum height, 1.5:1 Floor Area Ratio) to RAS4-2D (Residential/Accessory Services Zone, unlimited height, 3.84:1 Floor Area Ratio for Mater Project CPC-2006-4392 or 4.04:1 Floor Area Ratio for Alternative Project CPC-2006-4401) on Site I (see attached maps).
3. Pursuant to Section 12.27 of the Municipal Code, a **Variance** from the following:
   a. Section 12.11.5 A.2 to permit commercial uses below and above the ground floor in an RAS Zone in lieu of only being permitted on the ground floor on Site I;
   b. Section 12.30 and 12.37 to permit 11,373 square feet of alleys to be vacated and added to the buildable area used to calculate floor area on Site I prior to the completion of the alley vacation; and
   c. Section 12.21.A.1 to permit "early start" construction of the mixed-use project on Site I in the existing R4-1VL and C4-1VL Zones.
4. Pursuant to Section 12.28 of the Municipal Code, an **Adjustment** to permit zero-foot front yard setbacks along the street frontages of Santa Monica Boulevard, Wilton Place and St. Andrews Place in lieu of the minimum 5-foot required front yard setback otherwise required on Site I.
5. Pursuant to Sections 12.11.5 A 2(cc) and 12.21 A 2 of the Municipal Code, a **Determination** to permit a department store use on the southeast corner of Site I in the RAS4 Zone.
6. Pursuant to Section 16.05 of the Municipal Code, **Site Plan Review** approval of projects which result in an increase of 50 or more dwelling units and/or 50,000 square feet on non residential floor area.

RECOMMENDED ACTIONS:

1. **Approve** a General Plan amendment to the Hollywood Community Plan to increase the maximum floor area ratio (FAR) permitted in the Neighborhood commercial designation on Site I (see attached maps) from the current 1.5:1 to 4.04:1, subject to Conditions and Limitations.
2. **Deny** the requested Zone Change from C4 to RAS4 on Site I as filed.

3. **Approve** and **Recommend** that the City Council Adopt a Zone and Height District Change from R4-1VL and C4-1VL to (T)(Q)RAS4-2D on Site I (see attached maps) subject to the attached Conditions of Approval.
4. **Approve** the requested Variance to allow commercial uses below and above the ground floor in lieu of only being permitted on the ground floor on Site I.
5. **Approve** the requested Variance to permit 11,373 square feet of alleys to be vacated to be added to the buildable area used to calculate floor area on Site I prior to completion of the alley vacation.
6. **Deny** the requested Variance to permit "early start" construction of the mixed-use project on Site I in the existing R4-1VL and C4-1VL Zones.
7. **Approve** a Variance per Section 12.27 to permit early issuance of demolition, grading, and excavation permits prior to the effectuation of the zone change ordinance.
8. **Approve** the requested Adjustment to permit zero-foot yard setbacks along the street frontages of Santa Monica Boulevard, Wilton Place and St. Andrews Place in lieu of the minimum 5 and 15 foot required yard setbacks otherwise required on Site I.
9. **Approve** the requested Determination to permit a department store use on the southeast corner of Site I in the RAS4 Zone.
10. **Approve** the requested Site Plan Review findings on Site I and **Disapprove** the requested Site Plan Review Finding on Sites II and III.
11. **Certify** that it has reviewed and considered the information contained in the Draft and Final Environmental Impact Report (EIR) ENV-2005-7720-EIR, SCH No. 2005111018, and **Adopt** the Statement of Overriding Considerations.
12. **Adopt** the attached Findings.
13. **Recommend** that the applicant be advised that time limits for effectuation of a zone in the "T" Tentative classification 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 pages.
14. **Advise** the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that the mitigation conditions, identified as "(MM)" on the condition pages, are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.
15. **Advise** the applicant that, pursuant to State Fish and Game Code Section 711.4, a Fish and Game fee and / or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination (NOD) filing.

S. GAIL GOLDBERG, AICP
Director of Planning

Charles J. Rausch; Jr., Senior City Planner

Kevin D. Jones, Hearing Officer
(213) 978-1172

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PROJECT ANALYSIS

Project Summary

This report contains discussions, recommendations, findings, and conditions that are to apply to two separate cases that request similar discretionary actions. CPC-2006-4392-GPA-ZC-HD-ZAA-ZAI-SPR with an associated Vesting Tentative Tract (VTT) 66044 and will be referred to as the "MASTER PROJECT". The second case will be referred to as the "ALTERNATIVE PROJECT" is CPC-2006-4401-GPA-ZC-HD-ZAA-ZAI-SPR and associated VTT 66814. The project involves three sites and the requested actions on the General Plan Amendment, Zone Changes, Height District Changes, Zone Variances, and Adjustments apply to the area identified as Site I. The Site Plan Review findings will apply to all three sites. The reason for the two individual cases is that the Applicant currently does not own one parcel, 5651 Santa Monica Boulevard, "Linoleum City" (approximately 20,020 sq. ft.) and is in negotiations to acquire the parcel. The negotiations for this transaction had not closed at time that this report was prepared. If the Linoleum City parcel cannot be acquired, the Alternative Case will be used for the construction of the proposed project.

MASTER PROJECT - The construction of a new mixed use project located on three sites. The total floor area to be provided including existing and new construction will be 822,999 square feet (sq. ft.), to include 377,900 sq. ft. of commercial uses, 445,099 sq. ft. of residential uses and 62,033 sq. ft. of Open Space. A total of 437 dwelling units will be provided. The project will be configured as follows: Site I: 397,800 sq. ft. of residential uses providing 375 condominium units and 377,900 sq. ft. of commercial space (95,570 sq. ft. of a new below-grade department store, 102,440 sq. ft. of at-grade commercial space, and 65,770 sq. ft. of new second floor commercial space), ranging in height from 2 to 8 stories, a maximum of 113 feet high, providing 844 residential parking spaces, 827 commercial parking spaces in a 3-level subterranean garage, the existing 114,120 sq. ft. department store will remain and 52,633 sq. ft. of Open Space; Site II: 16,512 sq. ft. of residential use providing 24 condominium units, 4-stories, 45-feet high, providing 54 parking spaces in a 3-level subterranean garage with 3,790 sq. ft. of Open Space; and Site III: 30,717 sq. ft. of residential uses providing 38 condominiums, 4-stories, 45 feet high, providing 86 parking spaces in a 3-level subterranean garage with 5,610 sq. ft. of Open Space.

ALTERNATIVE PROJECT - The construction of a new mixed use project located on three sites. The total floor area to be provided including existing and new construction will be 783,469 square feet (sq. ft.) including 353,300 sq. ft. of commercial uses, 430,169 sq. ft. of residential uses and 61,726 sq. ft. of Open Space. A total of 437 dwelling units will be provided. The project will be configured as follows: Site I: 382,940 sq. ft. of residential uses providing 375 condominium units and 353,300 square feet of commercial space (107,680 sq. ft .of a new below-grade department store, 84,780 sq. ft. of new at-grade commercial space, and 46,720 sq. ft. of new second floor commercial space). The new building will range in height from 2 to 8 stories, a maximum of 113 feet high, providing 844 residential parking spaces, 656 commercial parking spaces in a 3-level subterranean garage and 52,326 sq. ft. of Open Space, the existing 114,120 sq. ft. department store; Site II: 16,512 sq. ft. of residential use providing 24 condominium units, 4-stories, 45-feet high, providing 54 parking spaces in a 3-level subterranean garage and 3,790 sq. ft. of Open Space; and Site III: 30,717 sq. ft. of residential uses providing 38 condominiums, 4-stories, 45 feet high, providing 86 parking spaces in a 3-level subterranean garage with 5,610 sq. ft. of Open Space. The Alternative Project would require a variation of the requested alley vacations to allow rear access to the Linoleum City Parcel

Both the Master and Alternative projects will provide 437 dwelling units and the structure heights will be similar. The full residential developments for Sites II and III are the same for both projects. The Alternative Project differs from the Master in the following ways. The floor area will be reduced by 39,530 square feet but the FAR request will be higher at 4.04:1. The Alternative Project will require a higher FAR because the lot area is smaller due to the exclusion of the 20,020 sq. ft. Linoleum City parcel and reduced alley vacation areas to provide required access to that parcel. The Alternative provides 171 fewer parking spaces. The FAR for the Master and Alternative Projects would not be permitted by the Hollywood Community Plan which does not permit FAR's in excess of 3:1 outside of the Regional Center land use category. Other differences will be detailed later in the report.

PROJECT SITE DISCUSSION

The Paseo Plaza Project Site is located within the Hollywood Community Plan area of the City of Los Angeles and encompasses the following addresses: 5601 - 5667 Santa Monica Boulevard, 5545 W. Virginia Avenue, and 5542 W. Virginia Avenue. The Project Site consists of three properties (Site I, II and III). Site I consists of 13 parcels that total approximately 212,669 square feet (4.9 acres) and the area of the existing allies which are to be vacated. Site I is bounded by Wilton Place on the west, Virginia Avenue on the north, St. Andrews Place on the east, and Santa Monica Boulevard on the south. Site II is located on the northeast corner of St. Andrews and Virginia Avenue, and Site III is located on the southeast corner of St. Andrews and Virginia Avenue. Sites II and III are square shaped and much smaller than the rectangular-shaped Site I. Site II consists of 9,500 square feet (0.21 acres) and Site III is 15,028 square feet (0.34 acres). Site I is currently zoned C4-1VL and R4–1VL. Sites II and III are zoned R4-1VL. The Community Plan Land Use designation for all three sites is Neighborhood Commercial with corresponding zones of C1, C4, C2 RAS 3, RAS4, P, and PB. The sites are located within a CRA Project Area/ Special Study Area. The Project site and the surrounding area are flat and developed with residential and commercial land uses. The Project Site currently has a total of 161,550 sq. ft. of commercial development consisting of 7 buildings (including the 3-story (above grade) retail store building) which is located on Site I. Site II and Site III are surface parking lots.

The Project will provide a pedestrian-friendly mixed-use development with a variety of new housing and commercial opportunities for the community. The site is adjacent to and accessible by several existing bus lines, a proposed Rapid Bus Line on Santa Monica Boulevard and the Metro Red Line (approximately 1 mile from the Site) and would offer significant public transportation opportunities and access for future residents, employees and patrons.

SITE I

Site I occupies a whole city block on the north side of Santa Monica Boulevard bounded by Virginia Avenue on the north, St. Andrews Place on the east, Santa Monica Boulevard on the south and Wilton place on the west. The area of Site I is approximately 212,669 square feet or 4.9 acres. Site I is developed with approximately 263,780 square feet of commercial retail development consisting of seven buildings and an associated surface parking lot. Development of the Proposed Project would involve demolition on Site I of approximately 47,430 square feet of built space that includes 6 neighborhood commercial buildings and ancillary structures to the 3-story (above grade) retail department store building (currently occupied by Sears). The department store building, totaling approximately 114,120 square feet would not be demolished and would continue to be used as a department store as part of the Proposed Project.

The residential units are located at varying levels throughout the proposed Master and Alternative Projects on Site I, from ground level fronting on Virginia Avenue to 2 levels above the retail uses facing Santa Monica Boulevard and up to 8 stories set back from Santa Monica

Boulevard and Virginia Avenue. The residential buildings fronting along Virginia Avenue are approximately 3 stories high along the northern most edge of the subject site and compliment the existing residential units and streetscape along Virginia Avenue. To reduce the massing of the Proposed Project, the project incorporates a "wedding-cake" design with increasing setbacks for each story of the retail and residential uses throughout the project.

MASTER PROJECT PROPOSAL FOR SITE I

The proposed approximately 775,770 square foot mixed-use project on Site I features 375 residential units (397,870 square feet of floor area) and 377,900 square feet of floor area for retail uses. Site I features 95,570 sq. ft. of a new below-grade department store, 102,440 sq. ft. of at-grade retail, and 65,770 above grade (on the second floor) of neighborhood serving retail uses. Site I proposes three levels of subterranean parking. The existing 4-story department store building, currently operated by Sears, includes 1 level of subterranean retail and 3 levels above grade of retail on the subject site, will remain, and comprises 114,120 square feet of the total retail. The mixed-use complex is proposed to be between 2 and 8 stories above grade, reaching a maximum height of approximately 113 feet (see "Height Diagram"). The proposed height for areas that are occupied is 94 feet high, and the additional 19 feet (up to 113 feet) is proposed to be used by unoccupied architectural features.

Site I Master Project Retail Table	
New below grade retail:	95,570 sq. ft.
New grade level retail:	102,440 sq. ft.
New second floor retail:	65,770 sq. ft.
Subtotal of new retail proposed:	**263,780 sq. ft.**
Existing Department Store:	114,120 sq. ft.
Total retail space proposed:	**377,900 sq. ft.**

The proposed retail on Site I will include one below-grade level to coincide with the existing below-grade level of the department store, one at-grade and one above-grade. It is primarily oriented towards Santa Monica Boulevard to correspond to and compliment the existing commercial uses along Santa Monica Boulevard's commercial corridor. The current design includes a pedestrian plaza located at ground level with the main pedestrian entrance off of Santa Monica Boulevard. The proposed pedestrian plaza is to run between Santa Monica Boulevard and Virginia Avenue and connect both the assorted commercial spaces throughout the Proposed Project on Site I with the residential component of the Project.

The exterior of the project would be built in a Contemporary style, with its use of building components and other compositional elements and materials commensurate with this architectural style. The architectural style provides multi-faceted massing, roof forms and fenestration.

ALTERNATIVE PROJECT PROPOSAL FOR SITE I

The proposed approximately 736,240 square foot mixed-use project on Site I features 375 residential units (382,940 square feet of floor area) and 353,300 square feet of floor area of retail uses. Site I features 107,680 sq. ft. of a new below-grade department store, 84,780 sq. ft. at-grade retail use, and 46,720 sq. ft. of above grade (on the second floor) neighborhood serving retail uses. Site I also proposes three levels of subterranean parking. The existing 4-story department store building, currently operated by Sears, will remain. The mixed-use complex is proposed to be between 2 and 8 stories above grade, reaching a

maximum height of approximately 113 feet (see "Height Diagram"). The proposed height for occupied areas is 94 feet high, and the additional 19 feet (up to 113 feet) is proposed to be unoccupied architectural features.

Site I Alternative Project Retail Table	
New below grade retail:	107,680 sq. ft.
New grade level retail:	84,780 sq. ft.
New second floor retail:	46,720 sq. ft.
Subtotal of new retail proposed:	**239,180 sq. ft.**
Existing Department Store:	114,120 sq. ft.
Total retail space proposed:	**353,300 sq. ft.**

The proposed retail on Site I for the Alternative Project will be built around the existing Linoleum City Building will include one below-grade level to coincide with the existing below-grade level of the department store, one at-grade and one above-grade. It is primarily oriented towards Santa Monica Boulevard to correspond to and compliment the existing commercial uses along Santa Monica Boulevard's commercial corridor. The current design includes a pedestrian plaza located at ground level with the main pedestrian entrance off of Santa Monica Boulevard. The proposed pedestrian plaza is to run between Santa Monica Boulevard and Virginia Avenue and connect both the assorted commercial spaces throughout the Proposed Project on Site I with the residential component of the Project..

SITE II

Site II is located at 5539 and 5545 W. Virginia Avenue at the north east corner of St. Andrews Place and Virginia Avenue. The site has an area of approximately 14,989 square feet. Site II currently consists of surface parking lot with 13 stalls and a temporary trailer currently used by the "Hollywood Work Force", a day labor center. The Master and Alternative Projects propose a 4-story residential structure accommodating 24 residential apartment units with a maximum height of 45-feet. Proposed open space totals approximately 3,790 square feet. The architectural design is not yet finalized but would be in the style of the existing surrounding residential neighborhood. The 24 units on Site II are part of the request for the project's total of 437 dwelling units. Site II is subject to the Site Plan Review portion of the CPC discretionary action as described in this report.

SITE III

Site III is located at 5536 and 5542 W. Virginia Avenue at the south east corner of St. Andrews Place and Virginia Avenue and is currently a surface parking lot with 52 stalls. A residential building with 38 apartment units is proposed on this site as part of both the Master and Alternative Projects. The structure would have a maximum height of 45-feet in 4-stories. Open space totals approximately 5,610 square feet. The architectural design for the residential structure has not been finalized but would be consistent with the style of the existing surrounding residential neighborhood. The 38 units on Site III are part of the request for the project's total of 437 dwelling units. Site III is subject to the Site Plan Review portion of the CPC discretionary action as described in this report.

General Plan Amendment

The current Hollywood Plan has a number of footnotes which restrict FAR's through out the Plan area. This was basically done to promote development in the Hollywood Redevelopment Area which comprises the Regional Center area of Hollywood. Outside of the Redevelopment area, height districts are limited to Height District No. 1. Height District 2 with FAR's of up to 3:1

are permitted in East Hollywood in the area around the intersection of Vermont and Sunset to accommodate the large hospitals that have congregated in the area. The initial application filed on October 27, 2005 describing the projects with 3.84:1 or 4.04:1 FARs did not include a general plan amendment request. During the review of the project after the Public Hearing on October 26, 2006, the conflict with the Footnotes of the Hollywood Community Plan and the requested FAR was identified. On February 1, 2007, the applicant submitted a written request for a general plan amendment for Site I to add a Footnote to permit FAR's up to 3.84:1 for the Master Project or 4.04:1 for the Alternative project.

Zone Change

The Zone Change request for Site I is to change from C4-1VL and R4-1VL to RAS4-2D. The requested zone is a corresponding zone for the Neighborhood Commercial Land Use Designation for the site. The Mixed Use Project complies with the intent and provisions of the requested RAS4 zone and implies a need for greater heights and FARs. The project is primarily residential, is located along a significant commercial corridor and is also served by several major transit routes.

Height District / Floor Area Ratio (FAR)

The current Height District on Site I is 1VL providing maximum heights of 45 feet and FARs of 1.5 to 1 for the C4 zone portion of the site and 3:1 for the R4 zoned portion. The existing FARs would permit up to 409,197 sq. ft. of floor area (after the proposed alley vacation and street vacations). Site II is currently Zoned R4-1VL and would permit a FAR of 3:1 or 16,512 sq. ft. The project on Site II proposes to provide a 3:1 FAR (16,512 sq. ft. of floor area). Site III also is Zoned R4-1VL and permits a FAR of 3:1 or 30,717 sq. ft. of floor area. The project on Site III proposes to provide a 3:1 FAR (30,717 sq. ft. of floor area). The Applicant is not requesting a Height Change for Site II or Site III, and will maximize the use of the existing zone. On Site I, the Master and Alternative Projects request Height District Changes from 1VL to 2D.

Height District Change

Incidental to the request for a Zone Change, the applicant is requesting a Height District Change from -1VL to -2D for both the Master and Alternative projects on Site I. Height District -2D and associated "D" Development Conditions are proposed to limit the maximum number of stories on Site I to 8 stories and the height to a maximum height of 94 feet and an additional 19 feet (up to 113 feet) for unoccupied architectural features. The requested "D" Development Conditions will also include FAR limitations of 3.84:1 for the Master Project or 4.04:1 for the Alternative Project.

Although the maximum height of the building is proposed to reach 113 feet, numerous setbacks minimize the massing of the proposed Project, as it incorporates a "wedding-cake" design with varying setbacks and heights for the retail and residential uses throughout the Project. Due to the complexity of the proposed project and the intricacy of the design, the Applicant proposes a Height Diagram for Site I with 5 Tiers, which define the proposed height limits of 5 specific areas within the Project on Site I. (See table below.)

The Project's setbacks on the street level also reduce massing. For example, the front yard setbacks are proposed to be 5 feet along Virginia Avenue for the residential uses, which is consistent with the adjacent residential uses across Virginia Avenue to the north. The project proposes a 0-foot setback along Santa Monica Boulevard for the commercial uses (first and second floors) and a 5-foot setback for the residential uses on the 3rd floor. The main pedestrian access to the retail portion of the proposed project is off of Santa Monica Boulevard. Fronting along Virginia Avenue are residential uses, with no retail on the ground floor.

Tiers	Vertical Height/ No. of Stories
Tier 1	60 ft/ 4 stories
Tier 2	65 ft/ 2 stories
Tier 3	75 ft/ 5 stories
Tier 4	94 ft/ 8 stories
Tier 5	113 ft/ 8 floors

MASTER PROJECT 3.84:1 FAR

The Site I Project as proposed is not designed to develop the maximum allowable floor area in a Height District 2 and has requested "D" Development Conditions for an FAR of 3.84:1 as described in the project's Environmental Impact Report. The Project proposes a total floor area on Site I of 775,770 sq. ft. (3.84:1 FAR), consisting of 397,870 sq. ft. of residential floor area and 377,900 sq. ft. of retail floor area (see table below for further detail). The Hollywood Community Plan is currently in the process of being updated and this site is recommended to allow a 3:1 FAR. The proposed 3.84 FAR is a 28 percent increase from 3:1.

Floor Area Table for SITE I: (Current Zoning versus proposed Zone Change)

ZONE AND HEIGHT DISTRICT	FLOOR AREA
Current Zoning	
C4-1VL	1.5:1 FAR 154,125 sq. ft.
R4-1VL	3:1 FAR 255,072 sq. ft.
TOTAL	**409,197 sq. ft.**
Proposed Zoning	
RAS4-2D (6:1 FAR is permitted in HD 2)	3.84:1 FAR Proposed
Residential	397,870 sq. ft.
Commercial	377,900 sq. ft.
TOTAL	**775,770 sq. ft.**

ALTERNATIVE PROJECT 4.04:1 FAR

The project is also not designed to develop to the maximum allowable floor area in a Height District 2 and has a requested "D" Development Condition for an FAR of 4.04:1. The Project proposes a total floor area on Site I of 736,240 sq. ft. (4.04:1 FAR), consisting of 382,940 sq. ft. of residential floor area and 353,300 sq. ft. of retail floor area (see table below for further detail). The proposed 4.04:1 FAR is a 35 percent increase from the future 3:1 FAR Hollywood Community Plan update recommendation. The Alternative Project will have a smaller lot area due to the exclusion of the 20,020 sq. ft. Linoleum City parcel and reduced alley vacation areas to provide required access to that parcel. This reduced lot area and proposed 775,770 sq. ft of area results in the higher 4.04:1 FAR.

Floor Area Table: (Assumes a Zone Change to RAS4-2D on Site I.)

Floor Area Table for SITE I: (Current Zoning versus proposed Zone Change)

ZONE AND HEIGHT DISTRICT	FLOOR AREA
Current Zoning	
C4-1VL	1.5:1 FAR 126,606 sq. ft.
R4-1VL	3:1 FAR 255,072 sq. ft.
TOTAL	**381,678 sq. ft.**
Proposed Zoning	
RAS4-2D (6:1 FAR is permitted in HD 2)	4.04:1 FAR Proposed
Residential	382,940 sq. ft.
Commercial	353,300 sq. ft.
TOTAL	**736,240 sq. ft.**

The Hollywood Community Plan Footnote Number 7 states: "For properties limited to the 1XL and 1VL Height Districts, the recommended FAR is 1.5:1. This Plan designation emphasizes pedestrian-oriented use and design." When the City Council adopted the RAS Zones in 2002, their purpose was to promote mixed use development in the City's commercial zones, particularly in the commercial corridors which provide the greatest transit. In their adoption of the RAS zones, the City Council recognized that the additional floor area and height allowed by the RAS zones are necessary to make such primarily residential projects viable.

Zone Variances

The Applicant requests three variances from the LAMC. First is a variance from 12.11.5 A2 to permit the construction on Site I to allow commercial uses below grade and above the ground floor in a mixed use project in the RAS Zone. The RAS Zone, being a residential zone, permits limited commercial uses on the ground floor only. The site is currently partially zoned C4 which permits commercial uses on multiple levels. The existing four level Sears department store will remain and serve as an anchor for the project. The applicant wishes to continue this type of development and join the existing department store at three existing levels with the new development.

The second variance is to permit 11,373 square feet of alleys to be vacated to be added to the buildable area used to calculate floor area on Site I. Vesting Tentative Tracts have been filed that will finalize the alley vacations along with the merger of several lots when recorded. The variance is needed to permit the area of the alley vacations to be used prior to the recordation of the tract map which would complete the vacations.

The third variance is from 17.15 C of the LAMC to permit construction on all three sites prior to the recordation of a Final Tract Map. The purpose of this early start is to expedite the construction of the new condominium units, so they can be completed and occupied as soon as possible.

Parking

All the required parking will be provided in enclosed subterranean garages below each site. The Project's parking is based on the combination of multiple parking requirements. The proposed uses are subject to the parking requirements of the Los Angeles Municipal Code (L.A.M.C.) for commercial and residential uses. In addition, the Deputy Advisory Agency

Parking Memo policies regarding Subdivision requests to create condominium residential units, which requires two parking spaces per unit plus guest parking, must be followed.

A survey of the area disclosed that most of the surrounding area was developed prior to the effective date of the current standards. Many of the commercial and residential structures are considered Non-conforming due to insufficient amounts of parking and lack of adequate access. The result is that the area does not have adequate parking supplies and is significantly impacted. A portion of this impact may be mitigated given the amounts of available public transit in the area along Santa Monica Boulevard and Western Avenue.

Parking Access

The Project on Site I will include three levels of subterranean parking below the one level of proposed and existing below grade retail space. There are three points of vehicular access to and from the subterranean parking garage on Site I. Access from Virginia Avenue is proposed for the residential uses, and access from Wilton Place and from St. Andrews Place are proposed for parking for the retail uses. The Loading dock entry is located off of St. Andrews Place.

Site II and III also include subterranean parking for the proposed multi-family residential projects. Access will be provided off of Virginia Avenue to each site's parking garage from the south side of Virginia Avenue for Site II and from the north side of Virginia Avenue for Site III.

Residential Parking Uses

The Master and Alternative Projects will include 844 residential parking spaces for Site I, 54 parking spaces for Site II, and 86 parking spaces for Site III for a total of 984 residential parking spaces. The Project would include three levels of subterranean parking under Site I and two to three levels of subterranean parking below Site II and Site III. Vehicular entrance to/from the residential portion of the Project Site I would be from Virginia Avenue as well as for Project Site II and III.

Parking for the residential portion of the proposed project is required by LAMC Section 12.21.A.4(a) and is based on the number of habitable rooms per dwelling unit. One space is required for units with less than 3 habitable rooms, 1.5 spaces for units with 3 habitable rooms, and 2 spaces for units with more than 3 habitable rooms. The Deputy Advisory Agency Parking Memo contains greater parking requirements for the approval of residential tracts involving condominiums. In addition, the Agency requires different parking ratios for guest parking in Parking Impacted and Non Impacted areas as designated by the Department of Transportation. The Agency requires 2.25 parking spaces per unit in non-impacted parking areas and 2.5 parking spaces per unit in impacted parking areas. The following describes the LAMC required parking for the proposed residential units: 583 are required for Site I, 36 parking spaces are required for Site II, and 60 parking spaces are required for Site III, for a total of 679 required parking spaces for the residential portion of the project. The project includes a requested subdivision to create condominiums and is located in a Parking Impacted area. The applicant has requested that the lower 2.25 ratio be applied to their project because the project is located on a major transit corridor. Therefore the project will include 844 parking spaces for Site I, 54 parking spaces for Site II, and 86 parking spaces for Site III, for a total of 984 residential parking spaces for both Projects.

Commercial Parking Uses

The Master Project will include 827 parking spaces for the Commercial uses on Site I while the Alternative Project will provide 656 spaces. Pursuant to Section 12.21 A.4.(x)(3) of the

L.A.M.C., Neighborhood Commercial uses require 2 parking spaces per 1,000 square feet of commercial space. The Master Project is required to supply 756 parking spaces for the 377,900 square feet of Commercial area. The Alternative requires 707 parking spaces for the 353,300 square feet of its Commercial area. The applicant has supplied a copy of Certificate of Occupancy dated February 28, 1973 that requires 75 parking spaces for the existing Sears department store that is 114,120 sq. ft in floor area. This is a reduced amount due to the Non-Conforming rights of that structure. The department store portion of the project is leased to Sears and the applicant has provided evidence that the current lease will expire in approximately 5 years. The continued Non Conforming status of the department store can not be assured. A change of use in that structure will require the new use to provide 228 parking spaces as required by the LAMC. The applicant has not supplied adequate information to determine if the 75 spaces can be included in the total required 756 spaces. The information in the case file implies that those 75 spaces are required in addition to the required parking spaces for a total need of 833 parking spaces. The Applicant proposes 827 total parking spaces for the Master Project Commercial uses, a shortage of 4 spaces if the Non Conforming status of the Sears building is not retained. The Alternative Project provides a total of 656 parking spaces, 554 required parking spaces for the 239,180 sq. ft. of new development and 75 parking spaces for the existing 114,120 sq. ft. Sears building. The Alternative Project would be under parked by approximately 51 spaces if the Non-Conforming rights of the Sears site can not be retained.

Background

Existing Uses

Site I is currently developed with approximately 47,430 square feet of commercial uses, consisting of 6 retail buildings and a 114,120 square foot four-story existing department store currently operated by Sears. The existing 6 retail buildings will be demolished and the proposed Project will be developed in their place. The existing department store on the southeast corner of Site I will remain on site. Sites II and III are currently improved with surface parking, and Site II has a modular trailer on-site.

Public Transportation Opportunities

There are multiple public transportation opportunities in the subject site's immediate area. The Metro Red Line Hollywood/ Western Metro Station is located approximately 1 mile away from the Project and the Metro Red Line Vermont/ Santa Monica Metro Station is located approximately 1.25 miles away from the Project. The Metro Red Line is the 17-mile subway that runs from Union Station in downtown Los Angeles to Western Avenue and Wilshire Boulevard and on to North Hollywood in the San Fernando Valley. The Metro Red Line also connects to the Blue Line at the 7th/Metro Center Station and the Gold Line at Union Station. These Metro Lines further connect to points throughout the City and the greater Los Angeles area.

Additionally, Los Angeles' Metropolitan Transportation Authority (MTA) routes Bus Line 156, which has a stop located directly to the south of the subject site on the northeast corner of Santa Monica Boulevard and Wilton and runs north and west to Van Nuys Boulevard and Oxnard Street in the San Fernando Valley. MTA also routes Bus Line 304, which provides limited stop services that run east/ west on Santa Monica Boulevard (connecting to Union Station) and Bus Line 305, which is a cross-town bus that runs along Sunset Boulevard to UCLA/ Westwood and the Imperial/ Wilmington Station. Both the No. 304 and No. 305 have stops conveniently located just south of the subject site on the southeast corner of Santa Monica Boulevard and Western Avenue. Also, the Metro Rapid Bus Line 710 (with a stop just 0.75 miles from subject site on Santa Monica Boulevard and Vine) runs along Vine Street with designated stops at Sunset and Vine, Melrose and Vine, Beverly Boulevard and Vine, and completes its route at Manhattan Beach Boulevard and Crenshaw Boulevard near the City of

Torrance. The MTA also proposes to open a Rapid Bus Line on Santa Monica Boulevard within a year.

Surrounding Zones and Uses

Much of the surrounding area was developed more the 50 years ago with commercial uses along the corridors of Santa Monica Boulevard and Western Avenue. Multi-family uses were developed in the surrounding areas along the local streets. The area is relatively flat. The majority of the structures are low rise. The Northridge earthquake of 1994 caused some damage in the area and there is evidence that some of the commercial buildings have been upgraded and a few replaced.

North: R3-1 – On the north side of Virginia Avenue are Multi-family apartments, 2 and 3 stories in height. There is also one single family home.

Northeast: R4-1VL - North of Virginia Avenue and east of St. Andrews Place (North of Site II) are Multi-family apartments, 2 stories in height.

East: R4-1VL and C4-1VL –
East of Site II are Multi-family apartments, 2 and 3 stories in height.
East of Site III is surface parking and neighborhood commercial uses.

South: C2-1D - On the south side of Santa Monica Boulevard are neighborhood commercial buildings. There is a commercial center on the southeast corner of Santa Monica Boulevard and Wilton Place. There are mixed use sites with commercial uses on the ground floor and residential/multi-family apartments above, 2 - 5 stories in height. The "D" Limitation for this area is 0.5:1 FAR. **South of Site III:** Neighborhood commercial, Restaurant, indoor swap meet, clothing.

Southeast: C2-1D - South of Santa Monica Boulevard and east of St. Andrews Place is developed with neighborhood commercial, a shopping center, and parking. The "D" Limitation for this area is 0.5:1 FAR.

West: R3-1 and CM-1VL - Across Wilton Place on the northwest corner and southwest corner of Santa Monica Boulevard and Wilton Place are single story commercial shopping centers. On the southwest corner of Wilton Place and Virginia Avenue are multi-family and single-family residential uses.

Streets and Circulation

Wilton Place: adjacent to the west side of the Project site is a designated Secondary Highway

Santa Monica Boulevard: adjacent to the south side of the Project site is a designated Major Highway Class II

Western Avenue: approximately 550 feet east of the subject site is a designated Major Highway Class II

Virginia Avenue: adjacent to the north side of the Project site is a designated Local Street

St. Andrews Place: adjacent to the east side of the Project site is a designated Local Street.

Hollywood Freeway (Interstate 101): approximately 1,000 feet east of the Project site is a designated freeway

Issues

HEIGHTS AND FLOOR AREA RATIOS (FAR)

The applicant is requesting a Height District Change on Site I from 1VL to 2D. Sites II and III will retain the existing 1VL Height District and no change was requested for these sites. The Public Hearing testimony introduced the concern from project opponents about the heights allowed by in Height District 2 particularly the unlimited heights and the 6:1 FAR. A Director of Planning letter dated April 5, 2005 regarding RAS Interpretation to Community Plan Footnotes allows the consideration of FARs that are greater than the Community Plan Footnotes when they are general in nature and generally refer to all parcels under a plan category. This is the situation for the Hollywood Community Plan and therefore the CPC should consider the requested 2D Height District change. The purpose of the RAS Zones is to promote mixed use development in the City's commercial zones, particularly in the commercial corridors which provide the greatest transit. The Hollywood Community Plan Update Program (CPU) is in process and the distributed documents include the recommendation to increase the FAR to 3:1 for Mixed Use projects at this location. The projects and their proximity to public transit are compatible with this future designation. The projects include a design that places the tallest structures on the southern portion of Site I adjacent to the transit corridor and the highest pedestrian activity. The heights diminish as they approach the other residential uses on the north side of Virginia Avenue.

The application documents, the applicant's presentation and November 9, 2006 letter, and the recommended "D" Development conditions include appropriate limitations. The requested and recommended "D" Limitation for the FAR on Site I is 3.84:1 for the Master Project resulting in the proposed 775,770 square feet of development on Site I. The Alternative Project requested and the recommended "D" Limitation FAR of 4.04:1 will produce a total square footage of 736,240 square feet. The heights of the proposed buildings will be limited to those disclosed on the plans dated February 8, 2007. The Department recommends the 2D Height District and the associated "D" Development Conditions.

AFFORDABLE HOUSING:

The proposed project include the development of 437 dwelling units, 375 on Site I, 24 on Site II, and 38 on Site III. The requested RAS4 zone has a corresponding density of 1DU/400 sq. ft. of lot area. The project could accommodate up to 531 dwelling units. It should be noted that the applicant did not request and the project does not require a density bonus. At the Public Hearing, the issue of Affordable Housing was introduced. To address this issue the applicant volunteered the incorporation of affordable housing units into the project in their letter dated November 9, 2006. The applicant proposes that 10% (38 units) of the total units constructed on Site I (375 DU) will be designated as low income affordable housing units and located on Site III, located at 5542 Virginia Avenue. While the Planning Department recognizes the need for affordable housing, the Department can not recommend the volunteered condition as written that segregates the affordable housing units onto a single lot of the project. Department policy requires the reasonable disbursement of affordable units through out a project to assure that design elements and amenities are well balanced and available with increased possibilities of development. These policies are outlined in the Affordable Housing Incentives Guidelines, Design Standards that were approved by the City Planning Commission on August 21, 2006. The Department recommends a revised condition as follows and listed as "Q" Condition 23: "The applicant shall suitably guarantee to the satisfaction of the Housing Department that 10 percent of the dwelling units constructed on Site I shall be designated as affordable to low

income households. These units shall be proportionally distributed on Sites I (32 units), Site II (2 units) and Site III (4 units)."

PARKING

There are conflicting positions about the amounts of parking for these projects. At the Public Hearing, there were requests for full or extra parking at these projects particularly from the City Council Office and several speakers. The testimony and a survey of the area clearly demonstrated a significant lack of parking within a 2 block radius of the site. The primary cause for this impact is the age of the development, over 50 years, in this area. A significant positive element is that the project is located on and near major public transit corridors that provide several alternatives to accessing the site. The Planning profession is also considering ways to encourage increased pedestrian activity and the use of public transit in urban areas when that service is readily available. One method is to provide adequate but not excessive amounts of parking at a site.

The Master and Alternative projects will provide 984 parking spaces for the residential uses at the rate of 2.25 spaces per dwelling unit. This amount is less than the 1,093 spaces that could be required by the Deputy Advisory Agency if they require the higher 2.5 spaces per dwelling unit rate for projects in parking impacted areas. The Master Project will provide 827 Commercial parking spaces and the Alternative will provide 656 parking spaces. As stated earlier, the Master Project is short 4 parking spaces considering the 377,900 sq. ft. of available commercial space and a possible legally required 75 spaces for the existing Sears store. The Alternative project of 353,300 sq. ft. commercial space will be short approximately 51 spaces. The Alternative project will require a future parking variance if the Non Conforming status of the department Store is discontinued.

After considering all these factors, amounts of parking, the surrounding area, and available public transit, the Department recommends the parking as proposed by the applicant.

OPEN SPACE

The LAMC requires a total of 58,150 square feet of Open Space for the Master project. The proposed project will provide approximately 62,033 square feet of Open Space as follows; Site I 49,975 square feet, Site II 3,100 square feet and Site III 5,079 square feet. The LAMC require a total of 59,325 square feet of Open Space for the Alternative Project. The Alternative Project will provide approximately 61,726 square feet of Open Space as follows; Site I 52,326 square feet; Site II 3,790 square feet; and Site III 5,610 square feet. The Alternative Project requires a higher amount of Open Space by the LAMC due to the habitable room configuration of the dwelling units. While the total number of dwelling units is same, the number of dwelling units with three or more habitable room is higher in the alternative project and therefore requires more Open Space for those units. The proposed projects provide an amount of open space that exceeds the LAMC requirements. This proposed Open Space does not include an applicant volunteered 28,000 sq. ft. Roof Top Open Space area on the Sears Building. This roof top area is to be developed in conjunction with the renovation of that building but not when the Master or Alternative Projects are constructed.

At the Public Hearing, the amount of Open Space, and in particular the Open Space over the existing Sears Building, became an issue. The public testimony disclosed that at several public meetings the applicant volunteered the development of a public roof top landscape area on the Sears building providing an additional 28,000 square feet of public Open Space for Site I. The testimony from the Public Hearing requested that the public roof top open space be installed as part of the project.

The applicant's letter of November 9, 2006 stated that adequate research had not been conducted to determine the feasibility of the extensive remodel/ retrofit of the Sears building to permit the installation of the roof top open space. Another factor disclosed in the applicant's letter is that this area is leased to Sears Corporation and that this lease will expire in approximately 5 years. The applicant states that the access necessary for the roof top open space construction would not be available until the lease has lapsed. The applicant's letter goes on to state their commitment to explore the installation of the roof top open space area at a later date due to the existing lease with Sears Corporation and the lack of feasibility research. The applicant volunteered a condition to demonstrate their commitment to the development of the additional open space area. The feasibility of the open space installation is unknown. A condition has been included to require the installation of the roof top garden prior to the issuance of any permits for the renovation of the Sears building not related to the construction of the Master or Alternative Projects.

TRAFFIC

A Traffic Study prepared by Crain and Associates dated December 2005 examined traffic impacts from these projects and is part of the Draft and Final EIR. The Study examined Roadways, Public Transit, Intersection Levels of Service (LOS), Traffic Flows, Cumulative Impacts, and provided Mitigation Measures for the identified impacts. Most of the project related impacts were mitigated to a level of less than significance. The recommended mitigation measures for intersections of Santa Monica Boulevard at Wilton Place and Western Avenue, require the concurrence on of CALTRANS and if this cannot be obtained, the impacts would remain significant and unavoidable. The project impacts at the Western Avenue onramp to the northbound Hollywood Freeway (US-101) would remain significant and unavoidable as there are no mitigation measures currently feasible to address them. At the Public Hearing, testimony was given requesting full mitigation of all traffic related impacts or the reduction of the size of the project to reduce the related impacts. As stated in this report, these Mixed Use projects will provide significant benefits and improvements for the immediate area. The projects will increase the vitality of the area in a manner that complements the neighborhood. The project provides many mitigation measures for identified traffic impacts to the extent possible. Given these factors, the Department recommends that the Commission adopt the Statement of Overriding Considerations Finding contained in this report regarding the remaining un-mitigated traffic impacts.

SIDWALK WIDENING

In the project area there are conflicting ideas between the need for wider sidewalks that serve the high pedestrian volumes and several bus stops and the critical need to manage vehicular congestion. A proposed mitigation measures to implement a westbound right-turn-only lane at Santa Monica Boulevard and Western Avenue through a two-foot widening of the north side of Santa Monica Boulevard (resulting in a two-foot reduction in sidewalk width) was revised through discussion with LADOT to utilize a one-foot reduction along both the north and south sides of Santa Monica Boulevard in order to achieve the required roadway width for vehicular traffic capacity improvement. The revised measure has been accepted by LADOT and addresses roadway improvements and pedestrian traffic. A condition has been included requiring the applicant to work with the CRA and the City Planning Department Urban Design Studio to identify improvements to reduce interface between pedestrian and vehicular paths in the project area.

Walkability Analysis: The site is located on Santa Monica Boulevard a major transit corridor and a transit stop is adjacent to the site. The streets in the area are characterized by a grid pattern. There is an established pattern of commercial uses along Santa Monica Boulevard.

Although many of the shops are older, they provide retail and commercial services. The proposed mixed-use project will provide significant amounts of additional commercial uses. The project will provide pedestrian enhancements including: The primary entrance from Santa Monica Boulevard is at-grade and ADA compliant; Paseos at mid-block allowing pedestrian access from Virginia Avenue are ADA compliant; Driveways for parking and loading areas are on Wilton Place, Virginia Avenue and St Andrews Place away from areas of higher pedestrian activity; and transparent windows at grade for access to commercial uses and reducing perceived building mass. The buildings are placed at the front property line along Santa Monica Boulevard. The building heights are tiered with the tallest structures located at the center of the project site.

CONCLUSION

The Department recommends the Master and Alternative Projects as conditioned in this report. A number of dwelling units, including an Affordability component, will contribute to the reduction of the housing shortage in the neighborhood and City. As Mixed Use projects, they introduce new and increased amounts of commercial space in close proximity to several public transit points. The synergies from the existing Sears Department Store, that will be retained, should contribute to the viability of the new commercial uses.

Several of the issues raised by community members have been addressed by the project's proposed mitigation measures and monitoring program in the EIR, additional measures added by staff after consideration of the public hearing testimony and information from the applicant.

Development in older urban areas usually present challenges for the developer and the community, who become accustomed to existing surroundings and conditions. The projects as conditioned fulfill several of the Community Plan's goals and objectives. The intent of the RAS zones could be fully realized with this project given the significant amount of transit options and proximity to employment and housing opportunities.

CONDITIONS FOR EFFECTUATING (T) TENTATIVE CLASSIFICATION REMOVAL

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

Dedication(s) and Improvement(s): Prior to the issuance of any building permits, except demolition, excavation, or foundation permits, public improvements and dedications for streets and other rights of way adjoining the subject property shall be guaranteed to the satisfaction of the Department of Public Works, Bureau of Engineering Fire Department (and other responsible City, regional, and Federal government agencies, as may be necessary).

1. Responsibilities/Guarantees.

   a. 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.

   b. 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.**

2. Transportation Dedications and Improvements. The applicant shall consult with the Bureau of Engineering and the Department of Transportation (DOT) for any dedications or street widening requirements. These requirements must be guaranteed before the issuance of any building permit through the B-permit process of the Bureau of Engineering, department of Public Works. They must be constructed and completed prior to issuance of any Certificate of Occupancy to the satisfaction of DOT and the Bureau of Engineering.

   The dedications and improvements shall include, but not be limited to, the following:

   a. The northbound approach of Gower Street, south of Santa Monica Boulevard, shall be re-striped, and on-street parking restrictions shall be implemented, to provide one left-turn only lane, one through lane, and one right-turn only lane. This improvement would result in the loss of approximately three parking spaces on Gower Street in order to accommodate the northbound right-turn only lane. (MM)
   b. The north side of Santa Monica Boulevard shall be dedicated and widened along the Project frontage to install a new right-turn only lane in addition to one left-turn only lane and two through lanes in the westbound direction. Additionally, the east side of Wilton Place shall be widened within the existing right-of-way south of Santa Monica Boulevard, to provide one-left through shared land, one through lane, and one right-turn only lane in the northbound direction. Roadway

improvements along Santa Monica Boulevard require coordination and concurrence of Caltrans. (MM)

c. The north and south sides of Santa Monica Boulevard shall each be widened by one foot within the existing right-of-way east of Western Avenue to install a new westbound right-turn only lane, in addition to one left-turn only lane and two through lanes. The eastbound approach of Santa Monica Boulevard shall be restriped to appropriately align the travel lanes. (MM)

d. Melrose Avenue, south of Western Avenue shall be restriped to install a new northbound right turn only lane, in addition to one left-turn only lane and two through lanes. (MM)

3. Street Lighting. To the satisfaction of the Bureau of Street Lighting. If street widening is required on any of the streets adjoining the project site the following improvement shall be required: Five (5) impacted existing street lights on Virginia Avenue, two (2) on St Andrews Place, eight (8) on Santa Monica Boulevard and three (3) on Wilton Place shall be relocated and upgraded.

4. Street Trees. If determined necessary, construct tree wells and plant street trees satisfactory to the City Engineer and the Street Tree Division (213) 847-0833 of the Bureau of Street Services.

5. Sewers. If determined necessary, construct sewers to the satisfaction of the City Engineer.

6. Parking Area and Driveway Plans Parking area and driveway plans shall be submitted to the Citywide Planning Coordination Section of the Department of Transportation, Construction Services Counter (201 North Figueroa Street, Suite 400, Station 3) and the Bureau of Engineering, prior to the issuance of a building permit. A parking area and driveway plan may be submitted to the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Final DOT approval should be accomplished by submitting detailed site/driveway plans at a scale of 1"=40' and proper documentation verifying the existing or previous use, square footage and shall include following minimum design features:

   a. A minimum of 60-foot and 40-foot reservoir space(s) be provided between any ingress and security gate(s) and the property line of Lot 1 when the driveway is serving more than 300 and 100 parking spaces respectively.
   b. Residential vehicular access to Lot 1 shall be limited to St. Andrews Place and Virginia Avenue.
   c. Parking stalls shall be designed so that a vehicle is not required to back into or out of any public street or sidewalk.

7. Fire Department. 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. In accordance with L.A.M.C Section 57.09.07, the Applicant shall equip the proposed structures with automatic sprinkler systems. (MM)
   b. Fire lane width shall not be less than 20 feet. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width. (MM)

c. No building or portion of a building shall be constructed more than 300 feet from an approved fire hydrant. (MM)
d. No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane. (MM)
e. Access for Fire Department apparatus and personnel to and into all structures, including the subterranean parking structures, shall be required. (MM)
f. The Proposed Project shall comply with all applicable State and local codes and ordinances, and guidelines found in the Fire Protection and Fire Prevention Plan, as well as the Safety Plan, both of which are elements of the General Plan for the City of Los Angeles C.P.C. 19708. (MM)

8. Police Department. The requirements of the Police Department relative to the security of semi-public and private spaces shall be incorporated into the building plans. The Project developer shall submit a plot plan for the proposed development to the LAPD's Crime Prevention Section for review and comment. Security features subsequently recommended by the LAPD shall be implemented, to the extent feasible. (MM). The building plans shall incorporate the following minimum design features:
   - The building and layout design of the Proposed Project shall include crime prevention features, such as nighttime security lighting, full-time onsite professional security, building security systems, and secure parking facilities. (MM)

9. Cable Television. The applicant shall make any necessary arrangements with the appropriate cable television franchise holder to assure that cable televisions 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 Information Technology Agency (ITA).

10. Recreation and Parks. Per Section 12.33 of the Municipal Code, the applicant shall dedicate land for park or recreational purposes and/or pay the applicable Quimby fees for the construction of condominiums, or Recreation and Park fees for construction of apartment buildings. (MM)

11. School District Fees. The Project Applicant shall pay all applicable school fees to the Los Angeles Unified School District to offset the impact of additional student enrollment at schools serving the Project area. (MM)

12. Covenant: Prior to the issuance of any permits relative to this matter, an agreement concerning off the information contained in these conditions shall be recorded by the property owner in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent owners, heir, or assigns. Further, the agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a Certified Copy bearing the Recorder's number and date must be given to the City Planning Department for attachment to the subject file.

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 properties 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.

(Q) QUALIFIED CONDITIONS OF APPROVAL

Section 2. 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.

A. Entitlement Conditions

1. **Use.** Use of the subject property shall be limited to the use and area provisions of the RAS4-2D zone as defined in Section 12.11.5 of the Municipal Code.

2. **Site Plan.** Prior to the issuance of any building permits for the subject project, detailed development site and elevation plans including complete landscape and irrigation plan by a licensed landscape architect or architect, shall be submitted for review and approval by the Department of City Planning for verification of compliance with the imposed conditions. The plans shall be in substantial conformance with the site plans labeled as Exhibit "A" stamped and dated February 8, 2007, or as modified by the city Planning Commission attached to the subject case file. Minor deviations may be allowed in order to comply with provisions of the Municipal Code, the subject conditions, and the intent of the subject permit authorization.

3. **Density.** Not more than 375 dwelling units are allowed on Site I.

4. **Parking.** Parking shall comply with Commercial and Residential Parking provisions as defined in Section 12.21 of the Municipal Code. (See also Condition B.13).

B. Environmental Impact Report Conditions (MM)

5. **Aesthetics**

   a. 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.

   b. Prior to the issuance of a grading permit or building permit, a plot plan prepared by a reputable tree expert, indicating the location, size, type, and condition of all existing trees on the site shall be submitted to the City of Los Angeles Department of Planning and the Street Tree Division of the Bureau of Street Services. The plan shall contain measures recommended by the tree expert for the preservation of as many trees as possible. (MM)

   c. Any trees removed during project implementation shall be replaced by a minimum of 24-inch box trees in the parkway and on the site, on a 1:1 basis, to the satisfaction of the Street Tree Division of the Bureau of Street Services and the decision maker. (MM)

   d. Removal of trees in the public right-of-way shall first require approval from the Board of Public Works. All trees in the public right-of-way shall be provided per the current Street Tree Division standards. (MM)

e. The genus or genera of the tree(s) shall provide a minimum crown of 30 – 50 feet. (MM)

f. 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. (MM)

g. The exterior of all buildings and fences shall be free from graffiti when such graffiti is visible from a public street, public walk way or alley, pursuant to Municipal Code Section 91.8104.15. (MM)

h. The subject property including associated parking facilities, sidewalks, and landscaped planters adjacent to the exterior walls along the all property lines shall be maintained in an attractive condition and shall be kept free of trash and debris. Trash receptacles shall be located throughout the site.

i. Wall (Trash and Storage). Solid masonry block walls, a minimum of 6-feet in height, shall enclose trash and other storage areas. There shall be no openings except for gates. The areas shall be buffered so as not to result in noise, odor or debris impacts on any adjacent uses. The area shall not be adjacent to any single-family use. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. Trash pick up shall take place only between 7:00 AM and 8:00 PM Monday through Friday, and 10:00 AM to 4:00 PM on Saturday. There shall be no pick up on Sunday or legal holidays.

6. Illumination and Glare

a. The Proposed Project (and related projects) are subject to the City of Los Angeles Zoning Code, Lighting Regulations, Chapter 9, Article 3, Section 93.0117, and will follow regulations which limit reflective surface areas and the reflectivity of architectural materials used. (MM)

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

7. Air Quality (Construction)

a. The Applicant shall implement measures to reduce the emissions of pollutants generated by heavy-duty diesel-powered equipment operating at the Project Site throughout the Project construction phases. The Applicant shall include in construction contracts the control measures required and recommended by the SCAQMD at the time of development. Examples of the types of measures currently required and recommended include the following: (MM)

- Keep all construction equipment in proper tune in accordance with manufacturer's specifications.
- Use late model heavy-duty diesel-powered equipment at the project site to the extent that it is readily available in the South Coast Air Basin (meaning that it does not have to be imported from another air basin and that the procurement of the equipment would not cause a delay in construction activities of more than two weeks).

- Use diesel-powered equipment that has been retrofitted with after-treatment products (e.g., engine catalysts or cooled exhaust gas recirculation technology) to the extent that it is readily available in the South Coast Air Basin (meaning that it does not have to be imported from another air basin and that the procurement of the equipment would not cause a delay in construction activities of more than two weeks).
- Use low-emission diesel fuel for all heavy-duty diesel-powered equipment operating and refueling at the project site to the extent that it is readily available and cost effective in the South Coast Air Basin (meaning that it does not have to be imported from another air basin, that the procurement of the equipment would not cause a delay in construction activities of more than two weeks, that the cost of the equipment use is not more than 20 percent greater than the cost of standard equipment). (This measure does not apply to diesel-powered trucks traveling to and from the site.)
- Utilize alternative fuel construction equipment (i.e., compressed natural gas, liquid petroleum gas, and unleaded gasoline) to the extent that the equipment is readily available and cost effective in the South Coast Air Basin (meaning that it does not have to be imported from another air basin, that the procurement of the equipment would not cause a delay in construction activities of more than two weeks, that the cost of the equipment use is not more than 20 percent greater than the cost of standard equipment).
- Limit truck and equipment idling time to five minutes or less.
- Rely on the electricity infrastructure surrounding the construction sites rather than electrical generators powered by internal combustion engines to the extent feasible.

b. The Applicant shall implement fugitive dust control measures in accordance with SCAQMD Rule 403. The Applicant shall include in construction contracts the control measures required and recommended by the SCAQMD at the time of development. Examples of the types of measures currently required and recommended include the following: (MM)

- Use watering to control dust generation during demolition of structures or break-up of pavement.
- Water active grading/excavation sites and unpaved surfaces at least three times daily.
- Cover stockpiles with tarps or apply non-toxic chemical soil binders.
- Sweep daily (with water sweepers) all paved parking areas and staging areas.
- Provide daily clean-up of mud and dirt carried onto paved streets from the site.
- Install wheel washers for all exiting trucks, or wash off the tires or tracks of all trucks and equipment leaving the site.
- Install wind breaks at the windward sides of construction areas.
- Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 miles per hour over a 30-minute period or more.
- An information sign shall be posted at the entrance to each construction site that identifies the permitted construction hours and provides a telephone number to call and receive information about the construction project or to report complaints regarding excessive fugitive dust generation.

c. The Applicant shall include in construction contracts the following requirements or measures shown to be equally effective: (MM)

- Use solar or low-emission water heaters in the residential buildings.
- Provide energy-efficient natural gas heating and cooking equipment.
- Install ozone destruction catalyst on air conditioning systems, in consultation with the SCAQMD.
- Require that commercial landscapers providing services at the common areas of the Project Site use electric or battery-powered equipment, or other internal combustion equipment that is either certified by the California Air Resources Board or is three years old or less at the time of use, to the extent that such equipment is reasonably available and competitively priced in Los Angeles County (meaning that the equipment can be easily purchased at stores in Los Angeles County and the cost of the equipment is not more than 20 percent greater than the cost of standard equipment)..

8. Cultural Resources (Archaeological and Paleontological)

a. If an archaeological resource is encountered, construction must be diverted and a qualified archaeologist must be consulted. An archaeologist must assess significance of the exposed archaeological discovery in accordance with California Register criteria. If a significant resource is identified during construction, the State Historic Preservation Office must be consulted regarding treatment options. (MM)

b. Pursuant to California Health and Safety Code Section 7050.5, in the event of the discovery of a burial, human bone, or suspected human bone, construction in the area of the find shall be temporarily halted, and the Los Angeles County Coroner shall be contacted immediately. Proper legal procedures shall be followed to determine the disposition of the remains pursuant to Public Resources Code Section 5097.98. If the remains are found to be prehistoric, the Coroner will consult and coordinate with the California Native Heritage Commission as required by State law. (MM)

c. The Project Applicant shall identify a qualified paleontologist prior to any excavation, grading, or construction. The City of Los Angeles Planning Department shall approve the selected paleontologist prior to issuance of the grading permit. The Project paleontologist shall attend the pre-grading meeting to discuss how to recognize paleontological resources in the soil during grading activities. The prime construction contractor and any subcontractor(s) shall be cautioned on the legal and/or regulatory implications of knowingly destroying paleontological resources or removing paleontological resources from the Project Site. (MM)

d. If paleontological resources are encountered during the course of site development activities, work in that area shall be halted and the Project paleontologist shall be notified of the find. The Project paleontologist shall have the authority to temporarily divert or redirect grading to allow time to evaluate any exposed fossil material. "Temporarily" shall be two working days for the evaluation process. (MM)

e. If the Project paleontologist determines that the resource is significant, then any scientifically significant specimens shall be properly collected by the Project

paleontologist. During collecting activities, contextual stratigraphic data shall also be collected. The data will include lithologic descriptions, photographs, measured stratigraphic sections, and field notes. (MM)

f. Scientifically-significant specimens shall be prepared to the point of identification (not exhibition), stabilized, identified, and offered for curation to a suitable repository that has a retrievable storage system. (MM)

g. The Project paleontologist shall prepare a final report at the end of the earthmoving activities; the report shall include an itemized inventory of recovered fossils and appropriate stratigraphic and locality data. The Project paleontologist shall send one copy of the report to the City of Los Angeles Planning Department; another copy should accompany any fossils, along with field logs and photographs, to the designated repository. (MM)

9. Geology and Soils

a. The Project shall be designed in accordance with the requirements of the latest edition of the City of Los Angeles Uniform Building Code. (MM)

b. The Project shall comply with the recommendations listed on pages 8 through 25 in the Report of Geotechnical Investigation for the Paseo Plaza Mixed-Use Development, 5601 Santa Monica Boulevard, Los Angeles, California, (which is incorporated by reference) prepared by GEOCON Inland Empire, Inc., dated April 22, 2005. (MM)

10. Hazards and Hazardous Materials

a. Prior to the issuance of the demolition permits, the Applicant shall have all USTs and associated piping/equipment identified at the Sears Automotive Service Center and removed under a proper Los Angeles City Fire Department Permit. The soils underlying the USTs and associated piping/equipment shall be assessed for the presence of hydrocarbons to determine whether soil contamination has occurred. If soil contamination is identified, proper abatement procedures shall be conducted according to Los Angeles Fire Department, federal, State and other local regulations to remove or remediate the contaminated soils. (MM)

b. Prior to the issuance of the demolition permits, the Applicant shall have soils under heavily stained asphalt pavement at the Sears Automotive Service Center and under the sink area in the medical facility located at 5661 Santa Monica Boulevard shall be assessed to determine whether soil contamination exists. If soil contamination is identified, the Applicant shall have the soils properly removed or abated according to the Los Angeles Fire Department and applicable federal, State and other local regulations. (MM)

c. Prior to the issuance of demolition permits, the Applicant shall have the ASTs located at the Sears Automotive Service Center properly removed for disposal at an appropriately licensed facility. The ASTs shall be cleaned, degassed and removed. Soils located underneath the ASTs shall be assessed to determine whether any soil contamination has occurred. If soil contamination is identified, proper abatement procedures shall be conducted to remove the contaminated

soils according to the Los Angeles Fire Department and applicable federal, State and other local regulations. (MM)

d. Prior to the issuance of demolition permits, the Applicant shall have the soils located adjacent to or near the multi-stage wastewater clarifier, and under any areas of oil/chemical-stained pavement at the Sears Automotive Service Center, inspected for staining, collected and analyzed for the presence of hydrocarbons. If soil contamination is identified, proper abatement procedures shall be conducted to remove the contaminated soils according to the Los Angeles Fire Department and applicable federal, State and other local regulations. (MM)

e. Prior to the issuance of demolition permits, the Applicant shall have the small transformers observed behind the 5637 Santa Monica Boulevard property tested for the presence of PCB containing dielectric fluids. If PCBs are identified, the dielectric fluid shall be collected and properly disposed of as hazardous waste at an appropriate disposal facility in accordance with applicable federal, state and local regulations. The transformers shall also be disposed of as hazardous waste in accordance with applicable federal, state and local regulations. (MM)

f. Prior to the issuance of demolition permits, the Applicant shall have the pole-mounted transformers located along the alley transecting the Project Site tested for the presence of PCB containing dielectric fluids. If PCBs are identified, the dielectric fluid shall be collected and properly disposed of as hazardous waste at an appropriate disposal facility in accordance with applicable federal, state and local regulations. The transformers shall also be disposed of as hazardous waste in accordance with applicable federal, state and local regulations. (MM)

g. Prior to the issuance of demolition permits, the Applicant shall identify PCB-containing light ballasts in each building throughout the Project Site. These ballasts shall be recycled through a reputable company to prevent environmental contamination upon renovation, demolition or change-out. (MM)

h. Prior to the issuance of demolition permits, the Applicant shall identify all mercury-containing fluorescent bulbs used in light fixtures throughout the buildings on the Project Site. These bulbs shall be recycled through a reputable company to prevent environmental contamination upon renovation, demolition or change-out. (MM)

i. Prior to the issuance of the demolition/renovation permits, the Applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant that no ACMs are present in the buildings. If ACMs are found to be present, they shall be abated in compliance with the South Coast Air Quality Management District's Rule 1403, as well as other state and federal regulations. Specific requirements of Rule 1403 include: (MM)

- Implementation of a thorough survey of the affected facility prior to issuance of permits for any demolition or renovation activity, including inspection, identification, and quantification of all friable and certain non-friable asbestos-containing materials.
- Surveys which include collection and analyses of representative asbestos building material samples, and quantification of these materials for asbestos abatement purposes prior to or during demolition/renovation.

- Notification of the SCAQMD of the intent to demolish or renovate any facility at least ten days prior to commencing with the activity.
- Removal of all asbestos-containing materials prior to any demolition or renovation activity that would break up, dislodge, or similarly disturb the material.
- Use of legally required procedures when removing asbestos-containing materials.
- Placement of all collected asbestos-containing materials in leak-tight containers or wrapping.
- Disposal of asbestos-containing materials as required by applicable regulations

j. Prior to the issuance of permits for any demolition/renovation activity involving a particular structure, a lead-based paint assessment of each existing apartment structure shall be conducted. Lead-based paint found in any buildings shall be removed and disposed of as a hazardous waste in accordance with all applicable regulations. Such regulations that would be followed during demolition include Construction Safety Orders 1532.1 (pertaining to lead) from Title 8 of the California Code of Regulations, and lead exposure guidelines provided by the U.S. Department of Housing and Urban Development (HUD). (MM)

11. **Hydrology and Water Quality** During Project construction, the Project developer shall remove the concentrations of metals exceeding the "municipal and domestic supply and/or groundwater recharge beneficial use" screening levels for dewatering activities prior to discharge to a storm drain. The treatment of the groundwater shall be conducted in accordance with the regulations and guidelines set forth by the California Regional Water Quality Control Board, Los Angeles Region (LARWQCB). (MM)

12. **Noise (Construction)** The Project developer shall implement measures to reduce the noise levels generated by construction equipment operating at the Project Site during Project grading and construction phases. The developer shall include in construction contracts the following requirements or measures shown to be equally effective: (MM)

- All construction equipment shall be equipped with improved noise muffling, and have the manufacturers' recommended noise abatement measures, such as mufflers, engine covers, and engine isolators in good working condition.
- Stationary construction equipment that generates noise levels in excess of 65 dBA Leq shall be located as far away from existing occupied buildings as possible. If required to minimize potential noise conflicts, the equipment shall be shielded from noise sensitive receptors by using temporary walls, sound curtains, or other similar devices.
- All equipment shall be turned off if not in use for more than five minutes.
- An information sign shall be posted at the entrance to each construction site that identifies the permitted construction hours and provides a telephone number to call and receive information about the construction project or to report complaints regarding excessive noise levels

13. **Parking**

a. Commercial Parking shall be provided pursuant to the Los Angeles Municipal code Sections 12.21 A. 4, and as follows:

1). The property owner shall require, in all lease or rental agreements with non-residential tenants that free on-site parking be offered to all employees.
2). A plan or procedure shall be prepared and implemented for use of parking facilities by tenants, customers, employees and guests, such as a parking pass or validated parking plan. The plan procedures shall be provided to the Department of City Planning prior to issuance of any Certificate of Occupancy and placed in the administrative case file.

b. Residential Parking shall be provided pursuant to the Los Angeles Municipal code Sections 12.21 A. 5 and as follows:

1). Access to the Residential parking shall be from Virginia Avenue only.
2). Guest parking signs shall be clearly posted at building entrances. The signs shall be in large, easy to read lettering and shall indicate the general location of guest parking. Sign wording shall be to the satisfaction of the Department of City Planning and shall indicate the number of reserved guest parking spaces.
3. If any guest parking is located behind security gates, the following shall apply:
a). A remote electronic gate opening system shall be installed so that the security gate can be opened from each residential unit served by the secured guest parking.
b). An electronic intercommunication system shall be installed. The system shall be readily accessible to the drivers of guest vehicles and to the units served by the secured guest parking.
c). The security gate shall be set back at least 40-feet from the public right-of-way so as to provide a waiting area for guest vehicles and to prohibit blockage or interference with the public right-of way by waiting guest vehicles.
d). Alternatives to the provisions of this condition may be approved by the Department of City Planning provided that the intent of readily accessible guest parking facilities and no interference with the public right-of-way is assured.
e). No guest parking fees may be charged for guests of residential tenants.

c. Concrete, not metal, shall be used for construction of parking ramps. (MM)

d. Interior ramps shall be textured to prevent tire squeal at turning areas. (MM)

e. The Project Applicant shall provide gated entry into all Project Site subterranean parking facilities on all three properties (Sites I, II and III), with room for 2 cars to queue.

f. Parking lots located adjacent to residential buildings shall have a solid decorative wall adjacent to the residential uses. (MM)

g. During construction activities, the Project developer shall ensure that all onsite areas of active development, material and equipment storage, and vehicle staging, that are adjacent to existing public roadways, be secured to prevent trespass. While the Proposed Project would not have a significant impact on police protection services following its buildout, the following mitigation measure is recommended to ensure that the LAPD's recommendations for the Proposed Project are addressed: (MM)

14. **Parks and Open Space** The Applicant shall pay the required $200 per dwelling unit fee paid to the Department of Building and Safety in accordance to the Dwelling Unit Construction Tax required by the Los Angeles Municipal Code Section 21.10.3(b). In addition, the following recreational facilities shall be provided as part of the Proposed Project: (MM)

    - A public pedestrian plaza opening onto Santa Monica Boulevard on Site I (MM);
    - Surveys which include collection and analyses of representative asbestos building material samples, and quantification of these materials for asbestos abatement purposes prior to or during demolition/renovation (MM);
    - A landscaped open space area along Virginia Avenue shall be provided on Site I, connected to the Santa Monica Boulevard plaza by a landscaped pedestrian walkway (Paseo) (MM) ;
    - The roof-top of the existing 3-story (above grade) retail department store building shall be converted to a landscaped open space area for use by residents and the general public for leisure activities; (MM) and
    - Approximately 52,633 sq. ft. on Site I shall be left as common open space for use by all the residents at grade (or 1st story), at the 2nd story, and at the 4th story. (MM)

15. **Construction**

    a. Construction-related Parking. Off-street parking shall be provided for all construction-related employees generated by the proposed project. No employees or subcontractor shall be allowed to park on the surrounding streets for the duration of all construction activities. There shall be no staging or parking of construction vehicles, including vehicles to transport workers on any street in the immediate area. All construction vehicles shall be stored on site unless returned to their owner's base of operations.

    b. Truck Traffic Restricted Hours. Truck traffic directed to the project site for the purpose of delivering materials or construction-machinery shall be limited to the hours beginning at 9:00 AM and ending at 3:00 PM, Monday through Friday. No truck deliveries shall occur outside of that time period. No truck queuing related to such deliveries to the project site shall occur on any local or collector street within the project vicinity outside of that time period.

    c. Construction excavation trucks shall be limited to travel outside of the AM and PM peak hours to reduce truck traffic impacts. (MM)

    d. Construction workers shall be encouraged to carpool or vanpool to the Project Site during construction of the Proposed Project to reduce vehicle trips. (MM)

    e. Projects involving the import/export of 20,000 cubic yards of more of dirt shall obtain haul route approval by the Department of Building and Safety. (MM)

    f. The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety. (MM)

    g. Fences shall be constructed around the site to minimize trespassing, vandalism, short-cut attractions and attractive nuisances. (MM)

16. Traffic

a. The northbound approach of Gower Street, south of Santa Monica Boulevard, shall be re-striped, and on-street parking restrictions shall be implemented, to provide one left-turn only lane, one through lane, and one right-turn only lane. This improvement would result in the loss of approximately three parking spaces on Gower Street in order to accommodate the northbound right-turn only lane. (MM)

b. The north side of Santa Monica Boulevard shall be dedicated and widened along the Project frontage to install a new right-turn only lane in addition to one left-turn only lane and two through lanes in the westbound direction. Additionally, the east side of Wilton Place shall be widened within the existing right-of-way south of Santa Monica Boulevard, to provide one-left through shared land, one through lane, and one right-turn only lane in the northbound direction. Roadway improvements along Santa Monica Boulevard require coordination and concurrence of Caltrans. (MM)

c. The north and south sides of Santa Monica Boulevard shall each be widened by one foot within the existing right-of-way east of Western Avenue to install a new westbound right-turn only lane, in addition to one left-turn only lane and two through lanes. The eastbound approach of Santa Monica Boulevard shall be restriped to appropriately align the travel lanes.

d. As part of the Project's mitigation for pedestrian and transit access at this location, the developer shall work with the Metropolitan Transportation Authority (MTA), LADOT, and Community Redevelopment Agency (CRA) to identify potential strategies and/or improvements to address this issue. These improvements could include relocation of some or all of the bus stops to minimize pedestrian needs to cross streets to accommodate the most popular route transfers, upgrading of the pedestrian crosswalk indicators to include "count down" timers for remaining crossing time, installation of physical barriers to direct and encourage pedestrians to use the crosswalks, or a combination of these and other measures to reduce existing and future pedestrian/vehicular conflicts at this intersection. (MM)

e. Melrose Avenue, south of Western Avenue shall be restriped to install a new northbound right turn only lane, in addition to one left-turn only lane and two through lanes. (MM)

f. The Proposed Project could also create significant impacts along several of the residential streets surrounding the Project Site. In order to address this impact, the developers shall provide funding for development and implementation of a neighborhood traffic management program, to minimize or mitigate the impacts of additional daily traffic in the Project vicinity. This program would be developed jointly by LADOT and representatives of the homeowners associations surrounding the project site to could include, but not be limited to, installation of additional STOP signs or speed humps to reduce travel speeds on these local streets, chokers or diverters to channel traffic, turn restrictions, or even cul-de-sacs. Other measures, including funding of the design for a new traffic signal at the project-adjacent intersection of Wilton Place and Virginia Avenue, for City

installation should it meet the appropriate warrants, could also be included. The amount of the fund will be determined by LADOT. (MM)

g. The project applicant shall provide gated entry into all Project Site subterranean parking facilities on all three properties (Sites I, II, and III) with room for at least 2 vehicles to queue. (MM)

h. Loading and unloading activities shall not interfere with traffic on any public street. Public sidewalks, alleys and/or other public ways shall not be used for the parking or loading or unloading of vehicles. The location of loading areas shall be clearly identified on the site plan to the satisfaction of the Department of City Planning.

17. Water

a. The Project developer shall ensure that the landscape irrigation system is designed, installed and tested to provide uniform irrigation coverage. Sprinkler head patterns shall be adjusted to minimize over spray onto walkways and streets. (MM)

b. The Project developer shall install either a "smart sprinkler" system to provide irrigation for the landscaped areas or, at a minimum, set automatic irrigation timers to water landscaping during early morning or late evening hours to reduce water losses from evaporation. Irrigation run times for all zones shall be adjusted seasonally, reducing water times and frequency in the cooler months (fall, winter, spring). Sprinkler timer run times shall be adjusted to avoid water runoff, especially when irrigating sloped property. (MM)

c. The Project developer shall select and use drought-tolerant, low-water-consuming plant varieties to reduce irrigation water consumption. (MM)

d. The Project developer shall install low-flush water toilets and water-saving showerheads in new construction. Low-flow faucet aerators shall be installed on all sink faucets. (MM)

18. Solid Waste

a. In compliance with AB 939, the construction contractor shall only contract for waste disposal services with a company that recycles construction-related wastes. (MM)

b. In compliance with AB 939, to facilitate the onsite separation and recycling of construction related wastes, the construction contractor shall provide temporary waste separation bins onsite during construction. (MM)

c. In compliance with Los Angeles City Ordinance 171.687, to support recycling of operational wastes, the Proposed Project shall include required minimum space for recycling containers. (MM)

19. Energy Conservation The Project Applicant shall comply with Title 24 of the California Administrative Code with regard to potential energy conservation measures for the Project. Examples of such energy conservation measures include: (MM)

- Install windows (i.e., tinting, double pane glass, etc.) to reduce thermal gain and loss, thus cooling loads during warm weather and heating loads during cool weather.
- Install thermal insulation in walls and ceilings.
- Install time control exterior lighting. These systems should be programmed to account for variations in seasonal daylight times.
- Limit outdoor lighting while still maintaining minimum security and safety standards.
- Install built-in appliances, refrigerators, and space-conditioning equipment.
- Use natural ventilation wherever possible.

C. Other Conditions

20. **Rooftop Screening.** Any structure on the roof, such as air conditioning units, antennae, and other equipment, except solar panels, shall be fully screened from view from any existing adjacent residential uses as seen from grade.

21. **Noise (Residential).** All exterior windows having a line of sight from Santa Monica Boulevard shall be constructed with double-pane glass and use exterior wall construction which provides a Sound Transmission Class of 50 or greater as defined in UBC No. 35-1, 1979 edition or any amendment thereto. As an alternative, the developer may retain an acoustical engineer to submit evidence, along with the application for a building permit, any alternative means of sound insulation sufficient to mitigate interior noise levels below a CNEL of 45 dBA in any habitable room.

22. **Air Pollution (Stationary).** The applicant shall install an air filtration system capable of removing 99.97% of all airborne contaminants at 0.3 microns in order to reduce the diminished air quality effects on occupants of the project.

23. **Truck Traffic Restricted Hours.** Truck traffic directed to the project site for the purpose of delivering materials or construction-machinery shall be limited to the hours beginning at 9:00 AM and ending at 3:00 PM, Monday through Friday. No truck deliveries shall occur outside of that time period. No truck queuing related to such deliveries to the project site shall occur on any local or collector street within the project vicinity outside of that time period.

24. **Balconies.** Balcony walls shall be constructed of opaque or solid materials so as to be enclosed from adjacent residential uses and street traffic.

25. **Roof Top Garden.** No building permit shall be issued for any renovation of the existing Sears building located at 5601 Santa Monica Boulevard., (with the exception of the 1 story portion of the Sears building located to the north and northwest of the main Sears Building as noted "to be demolished" on the Plot Plan dated May 16, 2006 and reviewed by the Planning Commission on March 8, 2007) unless the proposed renovation plans include the creation of a roof top garden. This restriction shall not apply to: i) the issuance of any demolition permit (except as it relates to demolition of the Sears building) or excavation permit ii) the issuance of any building permits or certificates of occupancy for any portion of the project other than the Sears building; or iii) any work involving the Sears building which is necessary for the development of any portion of the project other than the Sears building and does not increase the floor area or height of the Sears building.

26. **Pedestrian Improvement.** The project developer shall work in consultation with the Community Redevelopment Agency and the Department of City Planning Urban Design Studio on identifying potential pedestrian improvements to reduce interface between high-traffic vehicular areas and pedestrian paths, especially around traffic stops such as the Western Avenue and Santa Monica Boulevard intersection.

D. **Administrative Conditions**

27. **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.** Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions may vary.

29. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assigns. The agreement shall be submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.

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. **Project Plan Modifications**. Any correction and/or modifications to the Project plans made subsequent to this grant that are deemed necessary by the Department of Building and Safety, Housing Department, or other Agency for Code compliance, and which involve a change in site plan, floor area, parking, building height, yard or setbacks, building separations, or lot coverage, shall require a referral of the revised plans back to the Department of City Planning for additional review and final sign-off prior to the issuance of any building permit in connection with said plans. This process may require additional review and/or action by the appropriate decision making authority including the Director of Planning, City Planning Commission, Area Planning Commission or Board.

34. **Utilization of Concurrent Entitlement.** The subject Zone Change, Zone Variance, Height District Change, Area Adjustment, Project Determination and Site Plan Review requires completion of all applicable conditions of approval herein to the satisfaction of the Department of City Planning and the effective date of the Zone Change, Zone Variance, Height District Change, Area Adjustment, Project

Determination and Site Plan Review shall coincide with that of the associated Zone Change on the property involved. The applicant/owner shall have a period of two years from the effective date of the subject Zone Change to effectuate the terms of for the Zone Variance 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 grant, the applicant files a written request, and is granted an extension to the termination period for up to one additional year pursuant to applicable provisions of the Municipal Code.

The applicant/owner shall have a period of three years from the effective date of the subject grant for the Site Plan Review to effectuate the terms of this entitlement by securing a building permit.

Thereafter, the entitlements shall be deemed terminated and the property owner shall be required to secure a new authorization for the use. If a building permit is obtained during this period, but subsequently expires, this determination shall expire with the building permit.

35. **Corrective Conditions.** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director of Planning, pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if in the decision makers opinion, such actions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.

36. **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.

"D" DEVELOPMENT CONDITIONS

Section 3. Pursuant to Section 12.32 H of the Municipal Code, the following limitations are hereby imposed upon the use of the subject property, subject to the "D" Development classification.

1. **Maximum Height** – The maximum height of the structures shall be as show on the elevations and plans dated February 7, 2007 but in no event higher than 94 feet. An additional 19 feet of unoccupied space, to be used as an architectural feature (clock tower) for a total height of 113 feet, shall be permitted for a structure identified as structure "J" on the plot plans dated February 7, 2007 located approximately 385 feet east of the western property line and 147 feet south of the northern property line.

2. **Floor Area** – The total floor area of the non-residential uses shall not exceed the following:

   CPC-2006-4392-GPA-ZC-HD-ZV-ZAA-ZAI-SPR A Floor Area Ratio of 3:84:1 as defined by Section 12.03 and 12.21.1 of the Municipal Code. Commercial floor area shall be limited to a maximum of 377,900 square feet.

   CPC-2006-4401-GPA-ZC-HD-ZV-ZAA-ZAI-SPR A Floor Area Ratio of 4.04:1 as defined by Section 12.03 12.21.1 of the Municipal Code. Commercial floor area shall be limited to a maximum of 353,300 square feet.

GENERAL PLAN AMENDMENT TO ADD A FOOTNOTE

Pursuant to Section 11.5.6 of the Municipal Code the Hollywood Community Plan is amended to add the following Footnote.

Height District 2D with a maximum floor area ratio of 3.84:1 for the project described in CPC-2006-4392 ~~or 4.04:1 for the project described in CPC-2006-4401~~ in the area bounded by Virginia Avenue on the north, St. Andrews Place on the east, Santa Monica Boulevard on the south, and Wilton Place on the west.

CONDITIONS OF APPROVAL

1. **Related Zone Variance and Site Plan Review.** The applicant or any successor in interest shall comply with all of the Site Plan Review requirements contained in Case No. CPC 2006-4392 GPA-ZC-HD-ZAA-ZAI-SPR or CPC-2006-4401 GPA-ZC-HD-ZAA-ZAI-SPR being processed concurrently with this Zone Change and any subsequent modifications thereto, to the satisfaction of the Director of Planning.

2. **Related Tentative Tract.** The applicant or any successor in interest shall comply with all of the requirements contained in Vesting Tentative Tracts No. VTT-66044 or VTT-68814 and any subsequent modifications thereto, to the satisfaction of the Advisory Agency of the Department of City Planning.

3. **Variance.** Site I of the project may be permitted have commercial uses below and above the ground floor in the RAS4 zone as condition herein.

4. **Variance.** The existing alley area of Site I of approximately 11,373 square feet may be added to the buildable area used to calculate the floor area of Site I prior to the completion of the alley vacation.

5. **Adjustment.** The project may observe a zero (0) foot yard setbacks along the street frontages of Santa Monica Boulevard, Wilton Place, and St. Andrews Place.

6. **Determination.** Site I of the project may be permitted to have a department store use at the southeast corner of the site in the RAS4 Zone.

7. **Affordable Housing**. The applicant shall suitably guarantee to the satisfaction of the Housing Department that 10 percent of the dwelling units constructed on Site I of Vesting Tentative Tract (VTT) 66044 or VTT-66814 shall be designated as affordable to low income households. These 38 low income affordable units shall be proportionally distributed throughout the Vesting Tentative Tracts as follows: Site I (32 units), Site II (2 units) and Site III (4 units).

8. **Site Plan.** The use and development of the subject property shall be in substantial conformance with the site plan, elevations, and floor plans labeled "Exhibit B," stamped and dated March 8, 2007 attached to the subject case file. Minor deviations may be allowed in order to comply with provisions of the Municipal Code, the subject conditions and the intent of the subject permit authorization.

   Note: This grant does not confer an approval of Project Plans as submitted. Detailed, revised plans and elevations indicating compliance with these conditions shall be submitted for review, to the satisfaction of the Director of Planning, prior to the issuance of any building permits, except demolition, excavation, or foundation permits.

   In accordance with the site plan, elevations, and section drawings labeled "Exhibit B," stamped and dated March 8, 2007 attached to the subject case file shall include, but not limited to the following elements as shown in the exhibit:

   a. Landscaping shall be provided to the satisfaction of the Planning Department.

   b. Two swimming pools and a spa area shall be provided for use by residents and their guests.

c. Water fountain features shall be located on Site I near the pedestrian entrances on Santa Monica Boulevard and Virginia Avenue and on the second floor in the two garden/patio areas on the north side of the project.

d. The Paseo from Santa Monica Boulevard to Virginia Avenue shall be accessible by pedestrians at all times.

9. **Site Plan Review for Site II and Site III.** The applicant shall obtain a Site Plan Review Approval for Site II and Site III of VTT-66044 or VTT-66814 to the satisfaction of the Director of Planning prior to the issuance of any building permits for these two sites.

10. **Sustainable Development Practices.** The applicant shall submit a "green building" program prior to obtaining any building permit, to the satisfaction of the Department of City Planning. The program shall address the development's sensitivity to the environment, resources and energy consumption, the impact on people (quality and health of work environment), and financial impact (cost-effectiveness/savings in comparison to standard development practices). The program must include the following description of building materials and development techniques which shall be incorporated within the development project:

    a. Recycled content products (i.e. Building materials, exterior deck material, lawn furniture, playground equipment, landscape edging and the like).
    b. Utilize materials from renewable sources (Use rapidly renewable floor projects such as bamboo or linoleum to help reduce the amount of land and resources dedicated to producing construction materials.
    c. Roof systems (white roof/cool roof)
    d. Efficient modes of transportation
    e. Energy efficient equipment and appliances (Energy Star certified appliances, photovoltaic applications, etc.)
    f. Water conserving devices (i.e. low flush toilets, shower heads, electronic plumbing sensors, waterless urinals, drip irrigation systems, landscape irrigation timers).
    g. Landscaping plant materials (i.e. Native trees, shrubs and ground cover).
    h. Use low Volatile Organic Compounds (VOC) emitting materials.

    As an alternative to the above green building program requirement, the applicant may submit documentation verifying certification by the Leadership in Energy and Environmental Design (LEED) rating system, with the minimum level of "LEED Certified". (Reference: www.usgbc.org/).

Administrative Conditions

11. **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.

12. **Code Compliance.** Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions may vary.

13. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assigns. The agreement shall be

submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.

14. **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.

15. **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.

16. **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.

17. **Project Plan Modifications**. Any correction and/or modifications to the Project plans made subsequent to this grant that are deemed necessary by the Department of Building and Safety, Housing Department, or other Agency for Code compliance, and which involve a change in site plan, floor area, parking, building height, yard or setbacks, building separations, or lot coverage, shall require a referral of the revised plans back to the Department of City Planning for additional review and final sign-off prior to the issuance of any building permit in connection with said plans. This process may require additional review and/or action by the appropriate decision making authority including the Director of Planning, City Planning Commission, Area Planning Commission or Board.

18. **Utilization of Concurrent Entitlement.** The subject, Zone Variance, Area Adjustment, and Project Determination requires completion of all applicable conditions of approval herein to the satisfaction of the Department of City Planning and the effective date of the Zone Change, Zone Variance, Area Adjustment, and Project Determination shall coincide with that of the associated Zone Change on the property involved. The applicant/owner shall have a period of two years from the effective date of the subject Zone Change to effectuate the terms of for the Zone Variance, Zone Adjustment, and Zone Determination 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 grant, the applicant files a written request, and is granted an extension to the termination period for up to one additional year pursuant to applicable provisions of the Municipal Code.

    The applicant/owner shall have a period of three years from the effective date of the Zone Change for the Site Plan Review to effectuate the terms of this entitlement by securing a building permit.

    Thereafter, the entitlements shall be deemed terminated and the property owner shall be required to secure a new authorization for the use. If a building permit is obtained during this period, but subsequently expires, this determination shall expire with the building permit.

19. **Corrective Conditions.** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director of Planning, pursuant to Section 12.27.1 of the

Municipal Code, to impose additional corrective conditions, if in the decision makers opinion, such actions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.

20. **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.

FINDINGS

General Plan Findings

1. **General Plan Land Use Designation.** The subject property is located within the Hollywood Community Plan area, which was adopted by the City Council on December 13, 1988 (pursuant to Council File 86-0695-S1. The Plan Map designates the subject property for Neighborhood Office Commercial land use with corresponding zones of C1, C4, C2, RAS3, RAS4, P, and PB. The City's Community Plans have been amended to include the RAS3 and RAS4 zones if the Plans contain residential density categories which correspond to the R3, R4 and/or R5 zones.

   Those Community Plans which only permit Medium Residential Density (R3 corresponding zone) are restricted to the RAS3 zone. Those Community Plans that include the High Medium and/or High Residential Density categories with the R4 and/or R5 corresponding zones are permitted to use the RAS3 and RAS4 zones. The recommended RAS4 zoning classification will therefore be consistent with the General Plan.

2. **General Plan Text.** The following Hollywood Community Plan's land use objectives are consistent with the proposed development:

   Objective 1: To coordinate the development of Hollywood with that of other parts of the City of Los Angeles and the metropolitan area.

   To further the development of Hollywood as a major center of population, employment, commercial services, and entertainment...

   Objective 2: To designate lands at appropriate locations for the various private uses and public facilities in the quantities and at densities required to accommodate population and activities projected to the year 2010.

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

Approximately 5% of residents in the project site area's Census Tract are property owners and approximately 92% of residents are renters, compared to Los Angeles County, which has about half renters and half owners. There is also a significantly lower vacancy rate in this Census Tract than in the County and in California. This area, in particular, is in great need of newly constructed buildings that provide additional housing opportunities.

	Census Tract 190901 (Site)	**Los Angeles County**	**California State**
Renter	91.65%	49.96%	40.58%
Owner	5.24%	45.85%	53.59%
Vacant	3.11%	4.19%	5.83%

Source: US Census Data, 2000

3. The **Transportation Element** of the General Plan will be affected by the recommended action herein. However, any necessary dedication and/or improvements of Santa Monica Boulevard to designated Major Highway street standards will assure compliance with this Element of the General Plan and with the City's street improvement standards pursuant to Municipal Code Section 17.05.

4. 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.

5. **Street Lights.** Any City required installation or upgrading of street lights is necessary to complete the City street improvement system so as to increase night safety along the street which adjoin the subject property.

6. **Charter Findings – City Charter Sections 556 and 558 (General Plan Amendment).** Section 556 of the City Charter requires the City Planning Commission make findings that the recommended action is in substantial conformance with the purposes, intent and provisions of the General Plan. Section 558 of the City Charter establishes the procedures for the adoption, amendment or repeal of ordinances, orders or resolution proposed by the City Council, City Planning Commission, or Director of Planning or by application of the owner of the affected property if authorized by ordinance.

   The General Plan land use designation for the subject site is "Neighborhood" commercial in the Hollywood Community Plan. The Applicant is requesting an amendment to add Footnote No. 22 to the Hollywood Community Plan to increase the maximum floor area ratio that is permitted for specific types of projects in the Neighborhood commercial designation to 3.84:1 for the Master Project, CPC-2006-4392 or 4.04:1 for the Alternative Project CPC-2006-4401 provided the project is rezoned to RAS4-2D.

   The current Footnotes 7 and 11 in the Hollywood Plan contain the following limitations:

   > *For properties limited to the 1XL and 1VL Height Districts, the recommended FAR is 1.5:1. This plan designation emphasizes pedestrian-oriented use and design.*
   >
   > *A maximum FAR of 3:1 may be permitted on sites located within designated centers with the application of the CSA 1 Height District.*

   Further restriction of the Footnote amendment to just Site I is necessary because the Neighborhood Commercial designation covers a much broader area of the Hollywood Plan including other sections of Santa Monica Boulevard, Melrose Avenue, Sunset Boulevard and Vermont Avenue. A wholesale amendment to the cover the entire plan should not be considered by a single private application. The proposed EIR (ENV 2005-7720-EIR) restricts the General Plan Amendment to the one block. Further environmental impacts may occur if the footnote amendment goes beyond the scope of this application. The Hollywood Community Plan is currently in the process of being updated and any further revision of Footnote 7, 11 or the proposed footnote areas should be evaluated by the update of the Plan.

   The proposed General Plan amendment will provide a range of FAR's that allow for the development of residential and mixed use projects that are not subject to the FAR restrictions intended for purely commercial uses. Currently, because the property is designated Neighborhood commercial, a maximum FAR of 1.5:1 is imposed for all uses

pursuant to the Community Plan Footnote 7 prohibiting the development of the project as proposed. The proposed General Plan Amendment is in conformity with public necessity and convenience because it will allow greater floor area for those projects that are mixed-use and pedestrian oriented. The proposed amendment to add a Footnote does not automatically make by-right the higher FAR in the Neighborhood commercial designation. In order to obtain the 3.84:1 or the 4.04:1 FAR an applicant must still go through a discretionary review process such as a RAS Zone Change. By requiring that any increase in FAR go through a discretionary review, the city can insure that adequate mitigation measures are imposed that takes into consideration the individual location and neighborhood.

Public necessity and convenience is also served by utilizing the recently adopted RAS3 and RAS4 Zone to provide mixed-use projects consisting of commercial and residential uses on an underutilized property in the Hollywood Community Plan area. The RAS 3 and RAS4 Zones and the utilization of floor area averaging are intended to provide tools to accommodate projected population growth in mixed-use and residential projects that are compatible with existing residential neighborhoods. The additional FAR afforded to projects in the RAS Zone, and projects with affordable housing, would contribute to the expected growth and continued vitality of the community by providing additional opportunities for accessory services and additional residential units in projects in the Hollywood area.

The Framework Element of the General Plan states "Improvement of the jobs and housing relationships in sub-areas of the City may be accomplished through the re-use of commercially zoned corridors and development at transit stations which afford the opportunity for the development of a mix of uses, housing, local retail, and offices, and can improve localized jobs and housing relationships." Tracts of vacant properties are less available in urban areas and to accommodate the cumulative amount of population growth, much of new housing has turned to infill projects in the urban areas.

There is no detriment to the general welfare of the city, the surrounding community or the future residents of the Hollywood Community with the proposed General Plan amendment because the additional FAR can only be granted through a discretionary review of a zone change to the RAS Zone. Such cases are evaluated on a case-by-case basis to ensure mixed-use projects permitted by the RAS Zone are compatible with the surrounding area. This will also ensure the goals of the community plan are addressed.

The General Plan amendment fulfills the goal of the Redevelopment Plan by providing increased incentive for the development of projects which will provide neighborhood oriented goods and services, such as a restaurants and retail space, creative office space, mixed-use, and housing within an FAR compatible with that allowed for commercially zoned property. Not only will this promote community revitalization by replacing properties with more vibrant, active and unified mixed-use residential and commercial developments, but the project is also compatible with the adjacent residential uses and the adjacent residential neighborhoods. Additional residential development in Hollywood is appropriately located in close proximity to significant employment centers such as Hollywood, Universal City, Burbank studios and downtown Los Angeles, especially with connection via the MTA Red Line subway in Hollywood and the future Rapid-Bus service on Santa Monica Boulevard.

7. Zone Height District Change Findings

The proposed Zone/ Height District Change on Site I from C4-1VL and R4-1VL to RAS4-2D is in conformance with public necessity, convenience, general welfare and good zoning practices. The proposed Zone/ Height District Change on Site I will facilitate redevelopment

of the subject property, permitting construction of a new mixed-use building comprised of a total of 375 residential units, approximately 263,780 square feet of new neighborhood commercial, and 1,447 parking spaces located in a subterranean garage in an area designated for such density and located near neighborhood commercial areas and major transit routes. The site is located on a General Plan Framework designated Mixed Use Boulevard.

The proposed Project represents good zoning practices, as the RAS Zone was designed to create more housing in areas best equipped to accommodate growth and revitalize commercial corridors. The City identifies the following areas as best suited for the RAS Zones:

(1) Under-performing commercial streets characterized by one-story, marginal development;
(2) Property that is already zoned commercial and designated "commercial" in the City's Community Plan and;
(3) Commercial corridors served by bus or rail.

The RAS4 Zone was created to provide a mechanism to increase housing opportunities, enhance neighborhoods, and revitalize older commercial corridors. The RAS4 Zone is also intended to provide a tool to accommodate projected population growth in mixed-use residential projects that is compatible with and preserves the existing residential neighborhoods. This project, with residential on top of neighborhood serving commercial situated in this high density community is designed to encourage pedestrian activity and minimize traffic impacts, and creates residential and job opportunities and provides neighborhood services all within the same project site.

The proposed mixed-use Project is appropriate for the RAS Zone, as the physical environment can and should permit this type of development. The current zoning on Site I is zoned C4-1VL and R4-1VL. Both the C4 Zone and the R4 Zone are designated for Neighborhood Commercial uses in the Hollywood Community Plan, corresponding to the C1, C4, C2, and P Zones. The Subject Site is currently underdeveloped in an area that is characterized by neighborhood commercial uses, multi-family residences, and some remaining single-family homes. Additionally, the Subject Site is located along a commercial corridor and is currently served by multiple public transportation opportunities along routes on both Santa Monica Boulevard and Western Avenue. The proposed mixed-use development will enhance livability through its pedestrian and transit friendly design. This type of high-density residential, mixed-use Project near public transit promotes pedestrian activity in an area that is an optimal location for housing immediately adjacent to a jobs rich area.

Public Necessity. According to the adopted City of Los Angeles Housing Element, the City is in need of new dwelling units to serve both the current population and the projected population. In conjunction with housing demand, the cost of housing continues to rise. An objective of the Community Plan is to "provide a diversity of housing opportunities capable of accommodating all persons regardless of income, age or ethnic background."[1] The proposed project will provide the Hollywood community with 437 new residential units (375 units on Site I, 24 on Site II, and 38 on Site III). Although pricing is not determined at this point, the Applicant plans to provide residential units ranging in prices in order to create a diverse residential community. In addition, the applicant volunteered and the Planning Department is requiring the inclusion of at least 10% affordable units for a portion of the project.

Convenience. One of the objectives of the Hollywood Community Plan is, "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." Changing the existing zone to an RAS4 Zone and allowing the height to the proposed 94 feet is consistent with the objectives of the Community Plan.

Through the development of mixed-use (residential and commercial), the project envisions a mix of compatible uses that will create a community center, complement the existing residential uses in the area and provide expanded modern retail opportunities to existing residents and users of the commercial corridor along Santa Monica Boulevard. The Community Plan encourages new housing in proximity to goods, services, and facilities. The subject site is located on an existing commercial corridor near the junction of two major transit corridors and a variety of nearby employment centers. The site is also adjacent to many existing commercial establishments providing tenants the opportunity to walk to their shopping and dining destinations. By locating residential development close to major transit, job centers, and shopping areas, the proposed Project will facilitate residents' interaction with the community, bringing more people onto the street, without the need for their cars, and providing more customers for local businesses. It will create a public convenience by reducing reliance on the automobile; alleviating traffic congestion as a result.

There are multiple public transportation opportunities in the Subject Site's immediate area. The Metro Red Line Hollywood/ Western Metro Station is located approximately 1 mile away from the Project site while the Metro Rail Line Vermont/ Santa Monica Metro Station is located approximately 1.25 miles away from the project site.

Good Zoning Practices The Subject Site is planned for Neighborhood Commercial uses over the entire site, yet it is dual zoned, a commercial zone (C4-1VL) of approximately 129,680 square feet facing Santa Monica Boulevard and a residential zone (R4-1VL) of approximately 135,984 square feet facing Virginia Avenue. The site's current zoning has an allowable residential density of 400 square feet of lot area per unit, which would permit 539 units (215,495 sf/400 square feet). The Applicant is proposing to provide 375 units (164 units less than what is allowed). However, the Subject Site is limited by its current zoning which includes a limited height district and allowable floor area. These zoning guidelines make it difficult to develop the proposed mixed use project with much needed housing opportunities and neighborhood commercial amenities. Additionally, Site I is split by two alleys, one running north/south and another east/west totaling 11,373 square feet of area. The site's existing configuration makes it difficult to develop a cohesive project. Therefore, in order to provide a well-designed unified development with large commercial floorplates, public plazas and paseos and enough floor area ratio to permit the residential density, the applicant is requesting the RAS4 zone and Height District 2D to provide more FAR that the 3:1 permitted by the RAS 4-1 zone.

The Hollywood Community Plan, Footnote No. 7 limits the subject site's FAR to 1.5:1. The proposed RAS zone allows for greater floor area than the existing commercial zone and greater height than the existing -1VL Height District. The subject site is also restricted by the above mentioned footnote in the General Plan. Additionally, the Hollywood Community Plan is currently being updated and the draft document for that project proposes to allow a 3:1 FAR on the entire site for mixed use and residential buildings. The applicant has applied for a General Plan Amendment to add a footnote for Site I to allow an FAR of 3.84:1 for the Master Project or 4.04:1 for the alternative project.

Current Zoning	Height	Floor Area Ratio
C4-1VL	3 stories, 45 feet	1.5:1
R4-1VL	3 stories, 45 feet (not limited by the number of stories)	3:1
Proposed Zoning		
RAS4-2D Zone	Unlimited Vertical Height	Permitted FAR in HD 2 of 6:1
Self-imposed D Limitations	94 ft with 113 feet. architectural feature (See Height Diagram for further detail)	**3.84: 1** 202,106 x 3.84 = **775,770 sf**

Incidental to the request for a Zone Change, the applicant is requesting a Height District Change from -1VL to -2D for Site I. Height District -2D is proposed to limit the maximum number of stories on Site I to 8 stories and the height to a maximum of 113 feet, which includes unoccupied space.

Although the maximum height of the building is proposed to reach 94 feet of occupied space and 19 additional feet (up to a height of 113 feet) of unoccupied architectural features, numerous setbacks minimize the massing of the proposed Project, as it incorporates a "wedding-cake" design with varying setbacks and heights for the commercial and residential uses throughout the Project. Due to the complexity of the proposed project and the intricacy of the design, the Applicant prepared a Height Diagram for Site I with 5 Tiers, which define the proposed height limits of 5 specific areas within the Project (Site I). (See Height Diagram included in the architectural drawings.)

The main pedestrian access to the commercial portion of the Proposed Project is off of Santa Monica Boulevard. Fronting along Virginia Avenue are residential uses, with no commercial uses on the ground floor. Similarly, the front yard setbacks are proposed to be 5 feet for the residential portion of the project and 0 feet for the first and second stories of exclusively commercial uses facing Santa Monica Boulevard.

The floor area and height gained by the requested Zone/Height District Change with D Limitations will be dedicated to residential and neighborhood commercial uses. Without such changes, the combined residential and commercial component of this Project would not be possible; the site is large enough to support the residential density requested or most of the commercial square footage, however the current zoning limits the height and the floor area necessary to support it. The proposed Zone Change and Height District Change are, therefore, necessary to facilitate the transformation of the currently underutilized site into a vibrant mixed-use community.

8. Zone Variance Findings

A. That the strict application of the provisions of the zoning ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations.

Below and Above Grade Commercial
Strict application of the provisions of the RAS4-2D zone allowing commercial uses only on the ground floor would result in practical difficulties and unnecessary hardships to the property. The site is currently partially zoned C4 which permits commercial uses on multiple levels. The RAS4 zoning designation is intended to enhance neighborhoods and revitalize declined or underutilized commercial corridors. The restriction to first floor commercial development is intended to preserve traditional mixed-use in which most of the structure is residential and only the pedestrian streetscape is commercial. The proposed Project is consistent with this intention because most of the development is residential. However, applying the strict first floor commercial limit to this development may be inappropriate because the existing streetscape along Santa Monica Boulevard is multi-story commercial. Below grade commercial development is consistent with the intent of the RAS4 zone so long as most of the development is residential and the above-grade commercial is compatible with existing adjacent commercial development. Further, below-grade commercial uses would complement and be consistent with the existing subterranean level of the existing department store currently operated by Sears. Below-grade commercial uses will not add to the appearance of bulk or mass of the buildings.

A strict application of the RAS4-2D zoning provisions would result in a Project that is incongruous with adjacent commercial structures. The commercial portion of the proposed Project is one level below grade and two levels above grade, and is oriented towards Santa Monica Boulevard to compliment the existing commercial uses along that commercial corridor. As contemplated by the RAS4 zone, the Project as proposed will enhance and revitalize the neighborhood by providing commercial services in a contemporary shopping center that blends with the frontage along Santa Monica Boulevard, will maintain the character of the existing commercial corridor, and is compatible with existing subterranean commercial uses. Most of the neighboring commercial properties on Santa Monica Boulevard are commercially zoned C2-1D, C4-1VL, or CM-1VL. There is a five story mixed use commercial and residential center on the southeast corner of Santa Monica Boulevard and Wilton Place, and there are many neighborhood retail stores and shopping centers along Santa Monica Boulevard up to two stories in height above grade. These commercial properties create a consistent multiple-story commercial frontage, and are part of the greater commercial corridor along Santa Monica Boulevard. Surrounding commercial zones on Santa Monica Boulevard do not prohibit multiple level commercial developments.

Area of Alley to be Vacated added to Buildable Area for Floor Area Calculation
The owner requests relief from the regulation that does not allow the addition of alleys to be vacated to the buildable area when calculating floor area. The applicant desires to use the existing alley to be vacated as part of the buildable area in order to develop the project as requested prior to recordation of the tract map which would complete the alley vacation.

The existing alley has an area of 11,373 square feet. If the area of the existing alley to be vacated were included in the buildable area, the allowable floor area would increase by 43,672 square feet (11,373 square feet x 3.84 FAR).

While Vesting Tentative Tract Map No. 66044 or 66814 proposes to vacate and merge the existing alley, technically, the area cannot be used as buildable area until the Final Map has been recorded. Since the recordation of the Final Map happens after the Tract Map conditions are cleared which is months after the decision letter is issued, the applicant has requested that the area be included in the buildable area rather than waiting for several months. Since the condominiums cannot be sold until the Final Map is recorded, the alley vacation which is part of the Vesting Tract Map application will occur during construction.

The Project site, located in the Hollywood Community Plan area of Los Angeles, is proposed to be zoned RAS4-2D. The zoning as conditioned permits a floor area ratio (FAR) of 3.84:1. If the alley to be vacated is not included in the buildable are when calculating the allowable floor area, the proposed FAR would increase to 4.1:1 and the project would have to be redesigned to keep the existing alley open even though the tract map when recorded would remove them.

B. *That there are special circumstances applicable to the subject property such as size, topography, location or surroundings that do not apply to other properties in the same zone and vicinity.*

Below and Above Grade Commercial

There are special circumstances applicable to the subject property that do not apply to other properties in the same zone and vicinity. This Project is an urban infill redevelopment project located in the heart of an emergent commercial district and residential neighborhood. Due to the residential and commercial density in the Project vicinity, there is little space to build a development providing a multitude of services and community benefits. The intent of the Project therefore is to create as many benefits to the community as possible, including much needed housing opportunities, neighborhood commercial services for daily or weekly use, common open space, and a reduction in traffic through a pedestrian friendly Project design which would reduce traffic due to the residential density of the project and the large scale commercial square footage. The site fronts along a dense commercial corridor – Santa Monica Boulevard, while the rear of the property is primarily residential. The property straddles the transition between larger scale strip commercial uses and high medium residential uses. This necessitates clustering commercial density where it is most appropriate – along Santa Monica Boulevard. The RAS4 zone, however, limits commercial development to the ground level of a mixed-use structure. The special circumstance on Site I is the location, as the property straddles the transition between commercial uses and residential uses as the entire site is planned for commercial use but is split between residential and commercial uses. The RAS4 zone is the appropriate zone for a commercial/residential transition property, but the first-floor commercial limitation prevents a transition site from appropriately clustering the commercial development along the Santa Monica Boulevard frontage while preserving the residential face of Virginia Avenue, thereby preserving the residential area.

The Project's design incorporates an open-air structure with commercial oriented towards Santa Monica Boulevard, a focal point clock tower for community gathering, and an open-air pedestrian passage between Virginia Avenue and Santa Monica Boulevard for the convenient access of community residents to the Project. In contrast, the existing and neighboring commercial uses do not encourage pedestrian activity, are aging

commercial structures, are unrelated uses, and are oriented toward vehicular use to access the commercial uses.

Additionally, the subject site is zoned R4 and C4. The multi-level commercial is substantially proposed over the existing commercially zoned portion of the site. The C4 zone permits commercial levels on multiple levels. The proposed multi-level commercial component of the mixed use project provides the neighborhood serving commercial uses which is encouraged through the RAS zone, and also provides various commercial opportunities much needed in this area. There are various commercial complexes in the area that provide multi-level commercial components most notably the existing Sears store which is included in the zone change but would be made a non-conforming use without the variance.

Area of Alley to be Vacated added to Buildable Area for Floor Area Calculation
The close proximity to the subway, to a number of bus lines and to the other neighborhoods in Los Angeles, and the fact that this is an urban development make the site a prime location to allow the subject request. Approval of this request will increase the total floor area permitted for the site and therefore will encourage the development of additional residential units and large scale commercial uses in the Hollywood area.

The alley to be vacated is wholly within the project site and will not be needed for access once the project is completed. The design of the project provides a pedestrian walkway from Santa Monica Boulevard to Virginia Avenue and throughout the project. The intent of the mixed-use project is to encourage people to get out of their cars and walk. Maintaining the alleys would not allow the project to be built as currently designed which encourages pedestrian activity and connects the community. The applicant is proposing an alley vacation to achieve a pedestrian friendly, mixed-use environment through the recordation of the tract map which includes the alley vacation. Not allowing the project to add the area of the alley would limit the potential to provide needed housing and commercial facilities in this area of Hollywood because the project would have to be redesigned to account for the alleys even though they are being eliminated.

C. *That such variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other properties in the same zone and vicinity, but which, because of such special circumstances and practical difficulties or unnecessary hardships, is denied to the property in question.*

The variances requested herein are necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other properties in the same zones and vicinity, but which, because of the Property's special circumstances, practical difficulties and unnecessary hardships, is denied to the Property. The right to enjoy full economic use of the property is currently enjoyed by the surrounding properties on Santa Monica Boulevard, which are able to maximize the multi-story commercial use of the properties within their floor area limitations. Unlike those properties, the Project site is a transitional site with a split zone and alleys which preclude its full development to the commercial and residential intensities and densities anticipated by its Plan designation.

Restricting commercial uses to only the ground level of the Project makes it infeasible to develop the mixed-use development with 263,780 square feet of commercial space, on the Santa Monica boulevard commercial frontage and maintaining the Virginia Avenue frontage for residential uses consistent with existing development patterns. It is also therefore difficult to develop a unique and cohesive Project that will serve the neighborhood commercial needs of the community if commercial uses on the property

are limited. Providing the proposed commercial uses below and above the ground level will allow the new commercial uses to be consistent with the existing department store, which is currently located below-, at- and above-ground level. The subject site is an appropriate location for the proposed Project as it is located on an existing commercial corridor near transportation opportunities, a variety of employment centers, and complements adjacent neighborhood serving commercial establishments.

D. *That the granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the same zone or vicinity in which the property is located.*

Below and Above Grade Commercial
The granting of the requested variance for commercial uses above and below ground level will not be materially detrimental to the public welfare or injurious to the property or improvements in the same zone or vicinity in which the property is located. The project is requesting a Zone and Height District change to the RAS4-2D zone in order to accommodate a proper FAR for such a project. The use of basements and upper floors of mixed use buildings is permitted by commercial zones but not the RAS zone. As the entire site is proposed for the RAS zone, without this variance, the existing Sears building would become a non-conforming use and the project could not be built in such a manner as to properly integrate the Sears building into the new development. In addition, other properties proposed for the RAS zone have had variances approved for commercial uses on multiple floors when such projects were proposed over multiple lots with FAR's exceeding the normal 3:1 of the RAS zone. Approval of multiple floors of commercial uses would also result in compressing the commercial portion of the project to the Santa Monica Boulevard frontage while maintaining the residential frontage of Virginia Avenue in conformance with existing development patterns.

Area of Alley to be Vacated added to Buildable Area for Floor Area Calculation
Because the owner is going to build residential units and commercial facilities together, it is obligatory that the Final Map be recorded before any units are sold. The alley vacation is included as a portion of the tract map. Denying the Applicant to ability to include the area of the alleys that will be vacated until after the Map is recorded is would require a redesign of the building to not include the area of the alleys which are being vacated to accommodate the project. This would be injurious to both the project and the property as the alleys are no longer required for access.

E. *The granting of the variance will not adversely affect any element of the General Plan.*

Below and Above Grade Commercial
The granting of the variance will not adversely affect any element of the Hollywood Community Plan. The Hollywood Community Plan does not restrict commercial uses in mixed use development to the first floor. Rather, the Plan establishes broad policy goals and land use designations which would be served by the proposed Project. The variance requested herein allows for the Project to meet the goals expressly stated in the Community Plan. Commerce policies include ensuring that future development is compatible with existing development and surrounding residential neighborhoods. The requested variance and the proposed Project are consistent with this goal, as the Project is compatible with existing developments along Santa Monica Boulevard while preserving the residential frontage along Virginia Avenue. Most of the neighboring commercial properties on Santa Monica Boulevard are zoned C2-1D, C4-1VL, or CM-1VL. Commercial properties along Santa Monica Boulevard are therefore permitted to provide commercial services to a height of 45 feet or three stories. With commercial

services only one story above grade in height, the Project would therefore maintain the integrity of the commercial corridor by providing a consistent frontage along Santa Monica Boulevard.

The Project will also be consistent with the surrounding residential neighborhoods along Virginia Avenue between Wilton Place and Western Avenue, and along St. Andrews Place between Santa Monica Boulevard and Lexington Avenue in development standards. The Project will preserve well defined residential neighborhoods in Hollywood. Further, along Virginia Avenue, the Project will be setback and landscaped to preserve the residential atmosphere of the street. Separate parking for the residential portion of the Project on Virginia Avenue will also maintain the distinct character of the street for residential uses. The Project will maintain the integrity of the surrounding residential community by providing design and development features that blend with adjacent residences.

Area of Alley to be Vacated added to Buildable Area for Floor Area Calculation

Granting the variance will not adversely affect any element of the General Plan as it is consistent with the Hollywood Community Plan and the Housing Element. Alleys are not a part of either the Community Plan or the Circulation element of the General Plan and their vacation will have no effect on circulation as they are no longer needed for access to the site.

9. **Zone Variance Findings "Early Start" (Denial).** Pursuant to Section 12.27.D of the Municipal Code:

A. *The strict application of the provisions of the zoning ordinance would NOT result in practical difficulties or unnecessary hardships inconsistent with the general purposes and intent of the zoning regulations.*

The applicant has requested a Zone Variance to start construction on the project with City Planning Commission approval of the zone change and variance (or if appealed by City Council approval), and prior to the recordation of a Final Tract Map (Vesting Tentative Tract Maps No. 66044 or 66814). The reason for the request is to start construction on the building as soon as possible without the full processing of the zone change ordinance and prior to completing all of the conditions of the tract map (required for a Final Tract Map). Typically the applicant agrees to abide by the conditions of approval by recording a covenant and agreement. However, in this case there is a concurrent zone change being requested as part of the overall project entitlement procedures that may alter the final zone change ordinance and the Final Tract Map conditions of approval which may create an inconsistency between the "Q" conditions of approval and the tract map conditions.

B. *There are NO special circumstances applicable to the subject property such as size, shape, topography, location, or surroundings that do not apply generally to other property in the same zone or vicinity.*

The requested variance is requested by the desire to start early construction prior to the zone change ordinance and recordation of a Final Tract Map and is a self-imposed special circumstance. By waiting for the zone change to become effective, the Final Tract Map can be recorded and the project built without a zone variance. The structures

on the site can be demolished prior to completion of the zone change and grading of the site can also occur. There are no special circumstances about the subject property.

C. *The variance is NOT necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of the special circumstances and practical difficulties or unnecessary hardships, is denied to the property in question.*

The requested variance is not a result of special circumstances or practical difficulties encountered on site; rather the variance is a request to jump start a project prior to full processing of Planning Department entitlements. In this respect there is no hardship or taking of property rights since the applicant has applied for the zone change and Tentative Tract Map and the requests are being processed in a timely manner.

D. *The granting of the variance WILL BE materially detrimental to the public welfare, or injurious to the property or improvements in the same zone or vicinity in which the property is located.*

Allowing a mixed-use structure to be built under the current zoning regulations which do not permit the proposed floor area or height prior to the final recordation of a Tract Map and adoption of a concurrent zone change for the convenience of the property owner negates the purpose of the discretionary review process. Tract Map conditions as well as zone change conditions require compliance with certain public improvements and project conditions of approval that are in place to protect public welfare of both project residents and adjacent residents. Allowing a project to be built without these conditions in place could compromise the ability of the city to enforce the pending zone change conditions of approval.

E. *The granting of the variance WILL adversely affect any element of the General Plan.*

Zone variance procedures are established to grant relief when certain hardships and where site impracticality makes compliance with the zoning regulations impossible. The applicant has shown only that the variance is necessary to start early construction on a project. The General Plan has established certain land uses and criteria for implementing zone changes and granting an instant variance for a project that is still being processed could potentially cause conflicts between the other actions. Since the concurrent zone change procedure is a more permanent action implementing the General Plan, this approval requires compliance with the tract map as a condition of the zone change.

10. Adjustment Findings. Pursuant to Section 12.28 of the Municipal Code

A. *That the granting of an adjustment will result in development compatible and consistent with the surrounding uses.*

The Applicant is requesting a reduction in setbacks to provide a 0-foot front yard setback along Santa Monica Boulevard, Wilton Place and St. Andrews Place. The RAS4 Zone requires a 5-foot front yard setback or the "average of the adjoining buildings".

The general purpose of the zoning regulations is to provide setbacks in areas with similar setbacks. Other buildings in the area, both existing and new, observe front and other yard setbacks similar to the setbacks proposed by the Project. For example, the existing commercial buildings along Santa Monica Boulevard, located to the east and

west of the subject site, observe 0-foot setbacks. Thus, the proposed setback of 0 feet in the yards along Santa Monica Boulevard, Wilton Place, and St. Andrews Place will provide a building footprint consistent with surrounding existing commercial developments.

The northerly side of the project along Virginia Avenue will provide a 5-foot front yard setback (5 feet over what is required) to compliment the adjacent residential buildings across Virginia Avenue. On Santa Monica Boulevard, the Project proposes to provide a 0-foot yard setback along the entire street frontage. However, the Project also proposes a large pedestrian plaza with the primary entrance off of Santa Monica Boulevard, and therefore the entire project will not be built to the property line for a significant portion of the site along Santa Monica Boulevard. Also, the Applicant requests a 0-foot front yard setback along Wilton Place and St. Andrews Place. However, only a portion of the ground floor and second floor commercial along Wilton Place and St. Andrews will provide 0-foot front yard setbacks, while the remainders of those portions, which are residential, are proposed to be setback 5-feet. In addition, the existing department store, currently operated by Sears, located on the southeast corner of Site I currently provides 0-foot setbacks along both Santa Monica Boulevard and St. Andrews Place.

The Project proposes numerous setbacks to minimize the massing of the project with its incorporated "wedding-cake" design, providing varying setbacks for the commercial and residential uses throughout the project. (See the table below.) In addition, the setbacks at the street level will reduce massing. For example, the front yard setbacks are proposed to be 5 feet along Virginia Avenue, Wilton Place and St. Andrews Place for the residential uses. The project proposes a 0-foot setback along Santa Monica Boulevard for the commercial uses (first and second floors) and a 5-foot setback for the residential uses on the 3rd floor (see table below). The proposed project design is consistent with the community vision of providing urban amenities at the street frontage along Santa Monica Boulevard in order to enhance pedestrian activity and urban experiences.

REQUIRED YARDS		
RAS Zone	**Required Setbacks**	**Proposed Setbacks**
Front Yards	5 feet or average of adjoining buildings less than 5 feet	**Santa Monica Boulevard:** 1st story (commercial): None 2nd story (commercial): None 3rd story (residential): 5 feet **Virginia Avenue:** 1st story (residential): 5 feet **Wilton Place:** 1st story (commercial): None 2nd story (commercial): None 3rd story (residential): 5 feet 1st story of residential: 5 feet **St. Andrews Place:** 3 story existing commercial: None 1st story (residential): 5 feet
Side Yards	5 feet for residential / None for commercial at ground floor.	N/A
Rear Yards	5 feet	N/A

The main pedestrian access to the commercial portion of the Proposed Project is off of Santa Monica Boulevard. Fronting along Virginia Avenue are residential uses, with no commercial on the ground floor. Similarly, the yard setbacks are proposed to be 5 feet for the residential portion of the project and 0 feet for the first and second stories of exclusively commercial uses (see Height Diagram included within the architectural drawings and the below table).

Providing the Code required residential front yard setbacks would further reduce the building footprint area beyond the lot area lost to the probable street dedications; a loss of 9,459 square feet (212,629 square feet – 203,170 square feet). The reduction of buildable area makes it a hardship to build a high-density mixed-use development in an urban area on an existing zone which generally has no building setbacks.

The proposed site's close proximity to public transportation and jobs, the surrounding commercial properties have similar setbacks which are consistent with the development pattern of any urban area in proximity to major transportation routes.

B. *That the granting of an adjustment will be in conformance with the intent and purpose of the General Plan of the City.*

The General Plan designates the subject site as Neighborhood commercial with corresponding zones of C1, C4, C2, RAS3, RAS4, P and PB. The requested zone of RAS4 is a relatively recent addition to the zoning categories and is permitted within the

commercial designation. The intent of the RAS Zone is to take advantage of the commercial corridors and allow greater floor area for buildings that contain a mix of commercial and residential uses. Because the upper floors are residential uses, setbacks are required to allow project residents some separation from adjacent commercial uses. Considering that the commercial zone would not normally require setbacks for commercial buildings along Santa Monica Boulevard and that the first two levels are commercial uses, the request to maintain zero–foot setbacks along the yards is in conformance with the intent of the General Plan.

C. *That the granting of an adjustment is in conformance with the spirit and intent of the Planning and Zoning Code of the City.*

The requested adjustment is in conformance with the spirit and intent of the Planning and Zoning Code of the City. The RAS4 zone is a zone created relatively recently by the City to encourage mixed-use development. The subject site is commercially zoned along Santa Monica Boulevard and would not require a front yard setback if the project were proposing a commercial use. The RAS4 setback requirements are citywide and do not take into account the unique characteristics of the urban area which typically has a dense building pattern with reduced yard setbacks. The zoning regulations require certain setbacks from respective property lines in order to provide for buffering distance/compatibility between respective uses as well as to ensure access in the event of an emergency. Such regulations, however, are written on a citywide basis and cannot take into account the unique characteristics of a specific site. The proposed project occupies an entire city block, thus the code requirements for side yard setbacks between buildings to ensure light and air circulation between adjacent buildings is not needed in this case.

The Zoning Code allows adjustments from the Code when special circumstances exist, provided that the development does not result in any adverse impacts. The proposed building will be compatible with adjacent uses and also consistent with surrounding development.

D. *That there are no adverse impacts from the proposed adjustment or any adverse impacts have been mitigated.*

The granting of the Adjustment to reduce the yard setbacks along Santa Monica Boulevard, Wilton Place, and St. Andrews Place will not result in adverse impacts to the surrounding properties or to the subject property as the surrounding buildings in the area and many buildings in the Hollywood area have reduced yard setbacks.

There are no adverse impacts from the proposed adjustment to reduce the yard setbacks of the proposed development because doing so conforms to the development and land uses that surround the project site and provides for the habitability needs of the proposed development's residents and commercial patrons. The granting of the request to reduce the yard setbacks will not result in adverse impacts to the surrounding properties or to the subject property.

An Environmental Impact Report (EAF-2005-7720-EIR, State Clearinghouse No. 2005111018) has been prepared for this project. Potential environmental impacts from the proposed Project were identified, analyzed and, mitigated to the extent feasible, as analyzed in the project's EIR. The EIR contains appropriate mitigation measures, monitoring programs, and examination of alternatives that are part of the case file.

E. The site and/or existing improvements make strict adherence to the zoning regulations impractical or infeasible.

The subject site is located in a high-density urban area where real estate is at a premium. Setbacks in a mixed-use project on a site that is currently commercially zoned, in addition to street dedications, make it a hardship to build well-design residential projects in urban areas. Furthermore, residential setbacks on the Subject Site would be incongruent with surrounding property, most of which is developed with commercial uses with zero setbacks. The fact that the project site includes an entire city block make strict adherence to the zoning regulation impractical as there are no other buildings to be set back from except the original Sears building which is being integrated into the whole project.

11. Site Plan Review Findings.

The following Findings can be made for Site I only. The architectural plans were not adequate to make these findings for Site II and Site III. The plans for Sites II and III require more detail including: More Elevation detail, Parking configuration, Open Space location, and landscape information. Conditions of Approval have been added as part of this recommendation requiring Site Plan Review of Site II and Site III to the satisfaction of the Director of Planning prior to the issuance of any permits on those sites at a future date. This condition was included because Site II and III are integral parts of the projects as they are lots identified in VTT-66044 and VTT 66814.

A. The project complies with all applicable provisions of this Municipal Code and any applicable Specific Plan.

The Project complies with all zoning requirements of the Municipal Code proposed RAS4 zone, except as varied by this action.

The Residential Accessory Services Zone, RAS4, is a mixed use zone which is the zone proposed for the site. It permits both retail and residential uses. Residential densities are based on the R4 zone which permits multi-family dwelling units, 1 dwelling unit for every 400 square feet of lot area. The site is approximately 4.9 acres. The RAS4 zone would permit 531 dwelling units. The residential density of the development proposed, 375 dwelling units, complies with the allowable density. The proposed project consists of 375 dwelling units in addition to 377,900 square feet of commercial retail space located along the Santa Monica Boulevard side of the project.

The requested Height District No. 2D restricts floor area to 3.84:1 for the Master project or 4.04:1 for the Alternative project. As conditioned the project will be limited to 94-feet in height for occupied spaces and 113 feet for an unoccupied architectural feature. The "D" Development conditions of the requested Height District were formulated to accommodate the proposed project but provide reasonable limits to address concerns regarding overdevelopment. The Master Project proposes approximately 822,999 sq. ft. of development (397,800 sq. ft. of residential area and 377,900 square feet of commercial area), which at the requested 3.84:1 FAR, is within the proposed FAR for the Project site. The Alternative Project proposes approximately 783,469 sq. ft. of development (382,940 sq. ft. of residential area and 353,300 square feet of commercial area), which at the requested 4.04:1 FAR, is within the proposed FAR for the Project site.

Off-street parking is conditioned to be provided, per Section 12.21 A 4 of the Municipal Code.

The proposed project is not located within a Specific Plan Area.

B. The project is consistent with the General Plan

As described below, the Project complies with the applicable regulations, standards, and provisions of the General Plan including the Hollywood Community Plan as amended by this action.

The Project site is located within the boundaries of the Hollywood Community Plan. An Objective of the Plan is 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. Another Objective is to promote economic well being and public convenience through allocating and distributing commercial lands for retail, service, and office space in quantities and patterns based on accepted planning principles and standards.

The proposed project is comprised of 437 new dwelling units and approximately 377,900 square feet of commercial uses. The project will provide needed housing units in the Hollywood Community Plan Area, as well as provide a neighborhood serving commercial use. The project as an infill development will take advantage of the new RAS4 zoning and allow for a mixed-use project along a major commercial corridor, Santa Monica Boulevard, without converting dwelling units or displacing existing residents.

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

This site is within the Hollywood Redevelopment Plan area and is consistent with the Plan's goals. The following sets forth the ways in which the Project meets and addresses the goals stated in the Redevelopment project plan.

> Goal 3: Promote a balanced community meeting the needs of the residential, commercial, industrial, arts and entertainment sectors.

The City's Housing Element states that the population of Los Angeles will grow by 821,165 persons between 1993 and 2010. The amount of housing needed to accommodate citywide growth is estimated to be 60,280 dwelling units (from 1998-2005) or an annual need of 8,037 dwelling units. In the proposed Project's census tract, approximately 92% of the population is renters, while the remaining 5% (approximately) are property owners. The proposed project is a step towards meeting this demand for housing opportunities.

> Goal 5: Improve the quality of the environment, promote a positive image for Hollywood and provide a safe environment through mechanisms such as (for example):
>
> a. encouraging maintenance of the built environment
> b. integrating public safety concerns.

The Applicant proposes to construct a mixed-use Project consisting of neighborhood retail and residential components. The architectural style provides multi-faceted massing, roof forms, fenestration, and other architectural elements consistent with the architecture in the area.

> Goal 9: Provide housing choices and increase the supply and improve the quality of housing for all income and age groups and to provide home ownership opportunities and other housing choices which meet the needs of the resident population.

The proposed Project directly addresses this goal by proposing the construction of 437 residential units. As stated previously, approximately 92% of the residents in the census tract are renters while only about 5% are property owners. With 437 new residential opportunities, the proposed project would be a step towards creating a balance of housing choices. Vesting Tentative Tracts 66044 and 66814 have been filed to convert the residential units into condominium units for sale increasing the number of home owners in the area. The residential component of the project increases the variety of housing types and helps meet the needs of the resident population. The area the subject site is located in is in need of additional housing opportunities.

> Goal 10: Promote the development of sound residential neighborhoods through mechanisms such as land use, density and design standards, public improvements, property rehabilitation, sensitive in-fill housing, traffic and circulation programming, development of open space and other support services necessary to enable residents to live and work in Hollywood.

The proposed Project is located in an area with a Neighborhood Office Commercial General Plan Designation. The Project proposes to provide a total of 62,033 square feet of open space, which is more than the 58,150 square feet of required open space. In addition, the proposed Project contributes to the development of a sound residential neighborhood through its mixed-use land use component and high-quality design standards.

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

The arrangement of the proposed development is consistent and compatible with existing and future development on the neighboring properties. The Subject Site is surrounded by a number of multi-story residential buildings as well as commercial/ retail structures. To the north, across Virginia Avenue, are multi-family apartments, two and three stories in height. There is also one single-family home. South of the site, across Santa Monica Boulevard, are neighborhood retail buildings. There is a retail center on the southeast corner of Santa Monica Boulevard and Wilton Place. There are also mixed-use sites with retail on the ground floor and residential/multi-family apartments above, which are two to five stories. South of Site III is neighborhood retail, including a restaurant, indoor swap meet, and clothing store. East of Site II are multi-family apartments, two and three stories in height and east of Site III is surface parking and neighborhood retail. West of the subject site, across Wilton Place on the northwest corner and southwest corner of Santa Monica Boulevard and Wilton Place, are single story retail shopping centers. On the southwest corner of Wilton Place and Virginia Avenue are multi-family and single-family residential uses.

Although the maximum height of the building is proposed to reach 113 feet, numerous setbacks minimize the massing of the proposed project as the project incorporates a "wedding-cake" design with varying setbacks for the retail and residential uses throughout the project.

In addition, due to the complexity of the proposed project and the intricacy of the design, the Applicant proposes a Height Diagram for Site I with 5 Tiers, which define the proposed height limits of 5 specific areas within the Project (Site I). The first Tier fronts on Virginia Avenue, has a varying depth of between 37 feet to 77 feet, is proposed to allow a maximum height of 60 feet, and comprises residential uses. Tier 2 proposes to allow a maximum height of 65 feet and two stories, is proposed to front along Santa Monica Boulevard, and has a varying depth from 13 feet to approximately 90 feet. The third Tier is located on both Wilton Place and St. Andrews place and comprises the two 5-story residential structures and is proposed to allow a maximum height of 75 feet. The eastern area of Tier 3 is set back from Virginia Avenue approximately 37 feet, has a depth of 108 feet, and a length of 82 feet for a total square footage of 8,856 sq. ft. The western area of Tier 3 is set back from Virginia Avenue approximately 40 feet and has a depth of 81 feet and a length of 81 feet, for a total square footage of 6,561 sq. ft. Tier 4 is the majority of the proposed project and is located within the block on Site I with street frontage on portions of Wilton Place, Santa Monica Boulevard and St. Andrews Place. Tier 4 proposes to allow a height limit of 94 feet and 8 stories. Tier 5 is primarily the location of the proposed architectural features which includes a clock tower. Tier 5 is located wholly within the project and proposes to allow a maximum height of 113 feet and 8 stories.

The proposed Project is providing the required residential setbacks along Virginia Avenue on Site I to compliment the existing residential uses to the north of the Subject Site and is meeting the setback requirements on Sites II and III. The proposed Project will also provide more than the required number of parking spaces on Site I as 1,186 spaces are required and 1,447 spaces are proposed (residential and commercial combined.) The Project will also provide over Code required parking on Sites II and III.

Residential density in the RAS4 Zone is 400 square feet of lot area per dwelling unit, which equates to 531 units on Site I, ~~24 units on Site II, and 38 units on Site III~~. However, the applicant proposes to construct 375 units on Site I, ~~24 units on Site II, and 38 units on Site III~~ in order to provide residential units that will allow for more livable space per unit. The proposed project is a mixed-use project providing a total of 437 residential units.

The Project's lighting will be low-level walkway lighting with some exterior illumination for security purposes. All lighting will be directed on site and shields will be provided to prevent spillover onto adjacent properties. The Project is providing approximately 62,033 square feet of open space, which is 1,283 square feet more than the 58,150 square feet of open space required by the Code. Landscaping and trash collection will also be provided based on Code Requirements and the practices of the surrounding community. These proposed pertinent improvements are compatible with existing and future developments on the neighboring properties.

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 effect of the project and/or additional findings as may be required by CEQA.*

An Environmental Impact Report (EAF-2005-7720-EIR, State Clearinghouse No. 2005111018) has been prepared for this project. Potential environmental impacts from the proposed Project were identified, analyzed and, mitigated to the extent feasible, as analyzed in the project's EIR. The EIR contains appropriate mitigation measures, monitoring programs, and examination of alternatives that are part of the case file.

F. That 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 includes specific dedicated areas for community-based social and recreation functions. The Project proposes two pools, a spa, community room, and gymnasium, which will be located on Site I and will be available for residential use. Other amenities that the Project proposes include laundry facilities and trash chutes, which would improve habitability for the residents and minimize impacts on neighboring properties. The project proposes to provide a town center which includes retail and residential uses in one project. A Paseo is provided at mid-block of Site I with the main entrance on Santa Monica Boulevard and a secondary entrance on Virginia Avenue. These entrances are accessible and ADA compliant.

Additionally, the Project proposes to include a total of 62,033 square feet of Open Space (Site I: 52,633 sq. ft., Site II: 3,790 sq. ft., Site III: 5,610 sq. ft.). The open space provided will offer appropriate amenities and recreational facilities for the Project's residents and are expected to minimize impacts on neighboring properties.

As far as nearby existing public spaces and parks, there are six parks located within a mile of the subject site. The closest outdoor park is Robert L. Burns Park located 1.1 miles south of the subject site at 4900 Beverly Boulevard. Barnsdall Art Park is located 1.3 miles northeast of the site at 4800 Hollywood Boulevard and De Longpre Park is located 1.4 miles west of the subject site at 1350 North Cherokee Avenue. This park is a pocket park; it is open from dawn to dusk and offers a children's' play area.

There are also a number of Recreation Facilities within the immediate area. The Lemon Grove Recreation Center is located 0.7 miles southeast of the subject site at 4959 Lemon Grove. The second closest recreation facility is The Hollywood Recreation Center located within one mile from the subject site. The Hollywood Recreation area offers recreational programs such as Pre-school, After-school, and Winter-Spring-Summer Camp.

In December 2002, the CRA completed the construction of Selma Park, a 10,000 square foot community park located at the northwest corner of Selma Avenue and Schrader Boulevard. The park serves surrounding community residents and organizations that include Selma Elementary School, YMCA facility, the Gay and Lesbian Community Services Center, various post production offices and the Casa Verde Apartments.

12. Environmental Findings (CEQA)

HAVING RECEIVED, REVIEWED, AND CONSIDERED THE FOLLOWING INFORMATION AS WELL AS ALL OTHER INFORMATION IN THE RECORD OF PROCEEDINGS ON THIS MATTER, THE CITY PLANNING COMMISSION OF THE CITY OF LOS ANGELES HEREBY FINDS, DETERMINES, AND DECLARES AS FOLLOWS:

I. CERTIFICATION OF EIR

The City Planning Commission of the City of Los Angeles (the "City") hereby certifies that the Final Environmental Impact Report State Clearinghouse No. 2005111018, dated April 28, 2006 (the "Revised Final EIR") for the project described below has been completed in

compliance with the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq. in connection with the following approvals granted to St. Andrews-Santa Monica, LLC (the "Applicant"). This Revised Final EIR is being certified in connection with all discretionary or ministerial approvals and permits required to implement the Project. Based on the City's Environmental Review Committee, the City determined an EIR was necessary to analyze the potential environmental effects of the proposed project. The Notice of Preparation for a draft EIR (the "Draft EIR") was circulated for a 30-day review period starting on November 2, 2005 and ending on December 2, 2005. Based on public comments in response to the NOP and a review of environmental issues by the City, the Draft EIR analyzed the following environmental impact areas:

- Aesthetics
- Air Quality
- Biological Resources (Trees)
- Cultural Resources (Historic, Paleontological and Archaeological Resources)
- Energy Conservation
- Geology and Soils
- Hazards and Hazardous Materials
- Land Use Planning
- Noise
- Population and Housing
- Public Services
- Transportation and Traffic
- Utilities and Service Systems

On May 19, 2006, the City released the Draft EIR for public comment. The comment period was 45 calendar days, ending on July 5, 2006. The lead agency also accepted comment letters after the comment period closed. The lead agency received 6 written comments on the Draft EIR from public agencies, groups and individuals. Due to an administrative error, two individuals did not receive requested copies of the Draft EIR. Copies were sent to these individuals and the comment period was extended to September 5, 2006. In addition, one late comment letter from a State agency (dated July 14, 2006) was received. Responses to all comments received between May 19 and September 5, 2006 are included in the Final EIR.

III. FINDINGS

Section 21081 of the California Public Resources Code and Section 15091 of the State CEQA Guidelines (the "Guidelines) require a public agency, prior to approving a project, to identify significant impacts of the project and make one or more of three possible findings for each of the significant impacts.

A. The first possible finding is that "Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the final EIR." (Guidelines Section 15091 (a)(1)); and

B. The second possible finding is that "Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency." (Guidelines Section 15091(a)(2)); and

C. The third possible finding is that "Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible, the mitigation measures or project alternatives identified in the final EIR." (Guidelines, Section 15091(a)(3)).

The Department of City Planning served as the Lead Agency under CEQA with respect to the Project. In approving the City Planning Commission's Determination and making these findings, the City Planning Commission has considered the Initial Study, the Draft EIR, the Final EIR, and the Revised Final EIR, and

1. Finds, pursuant to Public Resources Code Section 21081(a)(1), that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant effects on the environment as identified in the Revised Final EIR; and

2. Finds, pursuant to State CEQA Guidelines Section 15091(a)(1), that changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the Revised Final EIR; and

3. Finds, that the Revised Final EIR has been completed in compliance with CEQA and is adequate under CEQA for approval of the Director's Determinations and all other City permits, entitlements, and discretionary approvals for the Project; and

4. Rejects the alternatives set forth in Section III.F below, for the reasons set forth in that Section.

A. Impacts Found To Be Insignificant (No Significant Impacts Would Occur and No Mitigation Required) The City Planning Commission has determined that there is no substantial evidence that the proposed Project would result in any potentially significant impacts in the environmental subject areas presented below and no mitigation is required.

1. Aesthetics (Shade and Shadow)

Winter Shadows

The sun angle during the winter solstice is responsible for casting the longest shadows of the year, with peak shadows occurring shortly after sunrise and before sunset. West of the Project Site, there is a single-story commercial/retail building and two 2-story residential structures fronting Wilton Place. Since these land uses are located west of the Project Site, they will receive morning shadows. By noon the shadows shift in a northerly direction and are shorter in length and partially cover only Virginia Avenue. The noontime shadows do not encroach on any off-site shadow-sensitive land uses. By 3:00 PM the shadows shift in a northeasterly direction, covering parts of Virginia Avenue and the sidewalk on the north side of the street and possible very little frontage of residential structures. Given that the shadow is cast towards the end of the day, it is not expected that the shadow would last more than 3 hours and shadows from Site I would not result in a significant impact. The shadow also stretches across most of St. Andrews Place and some sidewalk on the east side of the street, however, no off-site shadow sensitive use would be shaded. Consequently, winter shadow impacts to shadow-

sensitive land uses across Virginia Avenue (Site III residential building) would be less than significant. Therefore, winter shadow impacts from Site I to surrounding land uses would be less than significant.

Summer Shadows

Summer shadows from the Project Site would primarily be cast to the east and west. At 9:00AM, shadows would cast towards the west, shading Wilton Place and partially the sidewalk and parking area of the commercial buildings across the street from the Project Site. At midday (noon), shadows to the north would be very short and would not encroach on any off-site shadow-sensitive land uses. At 3:00PM, the shadows begin to shift eastward, but continue to be short and do not encroach on any off-site shadow-sensitive land uses. At 5:00PM, the shadows become more elongated and stretch across St. Andrews Place and cover the sidewalk on the easterly side of the street. The shadows may cover parts of the existing commercial buildings frontage on St. Andrews Place as well as the Project Site's Site III residential building. However, given that the shadows are cast towards the end of the day light hours, the shadows would not last longer than four hours and shadows from Site I would not result in a significant impact. Consequently, summer shadow impacts to this shadow-sensitive land use (Site III residential building) would be less than significant. Therefore, summer shadow impacts from Site I to surrounding land uses would be less than significant. No mitigation measures are required.

2. Agricultural Resources

The Project Site is currently developed with commercial buildings and associated paved, surface parking lots and has been used for commercial purposes for several decades. Investigation of the Project Site concluded that no farmland or agricultural activity exists on or in the vicinity of the Project Site. In addition, the Site has not been mapped pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency.

3. Biological Resources

The Project Site is located in a highly urbanized area in the City of Los Angeles. The existing Project Site is landscaped with non-native, ornamental trees, shrubs, and ground cover. As currently proposed, all of the on-site trees and plantings would be removed with development of the Proposed Project. There are no oak or other indigenous plant species found on the Project Site, and the Project Site does not contain any animal species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game (Fish and Game) or U. S. Fish and Wildlife Service. In addition, there are no locally-designated natural communities on the Project Site or in the project vicinity. The Proposed Project would not result in significant impacts to biological resources. No mitigation is required.

4. Cultural Historic Resources

According to the "Historic Resources Report", prepared by Grimes Historic Preservation, dated November 23, 2005, there are no historic resources on the Project Site; therefore the Proposed Project will have no impacts on historic resources. Projects, which may affect historical resources, are considered to be mitigated to a level of less than a significant impact, if they conform to the Standards. Projects with no other potential

impacts qualify for a Class 31 exemption under CEQA if they meet the Standards. (CEQA Guidelines, Section 155331). No mitigation is required.

5. Land Use

Physically Divide an Established Community

The entire Project Site is surrounded by either existing structures or surface parking areas. Currently residential uses are located across from Site I on Virginia Avenue as well as adjacent to Site II. The Proposed Project would provide housing on all three sites. Residential uses on Site I would complement the existing uses across Virginia Avenue from Site I. Commercial uses on Santa Monica Boulevard complement the retail pattern of the Project on Site I. Therefore, the Proposed Project would not physically divide any established community or uses (and existing neighborhoods, communities, or land uses would not be disrupted, divided or isolated) and the duration of the disruptions and impacts would be less than significant.

Conflict with Applicable Conservation Plan or Natural Community Conservation Plan

The Project Site does not include or involve any conservation plan or natural community conservation plan. The Project Site is located in a highly urbanized area of the City of Los Angeles. The Project Site is improved with structures and surface parking lots. Therefore, the Proposed Project would not conflict with any habitat conservation plan or community conservation plan and impacts would be less than significant.

6. Mineral Resources

The Project Site is currently developed with commercial buildings and associated paved, surface parking lots and has been used for commercial purposes for several decades. Investigation of the Project Site concluded that there are no onsite dry wells, irrigation wells, injection wells, observation wells, monitoring wells, potable water wells, recovery wells, or mining sites. According to the California Department of Conservation, Division of Oil, Gas, and Geothermal Resources District 2 Regional Wildcat Map (W1-2), no oil wells are present on the Project Site or proximate to the Project Site. In addition, the Project Site is not located in an area containing significant mineral deposits or designated as a locally important mineral resource site. The Project Site is not zoned for oil extraction and drilling or mining of mineral resources, and there are no oil wells or mining sites on the Project Site.

Therefore, development of the Proposed Project would not result in the loss of availability of a mineral resource that would be of value to the residents of the State or a locally-important mineral resource, or mineral resource recovery site, as delineated on a local general plan, specific plan, or land use plan. Thus, no impact associated with mineral resources would occur.

7. Population and Housing

Construction Impacts

Construction of the Proposed Project would result in increased employment opportunities during the Project's construction period. However, the employment opportunities provided by the construction of the Proposed Project would not likely result in household relocation by construction workers to the vicinity of the Project Site for

various reasons, including: 1) Construction employment has no regular place of business; rather construction workers commute to job sites that may change several times a year; 2) Many construction workers are highly specialized and move from job site to job site as dictated by the demand for their skills; and 3) The work requirements of most construction projects are also highly specialized, and workers are employed on a job site only as long as their skills are needed to complete a particular phase of the construction process. Additionally, construction workers would likely be drawn from the construction employment labor force already resident in the surrounding communities. It is not likely that construction workers would relocate their place of residence as a consequence of working on the Proposed Project. Since construction workers would not relocate to the area, such workers would not cause an increase population or housing. Overall, the construction of the Proposed Project would have a less-than-significant direct impact on housing and population growth.

Long Term Operational Impacts

Population

As the Project Site is currently developed with non-residential uses, increase in residential population represents a 100 percent increase in population and housing on the Project Site. The direct physical impacts resulting from this increase in population and housing are analyzed under each issue area throughout the Draft EIR (see Sections IV.A through IV.M). The increase in residential population resulting from implementation of the Proposed Project of 748 persons is considered minimal as it would represent approximately 8.8 percent of the anticipated population growth in Hollywood by 2010. This would not be a substantial increase, because the addition of 748 persons would be within the population projection in the Hollywood Community Plan. As a result, the development of the Proposed Project would not directly induce substantial residential population growth not planned or anticipated, and impacts relating to residential population would be less than significant.

Housing

The Proposed Project would add 437 housing units to the City's housing inventory. The Proposed Project's residential component would provide additional units to the City's housing stock. This increase represents approximately 7.5 percent of the projected housing growth within the Hollywood Community Plan area between 2005 and 2010. This would not be a substantial increase because it would not exceed the projected/planned levels for the year of project occupancy/buildout and therefore would not introduce unplanned infrastructure that was not previously evaluated in the adopted Community Plan or General Plan. As a result, the development of the Proposed Project would not directly induce substantial housing growth, and impacts relating to housing would be less than significant

Indirect Growth

Based on a ratio of approximately 2.3 persons per household,[2] the 416 net jobs generated by the Proposed Project would generate an additional 956 new residents. It can be assumed that these 956 individuals would either: (1) live in the residences of the Proposed Project; (2) already reside in Hollywood; (3) commute to Hollywood; or, (4)

[2] The Hollywood Community Plan has a total population of approximately 224,296 persons in 2005 and a total of 98,070 housing units. This equates to an average of approximately 2.3 persons per unit.

relocate to Hollywood. However, for a conservative analysis, it is assumed that all 956 individuals would be new to Hollywood, which represents approximately 11.3 percent of the overall population growth expected to occur in Hollywood between 2005 and 2010. The total Project population, including the residential component combined with the retail uses, 1,704 new residents, would constitute 20.1 percent of the Hollywood population growth expected by 2010. This is not considered to be a substantial increase as the Project's contribution to the growth does not exceed the population estimate for the Hollywood Community Plan by 2010. As such, the population growth associated with the Proposed Project has already been anticipated and planned for in the Hollywood Community Plan, and impacts would be less than significant.

The Proposed Project would not require the extension of roadways and other infrastructure (e.g., water facilities, sewer facilities, electricity transmission lines, natural gas lines, etc.) into undeveloped areas. Furthermore, the existing infrastructure in the Project area would serve the Proposed Project. As a result, the development of the Proposed Project would not indirectly induce substantial growth as a result of the extension of infrastructure, and the associated impact would be less than significant.

Housing or Population Displacement

The Project Site is currently developed but does not contain any housing or residents. The implementation of the Proposed Project would not displace any housing or people, necessitating the construction of replacement housing elsewhere. Therefore, no impacts with respect to housing or population displacement would occur.

8. Utilities and Service Systems

Wastewater

The Proposed Project is anticipated to generate a net increase of 81,308 gpd of wastewater. The existing sewer lines are not experiencing any problems or deficiencies and would be able to handle the additional flow of sewage from the Proposed Project. A disruption in sewer service in the Project area would not occur because there are existing 12-inch and 8-inch sewer lines in the vicinity of the Proposed Project. Sewage generated by the Proposed Project would continue to flow to the Hyperion Treatment Plant, which will have adequate capacity to accommodate the increase in sewage flow. In addition, in order to comply with the City's water conservation and sewer allocation ordinances, the Proposed Project's new commercial and residential development shall be equipped with water conservation devices (i.e., toilets, faucets, showerheads, etc.), which would help to reduce the amount of wastewater. The Proposed Project would not require or result in the construction of new wastewater treatment facilities or expansion of existing facilities. Therefore, the Proposed Project would have a less than significant impact upon sewer lines and services.

Energy Conservation - Natural Gas

The estimated net increase in natural gas consumption by the Proposed Project is approximately 79,347 cubic feet per day. According to the Southern California Gas Company, the existing natural gas mains in the Project area could accommodate the demand for natural gas of the Proposed Project. Because demand projected for the Proposed Project would not exceed available or planned supply, and new infrastructure would not be required to serve the Project Site, this impact would be less than significant.

Title 24 of the CCR established energy conservation standards for new construction, including residential and non-residential buildings. These standards relate to increased energy conservation standards for insulation, glazing, lighting, shading, and water and space heating systems in new construction. The Proposed Project would comply with the standards in Title 24 as they relate to the conservation of natural gas. Furthermore, the Proposed Project would use modern energy-efficient construction materials and otherwise comply with the State's energy conservation standards. Thus, the Proposed Project would not conflict with adopted energy conservation plans.

B. Impacts Determined To Be Potentially Significant, But Can Be Mitigated To Less Than Significant Levels.

1. Aesthetics Visual Resources

Significant Effects

The Project Site is located in the Hollywood area of the City of Los Angeles. There are no dominant physical features of the Project Site or immediate Project vicinity. There are no surface water features in the immediate area or open spaces such as parks or mountains. The neighborhood is within the flat areas of the Los Angeles Basin and the Santa Monica Mountains (Hollywood Hills) are approximately one to one and a half miles to the north.

The Project Site would be altered with implementation of the Proposed Project. The most notable visual change would be the replacement of the six single-story commercial/retail buildings on Site I with one large mixed-use structure with 8-stories above grade and one level of below grade retail and 3 levels of below grade parking, one with commercial/retail space level. The existing 4-story (3 above grade, 1 below grade) department store building currently occupied by Sears would remain. On Site II and Site III, a temporary trailer and surface parking lots would be replaced with a 4-story residential building on each site. In addition, all 18 trees on the Project Site would be removed. The Proposed Project would include a landscape plan that would include trees, shrubs, grass and hardscape patios, courtyards and planters.

Though the Project Site I buildings contribute to areas grouping of commercial/retail buildings, the surrounding area would continue to possess a significant concentration of buildings united aesthetically by their architecture and style. Therefore, demolition of these buildings would not significantly diminish the valued visual character or image of the neighborhood, and the impact of eliminating the Project Site buildings from the neighborhood would be less than significant.

Since the Project Site is located in an urban area, there is no concern regarding the placement of the proposed mixed-use complex and residential structures within a natural open space area. Therefore, the Project impact on grading of natural open space areas and placement of the proposed structure within open space areas is not significant.

The Proposed Project would be consistent with the design of existing buildings within the area. Further, the six single-story Site I Project buildings are in need of update and repair. It is possible that potential significant impacts may occur 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 would be mitigated with recommended Mitigation Measures. Implementation of the Proposed Project would

improve the aesthetic image of the neighborhood with a new, modern complex while evoking a unifying architectural style and elements of the area.

There are no known applicable design guidelines or criteria for multiple family residential developments under the Hollywood Redevelopment Plan. According to the Hollywood Community Plan, there is no Community Design Overlay for the Project Site and immediate area. Consequently, there are no corresponding design guidelines specifically oriented to the project neighborhood. Therefore, no impacts would occur to Applicable Guidelines and Regulations pertaining to design.

The prominent natural visual features in the Project area are the Santa Monica Mountains (Hollywood Hills), located approximately one mile to one and a half miles north of the Project Site. The Project Site is located in a highly urbanized area with no natural features on site or in the immediate area that would be considered prominent.

The Proposed Project Site I complex could be potentially visible from the 101 Freeway and Western Avenue (both approximately two blocks east of the Project Site) to the east and possibly from other streets such as Bronson Avenue to the west (approximately two blocks west of the Project Site). These views would not obstruct, totally block, partially interrupt or create a minor diminishment of a valued public view or provide a visual element that would considerably deter from a valued public view as there are no valued public views looking east and west. Therefore, the impact on the public view looking east and west would be less than significant.

None of the streets surrounding the Project Site are designated scenic highways or roadways. Therefore, the Project impact on a designated scenic highway is less than significant.

Views of the Santa Monica Mountains as seen from Santa Monica Boulevard are mostly blocked by existing Project Site buildings. The mountains can be viewed at one location along Site I of the Project Site, however, its brief for motorists who are focused on an east or west orientation. Though project implementation would create a minor diminishment in this view (of the Santa Monica Mountains), views are limited and intermittent and views of the mountains can be afforded in many other locations. Therefore, the impact on the view of the mountains from a public roadway looking north would be less than significant.

Implementation of the Proposed Project at Sites II and III would not obstruct or totally block existing views of the Santa Monica Mountains (Hollywood Hills) as viewed along St. Andrews Place. The existing view is partially interrupted by trees lining the street, intervening topography, and buildings which limit the views of the mountains afforded for motorists on St. Andrews Place traveling north. Therefore, the impact of the Proposed Project on this view from St Andrews Place would be less than significant. For motorists along Wilton Place, the Project Site buildings (Sites I, II and III) do not block existing views due to the proposed location of the structures, which would be to the east and views of the mountains are afforded to the north. Due to the project location, these views would not be blocked, partially interrupted or diminished by the Proposed Project. Views of the mountains from this public roadway would not be affected by Project implementation, and impacts would be less than significant.

Facts in Support of Findings

The project would not significantly diminish the valued visual character or image of the neighborhood and does not involve grading or removal of natural open space areas. Potentially significant impacts related to graffiti and accumulation of rubbish and debris along public rights-of-way would be less than significant with implementation of the recommended Mitigation Measures. Project impacts relative to blockage, partial interruption or minor diminishment of existing valued public views of natural features such as the Santa Monica Mountains would be less than significant.

Illumination/Glare

Significant Effects

Though Site I currently contains existing structures and surface parking areas lit at night, implementation of the Proposed Project would create additional sources of illumination on the Project Site, as the site would be built with more structures including a mix of retail, office and residential uses intensifying the uses currently on-site. In addition, uses on Sites II and III would also intensify from surface parking areas (containing light standards) with residential structures that would illuminate with additional lighting. Though the Proposed Project would increase ambient light levels on the Project Site and in the vicinity, the increase would be considered nominal, as the area is located in an urbanized location that is already illuminated at night. The streets are illuminated with lights and surrounding buildings emanate light with residential lighting and sources of artificial light from security lighting, as well as from automobiles. Consequently, the change in levels of ambient illumination as a result of Project implementation would be less than significant. In addition to increasing the ambient "glow" presently associated with urban settings and with this part of Los Angeles, Project-related light sources would likely spill over onto and potentially illuminate, off-site vantages, including adjacent streets and land uses. However, this spill is considered insignificant as the area is already illuminated with nighttime lighting sources. In addition, Mitigation Measures are recommended to ensure that spillover lighting does not cause a significant impact. Therefore, Project lighting affecting adjacent light-sensitive areas would be less than significant.

Building surfaces or glass windows have the potential to create glare, particularly during the early morning and later afternoon time periods. The Proposed Project would not include exterior materials that would create glare impacts. Compliance with the Los Angeles Municipal Code's reflective materials design standards (City Municipal Code Lighting Regulations, Chapter 9, Article 3, Section 93.0117), which limits reflective surface areas and the reflectivity of architectural materials used, would reduce any adverse impact from window glass glare. Implementation of the Project would therefore not produce glare which would create a visual nuisance, a hazard or result in differential warming of adjacent residential properties. The Project impact with regard to glare would be less than significant.

Facts in Support of Findings

Potentially significant impacts related to illumination and glare would be less than significant with implementation of code required Mitigation Measures. Project impacts relative to blockage, partial interruption or minor diminishment of existing valued public views of natural features such as the Santa Monica Mountains would be less than significant.

2. Cultural Resources

Significant Effects

Archaeological Resources

Surface examination often cannot reveal whether archeological resources are present at a specific project location. However, according to the records search conducted by the South Central Coastal Information Center, there are no identified prehistoric archaeological sites, prehistoric isolates, historic archaeological sites, or historic isolates within the boundaries of the Project Site. Thus, no evidence of archeological remains on the Project Site has ever been discovered, and excavation on site and development of the Project Site is not anticipated to affect archaeological resources. However, the Project Site has been developed with at-grade land uses since 1928, and it is difficult to know what lies beneath the ground surface. Even though the records search identified no known archaeological within a 0.5-mile radius of the Project Site, since no substantial excavation has ever occurred within the Project Site, impacts to archaeological resources could occur during excavation activities for proposed subterranean parking uses. In the event that archaeological resources are encountered during Project activities (e.g., demolition, excavation, etc.) mitigation measures have been provided to mitigate potential impacts. Therefore, with implementation of the mitigation measures, impacts to archaeological resources would be reduced to less than significant.

Paleontological Resources

Surface examination often cannot reveal whether paleontological resources are present at a specific project location. However, according to the records search conducted by the Natural History Museum of Los Angeles County, no identified vertebrate fossil localities lie directly within the Project Site boundaries. Thus, no evidence of paleontological resources on the Project Site has ever been discovered, and excavation on site and development of the Project Site is not anticipated to affect paleontological resources. However, the Project Site has been developed with at-grade land uses since 1928, and it is difficult to know what may lie beneath the ground surface. The records search identified known vertebrate fossil localities from older Quaternary sediments near the Project Site. Since the Project Site contains surficial sediments consisting of similar older Quaternary sediments, and since no substantial excavation has ever occurred within the Project Site, impacts to paleontological resources could occur during excavation activities for proposed subterranean parking uses. In the event that paleontological resources are encountered during Project activities (e.g., demolition, excavation, etc.), mitigation measures have been provided to mitigate potential impacts. Therefore, with the implementation of the mitigation measures, impacts to paleontological resources would be reduced to less than significant.

Facts in Support of Findings

Impacts of the Proposed Project on archaeological and paleontological resources would be mitigated to less-than-significant with implementation of the recommended Mitigation Measures.

3. Geology and Soils

Significant Effects

Geologic/Seismic Hazards

Implementation of the Proposed Project would increase the density of development and the human occupancy at the site, increasing the potential for damage or injury during a major earthquake. State mandatory mitigation of ground-shaking effects is provided through enforcement of structural and nonstructural seismic design provisions defined in the Uniform Building Code (UBC). Application of these design provisions to the Proposed Project will mitigate potential effects of ground shaking to a level considered less than significant.

The preliminary soils and engineering evaluation prepared by GEOCON, April 2005, identified that there is a low potential for liquefaction occurring on site due to the underlying soil deposits. The topography at the Proposed Project Site is relatively flat. The site is not located near any foothills or mountains, meaning that the possibility of landslides occurring on the Project Site minimal. Therefore, the potential impact associated with landslides would be less than significant.

The near-surface soils of the Proposed Project site consist primarily of fill, which will be excavated as part of project construction, while the remainder of on-site soils are interbedded, silty to clayey sand. With construction of the Proposed Project in accordance with the Los Angeles Building Code Chapter IX and the implementation of the recommendations in the Geotechnical Report, a less than significant impact associated with expansive soils would occur.

Facts in Support of Findings

The Proposed Project's impacts on geology and soils would be less than significant without mitigation. The implementation of the recommended Mitigation Measures would further reduce the Proposed Project's impacts.

4. Hazards and Hazardous Materials

Significant Effects

Accidental Explosion or Release of Hazardous Substances

Based on the nature of the automotive service business, the length of time in operation, the types of chemicals handled on site, and storage tanks used for the various chemicals, the potential exists for underlying soils to contain hydrocarbons. Due to the staining and chemical residue around and under the sink in the x-ray development room in the 5661 Santa Monica Boulevard location, the potential exists for the underlying soils to contain hazardous chemicals. Hydrocarbons and hazardous chemicals in soils present a potential significant impact to the environment as they can emit these pollutants into the air or surface water runoff when disturbed during construction activities. They could also leach into underground aquifers causing contamination to ground water supplies, and permanent damage to the aquifer. Soil sampling and analysis would be required to identify the presence of hydrocarbon or other hazardous chemicals in the soil. If contamination is present, the affected soils would need to be removed and disposed of according to the appropriate federal and State regulations. Once the affected soils are removed, the environmental impacts would be less than significant.

Facility Storage Tanks and Pipelines (above or below ground)

The 3-story (above grade) retail department store building contains one below grade basement level with one Above Ground Storage Tank (AST). The California Office of

Environmental Information maintains an inventory of registered Underground Storage Tanks (UST) and ASTs. The 3-story department store building was listed as containing one unknown UST. Two steel covered trenches were identified during the ESA that house piping extending from pumping equipment to the boilers.

Two subsurface structures were also identified in the basement level of the department store building. The structures were partially filled with water and are most likely associated with the sewer system. Construction plans reviewed by SECOR identified the structures as an ejector and blow off basin.

The building located at 5667 Santa Monica Boulevard (currently occupied by Sears Automotive Center) contains three ASTs, one suspected UST, and one multi-stage wastewater clarifier. One 1,000-gallon AST containing waste oil, and two 500-gallon ASTs containing product oil were observed. The condition of the ASTs and whether staining was observed from previous spills was not identified in the ESA report. One possible UST was observed by Altec to have been abandoned in place in the tire room. Information regarding this UST or the presence of any USTs, past or present, located at the site was not identified in LAFD records. One multi-stage wastewater clarifier was observed in the battery storage room. Provided the removal of ASTs and USTs from the Project Site follows the various required mitigations described below, hazardous materials impacts relative to ASTs and USTs would be less than significant.

Polychlorinated Biphenyls (PCBs)

Based on the age of the structures, the potential exists for the pad-mounted and pole-mounted transformers, and fluorescent light ballasts to contain PCBs. Exposure of workers and underlying soils to PCBs during the demolition of the Project Site structures would be a significant impact. A qualified PCB abatement contractor would be required to comply with applicable state and federal rules and regulations governing PCB removal and disposal. Provided that removal and disposal rules and regulations are followed, hazardous materials impacts caused by exposure to PCBs would be less than significant.

Asbestos-Containing Materials (ACMs)

Demolition of the five commercial buildings and associated asphalt-paved parking areas on site, which were built prior to the ban on use of asbestos as building insulation, could release asbestos-containing materials present in the structures. Exposure of workers to ACMs during demolition or renovation of the Project Site structures would be a significant impact. Prior to the demolition activities, a complete asbestos survey will be conducted to identify all sources of asbestos. This activity is required by the USEPA National Emission Standard for Hazardous Air Pollutants (NESHAP) regulation and the South Coast Air Quality Management District's (SCAQMD's) Rule 1403. Bulk samples of all materials which are suspected of containing asbestos will be collected and analyzed for asbestos content. In accordance with the EPA's NESHAP regulation and SCAQMD's Rule 1403, all materials, which are identified as ACMs would be removed by a trained and licensed asbestos abatement contractor. The asbestos removal operations would be conducted in accordance with CAL-OSHA Asbestos for the Construction Industry Standard, SCAQMD and EPA rules and regulations and industry standards. Provided the removal and disposal of ACMs from the Project Site follows the various required guidelines described above, hazardous materials impacts relative to exposure to asbestos would be less than significant.

Lead-Based Paint (LBP)

Based on the age of the structures, the potential exists for such structures to contain lead-based paint. A qualified lead-paint abatement consultant would be required to comply with applicable state and federal rules and regulations governing lead paint abatement. A qualified lead-paint abatement consultant would be required to comply with applicable state and federal rules and regulations governing lead paint abatement. Such regulations that would be followed during demolition include Construction Safety Orders 1532.1 (pertaining to lead) from Title 8 of the California Code of Regulations, and lead exposure guidelines provided by the U.S. Department of Housing and Urban Development (HUD). Provided that abatement rules and regulations are followed, hazardous materials impacts caused by exposure to lead-paint would be less than significant.

Operation

The Proposed Project is not anticipated to result in a substantial release of hazardous materials into the environment. The Project would utilize limited quantities of common cleaning and maintenance materials, which would be shipped, stored, used and disposed of in accordance with applicable statutes. All land uses and materials would be in accordance with City zoning and local, state, and federal regulations. Based on the amount stored, nature of packaging, materials involved, and the Proposed Project's required compliance with applicable regulations, the risk from use of these materials is considered to be low. Therefore, accidental conditions involving the release of hazardous materials into the environment during Project operation is considered to be less than significant.

Facts in Support of Findings

With implementation of the code required Mitigation Measures, project impacts associated with hazards and hazardous materials would be less than significant.

5. Hydrology and Water Quality

Significant Effects

Surface Water Quality

Project construction would involve a variety of construction materials that are potential sources of stormwater pollution, such as adhesives, cleaning agents, landscaping, plumbing, painting, heat/cooling, masonry materials, floor and wall coverings, and demolition debris. Construction material spills can also be a source of stormwater pollution and/or soil contamination. According to the Los Angeles City Bureau of Engineering, routine safety precautions for handling and storing toxic and hazardous materials, and maintaining construction equipment in proper working condition, may effectively control the potential pollution of stormwater by these materials. These same types of common sense, "good housekeeping" procedures can also be extended to non-hazardous stormwater pollutants such as sawdust and other solid wastes.
Construction silt washed from the project site by stormwater can be minimized by limiting the area of exposed soil, implementation of erosion control measures and dust suppression techniques such as watering or tarping. Erosion control devices, including temporary diversion dikes/berms, drainage swales and siltation basins, are typically required around construction areas to insure that sediment is trapped and properly removed. Also, construction activities must adhere to the relevant stormwater management regulations under Los Angeles County's NPDES Permit No. CA0061654. When properly designed and implemented, these Best Management Practices would ensure that short-term construction related water quality impacts are not significant.

Water Quality – Long Term Operational Impacts

Under existing conditions, runoff from the Project Site may contain urban pollutants such as automotive fluids, heavy metals and chemical constituents, fertilizers, pesticides and herbicides that could be discharged into the storm drainage system. Because there would be no substantial increase in runoff as a result of the project, urban contaminants that may be present in runoff from the site would not differ substantially in type or quantity than that which currently exists. The Proposed Project would be required to submit site drainage plans to the City Engineer and other responsible agencies for review and approval prior to development of any drainage improvements. Impacts to stormwater quality as a result of project implementation would be less than significant.

Groundwater

Construction

A Sample of the groundwater was investigated for contamination as construction dewatering activities during excavation for construction of the proposed subterranean parking structure. A permit to discharge the groundwater to a storm drain is required by the Los Angeles Regional Water Quality Control Board. One soil boring was advanced on the Site on November 14, 2005. The boring was located north of Santa Monica Boulevard and west of the existing 3-story (above grade) retail department store building (currently occupied by Sears). The soil boring was excavated to a total depth of 40 feet below ground surface. A temporary well was set within the boring. One groundwater sample was collected from the temporary well. After collection of the groundwater sample, the temporary well casing was removed from the boring and the boring was backfilled with cement grout and capped at the surface with asphalt.

Reported concentrations of metals cadmium, chromium, copper, nickel and zinc were detected. These concentrations were compared to the Screening Levels for General NPDES Permits. The Los Angeles River, the receiving water, via a storm drain, for the discharge form the Project Site, is designated as a groundwater recharge area by the California Regional Water Quality Control Board, Los Angeles Region (LARWQCB). The results were compared to the municipal and domestic supply and/or groundwater recharge beneficial use screening levels. The reported concentrations of metals cadmium, chromium, copper, nickel and zinc exceeded the screening levels concentrations. Therefore, it is likely that the LARWQCB will require treatment of the water, to remove the concentrations of metals exceeding the screening levels prior to discharge to a storm drain.

Operation

The Proposed Project would not contribute to groundwater depletion or interfere with groundwater recharge to an environmentally significant degree. The Proposed Project would not increase the amount of impervious surface area on the site, as currently the site is almost entirely covered with impermeable surfaces (e.g., structures, concrete, and asphalt). While the Proposed Project would replace retail uses with like uses, the construction of 437 residential units would result in an increase in water demand. However it is not anticipated that the added water demands of the project would exceed current supply (see Section IV.M.2 Utilities, Water). Therefore potential impacts to groundwater supplies or recharge would be less than significant.

Surface Water Hydrology

The Proposed Project would not increase total run-off from the project site since it would include approximately the same impervious and permeable surface ratios as existing conditions. Due to the urban setting of the site and surrounding area, the Proposed Project would not significantly change drainage patterns. Roof drains from the building as well as area drains from the landscaped areas around the building would be connected to an on-site underground drainage system. The proposed on-site storm drain system would deliver the peak run-off values not exceeding existing conditions. Therefore, Project-specific impacts associated with drainage and surface runoff and the potential for increased flooding would be less than significant.

Flooding

According to the Safety Element of the City General Plan, the Project Site lies within the area of potential inundation in the event of seismically induced or other failure of the Hollywood Reservoir, located to the northwest of the Project Site and operated by the Los Angeles Department of Water and Power (LADWP)[3]. However as the LADWP conducts daily surveillance and periodic safety inspections of all LADWP reservoirs and dam structures to ensure the safety of the structures and the water they contain, the sudden and catastrophic failure of the structure is considered remote. The City of Los Angeles Bureau of Engineering designates the Proposed Project Site as within the Flood Zone C.[4] According to Federal Emergency Management Agency (FEMA), Flood Zone C

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[3] *City of Los Angeles, Safety Element of the Los Angeles City General Plan, Exhibit G, Inundation & Tsunami Hazard Areas, March 1994.*

[4] *City of Los Angeles, Bureau of Engineering, Navigate LA, website: http://navigatela.lacity.org/floodgis/, November 23, 2005.*

describes flood insurance rate zones that are located outside of the 500-year floodplain, with minimal chance of flooding.[5] Furthermore, the Project Site is located in a dense urban area that is completely surrounded by existing urban uses. Development of the Proposed Project would not introduce persons or structures into an area where they might be subject to flood hazards not previously experienced. In addition, implementation of the Proposed Project would not place structures, which would impede or redirect flood flows. Therefore, flooding impacts as a result of project implementation would be less than significant.

A seiche is an oscillation of a body of water in an enclosed or semi-enclosed basin, such as a reservoir, lake or storage tank. Although the Proposed Project Site is located near the Hollywood Reservoir water storage facility, according to the LADWP no seiche at a LADWP facility has ever been recorded, even during the 1994 Northridge earthquake and the LADWP does not consider seiches to be a potentially significant hazard. The Proposed Project Site is not located proximate to coastal waters, and as such is not susceptible to tsunami (seismically induced tidal wave) hazards. The topography of Proposed Project Site and surrounding area is fully developed and generally flat, therefore there would be no risk of mudflows affecting the Proposed Project Site and impacts would be less than significant.

Facts in Support of Findings

No significant hydrology-related impacts are anticipated. Compliance with the Mitigation Measures and requirements of NPDES Permit No. CA0061654 would ensure that the Proposed Project does not create any significant water quality impacts .

6. Noise

Significant Effects

Construction-Related Noise

Project development would require the use of heavy equipment for ground clearing, site grading, roadway construction, and building construction. Development activities would also involve the use of smaller power tools, generators, and other sources of noise. During each stage of development, there would be a different mix of equipment operating and noise levels would vary based on the amount of equipment in operation and the location of the activity.

The U.S. Environmental Protection Agency (EPA) has compiled data regarding the noise generating characteristics of specific types of construction equipment and typical construction activities. These noise levels would diminish rapidly with distance from the construction site at a rate of approximately 6 dBA per doubling of distance. For example, a noise level of 84 dBA measured at 50 feet from the noise source to the receptor would reduce to 78 dBA at 100 feet from the source to the receptor, and reduce by another 6 dBA to 72 dBA at 200 feet from the source to the receptor.

During construction, three basic types of activities would be expected to occur and generate emissions. First, the existing structures would be demolished and the surface parking lots would be removed. Second, the development sites would be prepared,

[5] Federal Emergency Management Agency (FEMA), Flood Hazard Mapping, Frequently Asked Questions, website: http://www.fema.gov/fhm/fq_term.shtm, November 23, 2005.

excavated, and graded to accommodate the subterranean parking structures and building foundations. Finally, the new parking structures and buildings would be constructed and readied for use.

Section 41.40 of the Los Angeles Municipal Code regulates noise from demolition and construction activities. Exterior demolition and construction activities that generate noise would be prohibited between the hours of 9:00 PM and 7:00 AM Monday through Friday, and between 6:00 PM and 8:00 AM on Saturday night through Sunday morning in accordance with Section 41.40 of the Los Angeles Municipal Code. Demolition and construction would not occur on Sundays and all federal holidays. Therefore, they would not occur during recognized sleep hours for residences. These restrictions would reduce the potential construction-related impact to less-than significant levels for nearby residents.

Operational Noise Levels –Locations On Site

Future noise levels at the proposed Project site would continue to be dominated by vehicular traffic on Santa Monica Boulevard and Wilton Place. Exterior-to-interior reduction of newer residential units is generally 30 dBA or more. With this assumption, future exterior and interior noise levels associated with roadway traffic would not exceed City standards at the Project Site. Noise levels at the buildings at Site I, Site II, and Site III facing Virginia Avenue and St. Andrews Place would be lower due to roadway traffic volumes that are lower than Santa Monica Boulevard and Wilton Place. This would be a less-than-significant impact.

New stationary sources of noise, such as rooftop mechanical heating, ventilation, and air conditioning (HVAC) equipment would be installed at the proposed buildings. This equipment would be shielded and appropriate noise muffling devices installed to reduce noise levels that affect nearby noise-sensitive uses. The shielding installed around the new equipment reduces these noise levels by around 15 dBA. These noise levels would not exceed the City's exterior noise standards.

Potentially significant environmental impacts may result from project implementation due to noise from cars using parking ramps on Sites I, II and III. However, the potentially significant impacts will be mitigated to less than significant with implementation of recommended Mitigation Measures.

Operational Noise Levels –Locations Off Site

Locations in the vicinity of the Proposed Project Site could experience slight changes in noise levels as a result of an increase in the on-site population and resulting increase in motor vehicle trips. The changes in future noise levels associated with the Proposed Project at locations along the roadway segments in the Project vicinity are identified in Section IV.I, Noise, Table IV.I-9.
As shown, the Proposed Project would increase local noise levels by a maximum of 0.2 dBA CNEL, which is inaudible/imperceptible to most people and would not exceed the identified thresholds of significance.

New HVAC equipment would be installed at the proposed buildings. This equipment would be shielded and appropriate noise muffling devices installed to reduce noise levels that affect nearby noise-sensitive uses. The type of HVAC equipment currently installed on new multi-family buildings generates noise levels that average around 66 dBA L_{eq} on the air inlet side and 62 dBA L_{eq} on the other sides when measured at 50 feet

from the source. The shielding installed around the new equipment reduces these noise levels by around 15 dBA. Because existing daytime noise levels at the nearby buildings currently average between 56 and 69 dBA L_{eq}, the resulting equipment noise levels of less than 51 dBA L_{eq} at nearby buildings would not cause a substantial permanent increase in noise levels of 5 dBA CNEL or more.

Based on this information, implementation of the Proposed Project would not result in a substantial permanent increase in ambient noise levels above existing ambient noise levels without the project. This is a less-than-significant impact.

Operational Groundborne Vibration

When the Proposed Project is completed and operational, background vibration levels would be expected to average around 50 VdB, as discussed previously in this EIR section. This is substantially less than the 80 VdB threshold for residential buildings. Therefore, this would be a less-than-significant impact regarding the exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels.

Facts in Support of Findings

With the successful implementation of the recommended mitigation measures, the noise levels associated with Project construction and operation activities would be less than significant.

7. Public Services

Fire Protection

Significant Effects

Short-Term Construction Impacts

Removal of the existing commercial/retail building and construction of the Proposed Project would increase the potential for accidental onsite fires from such sources as the operation of mechanical equipment, use of flammable construction materials, and from carelessly discarded cigarettes. In most cases, the implementation of "good housekeeping" procedures by the construction contractors and the work crews would minimize these hazards. Good housekeeping procedures that would be implemented during demolition and construction of the Proposed Project include: the maintenance of mechanical equipment in good operating condition; careful storage of flammable materials in appropriate containers; and the immediate and complete cleanup of spills of flammable materials when they occur

Construction activities also have the potential to affect fire protection services, such as emergency vehicle response times, by adding construction traffic to the street network and by partial lane closures during street improvements and utility installations. These impacts, while potentially adverse, are considered to be less than significant for the following reasons:

(1) Construction impacts are temporary in nature and do not cause lasting effects; and
(2) Partial lane closures would not greatly affect emergency vehicles, the drivers of

which normally have a variety of options for avoiding traffic, such as using their sirens to clear a path of travel or driving in the lanes of opposing traffic. Additionally, if there are partial closures to streets surrounding the Project Site, flagmen would be used to facilitate the traffic flow until construction is complete.

Project construction would not be expected to tax fire fighting and emergency services to the extent that there would be a need for new or expanded fire facilities, in order to maintain acceptable service ratios, response times, or other performance objectives of the LAFD. Therefore, construction-related impacts to fire protection services would be less than significant.

Long-Term Operational Impacts

The Proposed Project would introduce 748 new residents to the Project Site. In addition, the number of employees and customers (i.e., non-residents) visiting the Proposed Project on a daily basis is anticipated to be greater than that associated with the current commercial/retail use when it is fully operational. Thus, an increase in the demand for fire protection services is anticipated. However, the LAFD has indicated that staffing and resources are adequate to meet the Project area's proposed demand for fire and emergency services.[6] The following discussion analyzes the major criteria for determining the Proposed Project's impacts to fire protection services, including response distance, emergency access/evacuation, and fire flows.

Response Distance

As previously mentioned, the Project Site is within a 0.7-mile radius of a LAFD fire station housing a Fire Engine Company and Paramedic Rescue Ambulance Company. In addition, the Project Site is within a 1.2-mile radius of a LAFD fire station housing another Fire Engine Company and Paramedic Rescue Ambulance Company. Furthermore, the Project Site is within approximately 1.4 miles of a third fire station that houses a Light Force (Fire Truck and Engine Company), Fire Engine Company, and Paramedic Rescue Ambulance Company and could provide supplemental fire protection services. The response distance from these fire stations meets L.A.M.C recommendations; however, the proposed commercial and residential structures would be recommended to be equipped with automatic fire sprinkler systems and any other fire protection devices deemed necessary by the Fire Chief (e.g., fire signaling systems, fire extinguishers, smoke removal systems, etc.). Therefore, with implementation of such fire protection devices and the Project Site's proximity to three well-quipped fire stations, fire protection response would be considered adequate with respect to response distance.

Emergency Access

With the implementation of recommended mitigation measures, traffic impacts during operation of the Proposed Project would not result in a significant impact on any nearby roadways or intersections, which could thereby impede emergency access. The Proposed Project would not involve any other activities during its operational phase that could impede public access or travel upon public rights-of-way or would interfere with an adopted emergency response or evacuation plan. Furthermore, implementation of Mitigation Measures would ensure that emergency access to the project site would be sufficient and, thus, would not require the construction or expansion of fire stations or other fire protection facilities.

[6] Written correspondence from Captain William Wells, City of Los Angeles Fire Department, October 20, 2005.

Fire Flows

As determined by the LAFD, the overall fire flow requirement for the Proposed Project is 4,000 gpm from 4 fire hydrants flowing simultaneously with a 20 PSI minimum residual pressure.[7] Currently, water pressure and availability in the Project area are expected to be sufficient to meet the existing LAFD's fire flow requirements.

The Water Operations Division of the DWP would perform a fire flow study at the time of permit review in order to ascertain whether further water system or site-specific improvements would be necessary. Hydrants, water lines, and water tanks would be installed per Fire Code requirements and would be based upon the specific land uses of the Proposed Project. Therefore, with respect to fire flows, fire protection would be adequate.

LAFD Review

Based on the existing staffing levels, equipment, facilities, and most importantly, response distance from existing stations, it is expected that the LAFD could accommodate the Proposed Project's demand for fire protection service.[8] Therefore, the Proposed Project would not necessitate the construction or expansion of a fire station to maintain acceptable service ratios, response times, or other performance objectives of the LAFD, and a less-than-significant impact would occur.

Facts in Support of Findings

The Proposed Project's impacts on fire protection services would be less than significant without mitigation. The implementation of the recommended Mitigation Measures would further reduce the Proposed Project's less-than-significant impacts.

Police Protection

Significant Effects

Short-Term Construction Impacts

Construction sites can be sources of attractive nuisances, providing hazards, and inviting theft and vandalism. Therefore, when not properly secured, construction sites can become a distraction for local law enforcement from more pressing matters that require their attention. Consequently, developers typically take precautions to prevent trespassing through construction sites. Most commonly, temporary fencing is installed around the construction site to keep out the curious. Deployment of roving security guards is also an effective strategy in preventing problems from developing. When precautions are taken, as recommended in the Mitigation Measures, there is less need for local law enforcement at the construction site. Therefore, the Proposed Project's construction-related impacts to police protection services would be less than significant.

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7 *Written correspondence from Douglas Barry, Assistant Fire Marshal, Los Angeles Fire Department, November 30, 2005.*

8 *Written correspondence from Captain William Wells, Los Angeles Fire Department, October 6, 2005.*

Long-Term Operational Impacts

The Proposed Project would introduce 748 new residents to the Project Site. In addition, the number of employees and customers (i.e., non-residents) visiting the Proposed Project on a daily basis is anticipated to be greater than that associated with the current commercial/retail use when it is fully operational. Thus, an increase in the demand for police protection services is anticipated. According to the Draft L.A. CEQA Thresholds Guide, police protection population is calculated according to the amount of square footage associated with a certain land use. The Proposed Project is estimated to generate a total of 1,442 persons (includes Project residents and employees) that would require police protection services. However, considering the police service population generation of the existing commercial/retail uses on the Project Site, the Proposed Project would result in a net increase of 1,442 persons that would require police protection services.

While there is not a directly proportional relationship between increases in land use activity and increases in demand for police protection services, the number of request for assistance calls for police response to retail burglaries, vehicle burglaries, damage to vehicles, traffic-related incidents, and crimes against persons would be anticipated to increase with the increase in onsite activity and increased traffic on adjacent streets and arterials. However, such calls are typical of problems experienced in existing commercial and residential neighborhoods in the project area and do not represent unique law enforcement issues specific to the Proposed Project.

The Proposed Project would include adequate and strategically positioned functional and thematic lighting to enhance public safety. Visually obstructed and infrequently accessed "dead zones" would be limited, and security would be deployed on the site. The building and layout design of the Proposed Project would also include crime prevention features, such as nighttime security lighting, full-time onsite professional security, building security systems, secure parking facilities, and any other security features recommended by the LAPD. In addition, the continuous visible and non-visible presence of residents, employees, and customers at all times of the day would provide a sense of security during evening and early morning hours. The LAPD has stated that the Hollywood Community Police Station is staffed and equipped to provide full service to the Hollywood area, which includes the Project Site, and that the Proposed Project would not result in the need for construction or expansion of police stations or other police protection facilities.[9]

With the development of the Proposed Project, the 1,442-person net increase (748 population; 694 employees) in persons at the Project Site is anticipated to require an increase in police protection services (i.e., 2 additional officers)[10] in order to maintain the current officer to civilian ratio. However, the number of police officers assigned to any of LAPD's geographical police stations is based on the workload, not the population.[11] In addition, as previously stated, the current staff level of the existing Hollywood Community Police Station is adequate to effectively serve the project area, which includes the Project Site. Furthermore, the addition of 2 officers to the Hollywood Division would not require the construction of new police facilities. As such, no new or expanded police stations would be needed as a result of the Proposed Project, and there would be no long-term operational impacts to police protection services.

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9 Written correspondence from Captain James Cansler, Los Angeles Police Department, October 25, 2005.

10 Based upon the LAPD officer per population ratio of 1 officer for every 615 civilians.

11 Written correspondence from Captain James Cansler, Los Angeles Police Department, October 25, 2005.

Facts in Support of Findings

The Proposed Project's impacts on police protection services would be less than significant without mitigation. The implementation of the recommended Mitigation Measures would further reduce the Proposed Project's less-than-significant impacts.

Schools

Based on LAUSD student generation rates, the Proposed Project would generate a net increase of approximately 97 elementary students, 45 middle school students, and 44 high school students. Assuming the most conservative estimate, it is assumed that all of the students projected to be generated by the Proposed Project are not currently enrolled in the LAUSD schools near the Project Site and would be enrolled upon relocation to the Project Site. While the Proposed Project would slightly increase the enrollment of Le Conte Middle School and Hollywood High School, which is expected to already be operating over capacity by the 2010-2011 school year, the middle and high school level students generated by the Proposed Project would not be expected to generate the specific need for a new or expanded school. This is partially attributed to the fact that there are several new or expanded schools that are currently under construction or have had sites selected in the Project area. Furthermore, implementation Mitigation Measures would require the mandatory payment of school fees by the Applicant in conformance with SB 50, and in accordance with SB 50, payment of school fees is deemed to provide full and complete mitigation to impacts on schools pursuant CEQA. Thus, implementation of the recommended Mitigation Measure would ensure a less-than-significant project impact on schools.

Facts in Support of Findings

The Proposed Project's impact to schools would be reduced to a less-than-significant level with the implementation of the recommended Mitigation Measure.

Parks

Construction Impacts

As the Proposed Project would contribute 748 residents to the City's population, the Proposed Project is required to construct recreational facilities or pay applicable park/recreation fees. However, the Proposed Project does not entail the construction of any public park or recreational facilities. Thus, the Proposed Project would have no environmental impacts related to the construction of park and recreational facilities.

Operational Impacts

Typically, residential developments have the greatest potential to result in impacts to parks and recreation facilities. This is a result of residential developments generating a permanent increase in the population. The Proposed Project would result in a net increase of approximately 748 permanent residents to the site. This net Project population increase would generate additional demand for recreation and park services when the Project is complete. Applying the long range planning goal in the Public Recreation Plan of four acres of parkland per 1,000 residents, the additional residents

created by the Project would demand an equivalent of 2.99 acres of recreational space and uses.

The parkland to resident ratio for both the Hollywood Community Plan Area and the City of Los Angeles falls below the City's preferred standard of 4 acres per 1,000 residents at 0.41 and 0.70 acres per 1,000 residents, respectively. The flat portions of the Hollywood CPA is completely urbanized and built out with commercial and residential uses. The Los Angeles Department of Recreation and Parks (LARDP) does not at this time have any specific projects to develop new, or expand, existing parks in the Project area.

With the lack of, and opportunities for, new and/or expanded park projects on the planning horizon, current and future residents would continue to utilize existing LARDP facilities for recreation. Further, residents would need to seek out other opportunities such as privately owned and operated gymnasiums, swimming pools, golf courses, etc. to supplement recreational activities.

As identified above, the net increase in population for the Project Site would result in a demand equivalent to approximately 2.99 acres (or 130,244 square feet) of recreational opportunities. The Project is designed to include passive and active recreational opportunities for its residents. The Project's courtyards, swimming pool area and landscape areas would provide a total of approximately 57,860 square feet (approximately 1.2 acres) of common space. In addition, the Project would be required to pay fees to the City of Los Angeles Department of Building and Safety per dwelling unit in accordance with the Dwelling Unit Construction Tax requirements of Los Angeles Municipal Code Section 21.10.3.(b) to reduce impacts to parks and recreational uses. Based on the incorporation of on-site recreational amenities and the payment of the Dwelling Unit Construction Tax, demand for park recreation services generated by the Proposed Project would not be anticipated to exceed expected levels of service. For these reasons, the Project's impact on park and recreational uses within the Hollywood Community Plan area would be less than significant.

Facts in Support of Findings

The Proposed Project's impact to parks and recreational facilities would be reduced to a less-than-significant level with the implementation of the recommended Mitigation Measures.

Libraries

Development of the Proposed Project would increase the demand for library services in the area, with the addition of 748 new permanent residents. The Proposed Project would also result in a net increase of 694 employees; however, in general, employees of commercial sites are not likely to patronize libraries during working hours, as they are more likely to use libraries near their homes during non-work hours. Therefore, based on the State of California standards, the Proposed Project would generate need for 374 square feet (748 x 0.5) of library space and 1,496 (748 x 2) volumes of permanent collection.

The Cahuenga Branch does not currently meet the demand of the surrounding community, as its size is smaller than that required by the Los Angeles Public Library Branch Facilities Plan.[12] In addition, this library would be affected by the development of

12 Written correspondence from Rona Berns, Los Angeles Public Library, Library Facilities Division, November 10, 2005.

the Proposed Project, as it would result in the need for additional library facility space and permanent collection. As the Proposed Project would contribute new permanent population to the City and further increase demands on the currently inadequate Cahuenga Branch Library, the payment of library fees to the City would be required by the recommended Mitigation Measure. Thus, with implementation of the identified mitigation, the Proposed Project would have a less than significant impact related to library facilities.

Facts in Support of Findings

The Proposed Project's impact to library facilities would be reduced to a less-than-significant level with the implementation of the recommended Mitigation Measure.

8. Transportation and Traffic

Significant Effects

Construction

Potential traffic impacts from the demolition and excavation phases of the Project were examined. Based on the current Project design and existing site improvements, it is estimated that the demolition phase of the Project would require approximately 45 calendar days to complete. Demolition of the existing structures and parking areas would result in approximately 3,200 cubic yards of concrete, asphalt, and brick material to be removed from the site. An additional 600 tons of other debris generated by the demolition of the existing facilities would also be produced. Haul trucks will consist of three low-sided dump trucks, and two high-sided dump trucks. These trucks have a capacity of approximately 10 cubic yards of concrete, asphalt, or brick material, or approximately 19 tons of debris material each. Therefore, the demolition activities will result in a total of approximately 320 truckloads of concrete, asphalt, and brick materials, and 32 truckloads of debris.

For purposes of analysis, it is assumed that each haul truck (dump truck) is the equivalent of 2.0 passenger vehicles, due to their size and operational characteristics. Based on these assumptions, the demolition phase would result in 10 outbound pce trips (eight trips to the reclamation landfill, two pce trips to the transfer station). During the PM peak hour, a total of 10 inbound and 10 outbound pce trips would travel between the freeway and the site.

Additionally, the demolition phase would include a total of two equipment operators and four laborers at the Project Site. Assuming conservatively that each of these individuals drive separately to the Project Site in the morning, and leaves alone at the end of the workday, this would produce an additional six inbound trips in the morning (for a total of six inbound and 10 outbound pce trips), and six additional outbound trips in the evening (for a total of 10 inbound and 16 outbound pce trips). This amount of demolition traffic is not anticipated to result in significant impacts at any of the study intersections, street segments, or freeway facilities and impacts would be less than significant. However, environmental impacts on pedestrians and vehicles may result from project implementation due to haul routes. These potentially significant impacts will be mitigated to less than significant with implementation of recommended Mitigation Measures.

Excavation Phase

The excavation phase of the Project would entail the removal of approximately 300,000 cubic yards of earth from the site. This would be accomplished over an approximately 4 and one-half month period using approximately 50 14-cubic yard bottom dump semi-trailer trucks. The excavation phase would include a total of five equipment operators and six laborers at the site. Assuming conservatively that each of these individuals drives separately to the Project Site in the morning, and leaves alone at the end of the workday, this would produce an additional 11 inbound trips in the morning (for a total of 11 inbound and 83 outbound pce trips), and 11 additional outbound trips in the evening (for a total of 72 inbound and 83 outbound pce trips). This amount of excavation traffic is substantially higher than that anticipated for the demolition phase, and as a result, a supplemental traffic impact analysis was performed to identify whether the excavation hauling activity would produce any significant traffic impacts at the four study intersections along the proposed haul route between the project site and the Hollywood Freeway.

Excavation haul traffic would not have any significant impacts during the AM peak hour. However, during the PM peak hour, a temporary but significant traffic impact could result at the intersection of Santa Monica Boulevard and Western Avenue due to excavation haul truck activity. This impact would be limited in duration to the four and one-half months needed to complete the excavation of the site, and would disappear following this period.

Mitigation measures for this excavation phase impact would consist primarily of limiting peak hour haul truck traffic to the extent feasible, and encouraging worker carpools or vanpools to reduce the number of worker trips to and from the site. However, it is expected that, even with these measures, the excavation phase traffic impacts from the Project would be significant and unavoidable, although these impacts would also be transient, and would diminish and disappear as the Project's excavation phase is completed.

Operation

Project Intersection Impacts

The City of Los Angeles defines a significant traffic impact based on a "stepped scale", with intersections at high volume –to-capacity ratios being more sensitive to additional traffic than those operating with available surplus capacity. A significant impact is identified as an increase in the Critical Movement Analysis (CMA) value of 0.010 or more, where the final ("With Project") Level of Service (LOS) is E or F; a CMA increase of 0.020 or more where the final LOS is D, or a CMA increase of 0.040 or more when the final LOS is C. No significant impacts are deemed to occur at LOS A or B, as these operating conditions exhibit sufficient surplus capacities to accommodate large traffic increases with little effect on traffic flows. The traffic conditions were evaluated at 20 study intersections that were selected in conjunction with the LADOT in the vicinity of the Project. These intersections included:

1. Sunset Boulevard & Van Ness Avenue
2. Sunset Boulevard & Wilton Place
3. Sunset Boulevard & Western Avenue
4. Fountain Avenue & Wilton Place
5. Hollywood Freeway NB On-Ramp & Western Avenue*

6. Lexington Avenue & Wilton Place
7. Lexington Avenue & St. Andrews Place**
8. Lexington Avenue & Western Avenue
9. Santa Monica Boulevard & Gower Street***
10. Santa Monica Boulevard & Bronson Avenue
11. Santa Monica Boulevard & Wilton Place
12. Santa Monica Boulevard & Western Avenue
13. Santa Monica Boulevard & Oxford Avenue/Hollywood Freeway SB On-Ramp
14. Santa Monica Boulevard & Serrano Avenue/Hollywood Freeway NB Off-Ramp
15. Santa Monica Boulevard & Normandie Avenue
16. Romaine Street & Western Avenue
17. Lemon Grove Avenue & Wilton Place
18. Lemon Grove Avenue & Western Avenue
19. Melrose Avenue & Wilton Place
20. Melrose Avenue & Western Avenue

* uncontrolled intersection
** all-way STOP-sign controlled intersection
*** two-way STOP-sign controlled intersection

Nine of the study intersections will continue to operate at good levels of service (LOS A through LOS C) in the future year 2010, both with and without the Project. Future (2010) conditions at the intersections of Sunset Boulevard/Wilton Place and Santa Monica Boulevard/Normandie Avenue are forecast to operate at LOS C during the morning peak hour and LOS D during the P.M. peak hour. The intersections of Sunset Boulevard/Van Ness Avenue and Melrose Avenue/Wilton Place are forecast to operate at LOS D during both peak hours, both without and with the Project. The remaining study intersections are expected to operate at LOS E and/or LOS F during both peak hours.

Although the addition of Project traffic will increase the CMA or delay value at all of the study intersections during both peak hours, the incremental Project traffic additions will result in a change in level of service at only two of the study intersections. Prior to the addition of Project traffic, the intersection of Santa Monica Boulevard/Gower Street is expected to operate at LOS E during both peak hours. With the addition of Project traffic, this intersection is expected to operate at LOS F during the P.M. peak hour. The intersection of Santa Monica Boulevard/Wilton Place, immediately adjacent to the Project, is forecast to operate at LOS C for the Future (2010) Without Project condition. With the addition of Project traffic, this intersection is expected to operate at LOS D during both peak hours.

The Proposed Project would significantly impact the following five study intersections:

5. Hollywood Freeway NB On-Ramp & Western Avenue
8. Santa Monica Boulevard & Gower Street
10. Santa Monica Boulevard & Wilton Place
11. Santa Monica Boulevard & Western Avenue
19. Melrose Avenue & Western Avenue

Therefore, traffic impacts associated with the Proposed Project would be potentially significant. However, with the implementation of the mitigation measures listed below, impacts would be reduced to less than significant.

Neighborhood Traffic Impacts

The Proposed Project is expected to result in significant traffic impacts to five intersections in the Project vicinity. These intersections are located along the Major and Secondary Highways providing the primary access routes to and from the Proposed Project, and would therefore be expected to carry the majority of the development's new traffic. However, as described earlier in this report, most of the street system immediately surrounding the Project Site is generally comprised of local residential streets. Despite the removal of the existing commercial development on the Project Site, the Project is expected to increase the amount of trips to and from the site by approximately 6,734 net new trips per day. It is possible that Project-related traffic traveling to and from the site could utilize local residential streets as access routes to avoid congestion on the primary travel routes, and thus could disrupt neighborhood traffic.

To evaluate the potential for future Project traffic impacts on the area neighborhood streets, an additional analysis was conducted to evaluate the effects of Project-related traffic increases on Wilton Place and St. Andrews Place north of the Project Site, on Virginia Avenue adjacent to the Project Site, and on Lexington Avenue north of the site.

Neighborhood traffic impacts, unlike the intersection analyses, are based on daily traffic volumes. City of Los Angeles guidelines for the evaluation of project traffic impacts on local streets utilizes a variable scale to determine the significance of potential traffic additions. Impacts are evaluated based on the project's traffic percentage of the total future (With Project) average daily traffic (ADT) volumes.

In order to determine the potential impacts of the Project on the neighborhood, a total of seven residential street locations were examined. Neighborhood traffic impacts were evaluated for Wilton Place between Virginia Avenue and Lexington Avenue, and for north of Lexington Avenue; for St. Andrews Place between Virginia Avenue and Lexington Avenue; for Virginia Avenue adjacent to the Project Site and between St. Andrews Place and Western Avenue; and on Lexington Avenue between Wilton Place and St. Andrews Place, and between St. Andrews Place and the Hollywood Freeway (US-101) southbound off-ramp. These locations are along the residential streets that would most likely to be affected by Project traffic.

New 24-hour traffic counts were performed for the two street segments to establish existing conditions. Future traffic volumes for these facilities were estimated using the same procedures and assumptions described previously in the development of future intersection volumes. These future traffic estimates included both ambient traffic growth and "related project" traffic. Finally, Project traffic volumes, including the removal of existing traffic from the commercial developments on the site, were added, and the incremental effects of that traffic calculated.

The Proposed Project could produce significant traffic impacts on four of the seven residential street segments analyzed, although the largest impacts will occur on the street segments located immediately adjacent to the Project Site. The locations of the residential street impacts are listed below.

- Virginia Avenue, east of Wilton Place
- Virginia Avenue, west of Western Avenue
- St. Andrews Place, south of Lexington Avenue
- Lexington Avenue, west of Hollywood Freeway (US-101) SB Off-Ramp

Mitigation measures to address these significant impacts are difficult to assess. Although this component of the Project is expected to increase the number of vehicles traveling on the nearby residential streets during the day, these vehicles will be residential-oriented automobiles that have the right to use the residential streets within their own community, rather than being larger commercial trucks or other vehicles associated with the commercial components of the development. Additionally, although not specifically identified in the Project traffic analysis, many additional vehicles on the nearby residential streets will be generated by residents of those communities themselves, as they take advantage of the services and amenities provided by the Proposed Project. These types of trips would not reasonably be considered new traffic in a residential area, although it is identified as such as part of this conservative impact analysis. Additionally, the Project's retail components are intended to serve the local community, and are not anticipated to add substantially to the traffic levels on the nearby residential streets. The residents of the residential component of the Project will likely have to travel to and from work, most likely utilizing the nearby Hollywood Freeway along Lexington Avenue and St. Andrews Place, and beginning the commute from the Project residential driveways on Virginia Avenue. This would affect the three street segments potentially impacted by the Project.

Despite these factors, and the fact that actual neighborhood impacts are expected to be substantially less than are indicated in the preceding analysis, it is recommended that the Project developer provide funding for the development and implementation of a meaningful neighborhood traffic management program. This program would be developed jointly by LADOT and representatives of the homeowners associations surrounding the Project Site, and could include, but not be limited to, installation of additional STOP signs or speed humps to reduce travel speeds on these local streets, chokers or diverters to channel traffic, turn restrictions, or even cul-de-sacs. Other measures, including funding of the design for a new traffic signal at the Project-adjacent intersection of Wilton Place and Virginia Avenue, for City installation should it meet the appropriate warrants, could also be included. The amount of the fund will be determined by LADOT as appropriate to provide adequate measures to achieve the neighborhood traffic management goals identified above.

Future Freeway Conditions

A review of the Project vicinity indicates that nearest Congestion Management Program (CMP) intersections are located on Santa Monica Boulevard at Western Avenue and at Santa Monica Boulevard at Highland Avenue. However, the Project would not add 50 or more new trips to these CMP intersections. Thus, no additional CMA analysis is required at these CMP intersections. In addition, the Project would not add more than 150 new trips to any freeway segment in the study area. Therefore, no additional freeway segment analysis is required.

Parking and Access

The City of Los Angeles Municipal Code specifies parking requirements for new developments. Commercial uses (office, retail) within the Redevelopment Area provide a minimum of two parking spaces per 1,000 square feet of floor area. The following ratios apply to the development of residential uses:

- One parking space per unit for each unit with less than three habitable rooms.
- One and one-half parking spaces for each unit with three habitable rooms.
- Two parking spaces for each unit with more than three habitable rooms. (L.A.M.C §12.21.A.4(a))

Habitable rooms are defined by the L.A.M.C as any interior space, over 50 square feet, of a residential dwelling unit, not including lobbies, closets, hallways, bathrooms, or storage areas (L.A.M.C §12.03). Based on these requirements, the Proposed Project must provide 1,339 parking spaces for Site I, 36 for Site II, and 57 for Site III to meet the L.A.M.C requirements.
As part of the Proposed Project, a multi-level subterranean parking garage will be constructed beneath Site I. This parking garage will provide a total of 844 parking spaces exclusively for the residential use and 827 spaces for the retail/restaurant use, for a total parking supply of 1,671 spaces for Site I. As part of the Proposed Project, a single-level subterranean parking garage with 54 spaces will be constructed beneath Site II and a single-level subterranean parking garage with 86 spaces will be constructed beneath Site III. The Proposed Project would provide a total of 1,811 parking spaces. Therefore, parking demand would not exceed the amount of parking provided by the Project, and the Project would help relieve existing on-street parking demand. As such, no parking deficiency is anticipated and parking impacts associated with the Proposed Project would be less than significant.

Project access will be provided via driveways on Virginia Avenue, Wilton Place, and Saint Andrews Place. There will be no Project driveway on Santa Monica Boulevard. The Project driveway on Virginia Avenue, approximately 140 feet east of Wilton Place, will provide access to resident-only parking for Site I. Driveways on Wilton Place and Saint Andrews Place will provide access to parking for the Project retail/restaurant uses. Access to the site's loading docks will also be located on Wilton Place and Saint Andrews Place. Driveways on the north and south side of Virginia Avenue, approximately 84 feet east of Saint Andrews Place, will provide access to the subterranean parking provided for Site II and Site III, respectively.

The driveway volumes are not expected to be excessive, with peak driveway volumes well within the capacity of the proposed driveways. It is not currently known what type of access control, if any, will be utilized at the driveways. However, typical gate-arm "ticket spitters" or other manually operated access controls typically exhibit capacities of approximately 450 to 650 vehicles per hour per lane, depending on the method of operation. The anticipated peak driveway volumes for the Proposed Project are far below these capacities. As a result, no significant access impacts are expected to occur at any of the Project driveways, even if access controls are installed. However, in order to ensure that no vehicular queues develop onto the fronting streets, it is recommended that any gate arms or kiosks should be placed sufficiently far into the site to allow a minimum queue of two vehicles.

Facts in Support of Findings

Project construction excavation would result in a temporary significant impact. With implementation of the recommended Mitigation Measures, impacts would still be significant and therefore unavoidable, though temporary until the construction excavation phase has been completed. With the implementation of the recommended traffic Mitigation Measures, impacts associated with the operation of the Proposed Project would be reduced to a level of less than significant. However, some recommended Mitigation Measures require coordination and concurrence of Caltrans. In the event that the concurrence of Caltrans cannot be obtained, these improvements cannot be implemented, and impacts along Santa Monica Boulevard at Wilton Place and Western Avenue, and at Western Avenue and the Hollywood Freeway (US-101) northbound on-ramp would remain significant and unavoidable.

9. Utilities

Water

Significant Effects

The Proposed Project would result in a net increase of 97,569 gpd of water consumption. The existing water infrastructure serving the Project area could accommodate estimated water consumption for the Proposed Project and thus, service will be provided routinely in accordance with the LADWP's Rules and Regulations. Therefore, the Proposed Project will have a less than significant impact upon water service.

Facts in Support of Findings

The Proposed Project would not have an impact on water supply. However, the implementation of the recommended Mitigation Measures ensure compliance with the L.A.M.C.

Solid Waste

Significant Effects

Construction activities generate a variety of scraps and wastes, with the majority of recyclables being wood waste, drywall, metal, paper, and cardboard. Based on a construction generation rate of 4.38 pounds of waste for every square foot of new residential construction and 3.89 pounds of waste for every square foot of new nonresidential construction,[13] the construction of the Proposed Project is estimated to generate approximately 2,988,271 pounds (1,494 tons) of solid waste over the construction period[14]. Recycling of construction-related waste materials in compliance with AB 939 would substantially reduce this waste stream that would otherwise go to a landfill. Therefore, approximately 1,494,136 pounds (747 tons) of construction waste[15] would be disposed of in the landfills.

The remaining combined daily intake of the Sunshine Canyon and Chiquita Canyon Landfill is 6,279 tons per day. As such, they would have adequate capacity to accommodate the average daily construction waste of 567.2 tons generated by the Proposed Project over its approximately three-year construction period. Therefore, a less-than-significant impact associated with construction waste would occur.

The Proposed Project would result in a net increase 2,880 pounds or 1.44 tons of solid waste per day. The Sunshine Canyon Landfill is permitted to receive 11,000 tons per day and currently receives 5,781 tons per day. Therefore, the Sunshine Canyon Landfill can receive an additional 5,219 tons per day before it reaches its permitted daily capacity. If the Proposed Project's entire 2,880 pounds or 0.72 tons per day of solid

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[13] *USEPA Report No EPA530-98-010, Characterization of Building Related Construction and Demolition Debris in the United States, July 1998, page A-1.*

[14] *Based on approximately 448,090 sq. ft. of new residential uses and 263,660 sq. ft. of new non-residential uses.*

[15] (2,988,271 pounds of solid waste generated by construction of the Proposed Project)/2 per AB 939.

waste (that would be disposed in local landfills) was disposed of in the Sunshine Canyon Landfill, the Sunshine Canyon Landfill would have more than enough permitted capacity to accommodate this additional contribution of approximately three quarters of one ton per day. Given the minimal increase, the Proposed Project would not result in the need for additional waste collection routes, recycling or disposal facilities to dispose of he small amount of proposed waste, therefore, project impacts on solid waste would be less than significant.

Facts in Support of Findings

The Proposed Project's impacts on the City's solid waste disposal facilities would be less than significant without mitigation. However, implementation of the recommended mitigation measures would further reduce the Proposed Project's impacts.

Energy Conservation - Electricity

The estimated net increase in electricity consumption by the Proposed Project is approximately 17,010 kwH per day. The LADWP has indicated that there are no service problems in the Project area and that they can accommodate the electricity demands of the Proposed Project with the existing infrastructure. Therefore, the Proposed Project would not entail expansion of distribution infrastructure nor capacity-enhancing alterations to existing facilities.

Title 24 of the California Code of Regulations establishes energy conservation standards for new construction, including residential and non-residential buildings. The Proposed Project would comply with Title 24 energy conservation standards for insulation, glazing, lighting, shading, and water and space heating systems in all new construction. With modern energy efficient construction materials and compliance with Title 24 standards, the Proposed Project would be consistent with the State's energy conservation standards and, therefore, would not conflict with adopted energy conservation plans.

The Proposed Project would result in a net increase in electricity consumption from the existing commercial/retail use, and would require the installation of on-site transformation facilities.[16] However, under the City Charter, the LADWP has an obligation to serve the citizens of the City. Therefore, the Proposed Project has been factored into the projected load growth electricity demands. Therefore, there would be a less-than-significant impact on electrical supply systems.

Facts in Support of Findings

There would be no impact by the Proposed Project on electricity services.

C. Impacts That Cannot Be Mitigated To Less Than Significant Levels.

Air Quality

Significant Effects

Consistency with the 2003 Air Quality Management Plan

[16] Written correspondence from Charles Holloway, Los Angeles Department of Water and Power, October 4, 2005.

The 2003 AQMP was prepared to accommodate growth, to reduce the high levels of pollutants within the areas under the jurisdiction of South Coast Air Quality Management District (AQMD), to return clean air to the region, and to minimize the impact of pollution control on the economy. Projects that are considered to be consistent with the AQMP would not interfere with attainment because this growth is included in the projections utilized in the formulation of the AQMP. Therefore, projects, uses, and activities that are consistent with the applicable assumptions used in the development of the AQMP would not jeopardize attainment of the air quality levels identified in the AQMP, even if they exceed the SCAQMD's recommended daily emissions thresholds.

Projects that are consistent with the projections of employment and population forecasts identified in the Growth Management Chapter of the RCPG are considered consistent with the AQMP growth projections, since the Growth Management Chapter forms the basis of the land use and transportation control portions of the AQMP.

The Southern California Association of Governments (SCAG), estimates that population within the City of Los Angeles will increase from 3,694,820 persons in 2000 to 4,090,125 persons by 2020. According to projections in the SCAG Regional Transportation Plan (RTP), the permanent residential population in the Hollywood Community Plan area was 224,296 in 2005, and is projected to increase to 232,743 by 2010. The Proposed Project would not directly or indirectly induce substantial population or employment growth beyond current growth projections for the Hollywood area. Because, the Proposed Project would be consistent with the regional populations forecasts for the City of Los Angeles and the Hollywood area, and it would not jeopardize attainment of State and national ambient air quality standards in the Basin and the Los Angeles County portion of the Basin.

Another measurement tool in determining consistency with the AQMP is to determine how a project accommodates the expected increase in population or employment. Generally, if a project is planned in a way that results in the minimization of vehicle miles traveled (VMT) both within the project site and the community in which it is located, thus minimizing air pollutant emissions, that aspect of the project is consistent with the AQMP.

The Proposed Project Site is located in a highly urbanized area of the City of Los Angeles, which provides several modes of public transit service. The site is located within walking distance of public transit services, employment, and shopping sites for Project residents and the proposed retail use would be within walking distance of existing residents in the local vicinity. This type of infill development is consistent with the goals of the AQMP for reducing the emissions associated with new development.

Based on this information, the Proposed Project would not jeopardize attainment of air quality standards in the 2003 AQMP for the Basin and the Los Angeles County portion of the Basin, and this impact would be less than significant.

Construction Period Emissions – Daily Emissions of CO, VOC, NOx, SOx, and PM_{10}

During construction, three basic types of activities would be expected to occur and generate emissions. First, the existing structures would be demolished and the surface parking lots would be removed. Second, the development sites would be prepared, excavated, and graded to accommodate the subterranean parking structures and building foundations. Finally, the new parking structures and buildings would be constructed and readied for use.

The analysis of daily construction emissions has been prepared utilizing the URBEMIS 2002 computer model recommended by the SCAQMD. Due to the construction time frame and the normal day-to-day variability in construction activities, it is difficult, if not impossible to precisely quantify the daily emissions associated with each phase of the proposed construction activities.

Construction-related daily emissions would exceed SCAQMD significance thresholds for NOx, CO, and PM_{10} during the site grading and excavation phase, and VOC and NOx during the building construction phase. Therefore, this impact would be significant.

Operational Emissions – Daily Emissions of CO, VOC, NOx, SOx, and PM_{10}

Operational emissions generated by both stationary and mobile sources would result from normal day-to-day activities on the Project Site after occupation. Stationary area source emissions would be generated by the consumption of natural gas for space and water heating devices and cooking appliances, the operation of landscape maintenance equipment, the use of consumer products, and the application of architectural coatings (paints). Mobile emissions would be generated by the motor vehicles traveling to and from the Project Site.

The analysis of daily operational emissions has been prepared utilizing the URBEMIS 2002 computer model recommended by the SCAQMD. The Proposed Project would generate a net increase in average daily emissions that exceed the thresholds of significance for VOC recommended by the SCAQMD. This is a significant impact.

Operational Emissions – Localized CO Concentrations

The localized CO concentration impacts associated with the Proposed Project have been evaluated with the addition of traffic growth associated with cumulative development. As was done to assess existing CO concentrations, the simplified CALINE4 screening procedure was used to predict future CO concentrations at the study-area intersections in the vicinity of the project site in the year 2010 with cumulative development.

Future CO concentrations near these intersections would not exceed the national and State ambient air quality standards for CO. Therefore, implementation of the Proposed Project and cumulative development would not expose any possible sensitive receptors (such as residential uses, schools, hospitals) located in close proximity to these intersections to substantial localized pollutant concentrations. This would be a less-than-significant impact regarding the exposure of sensitive receptors to substantial pollutant concentrations.

Operational Emissions – Toxic Air Contaminants

Diesel particulate emissions, a known toxic air contaminant, would occur from trucks picking up garbage and recyclable materials, and making deliveries to the Project Site. To address diesel particulate emissions, statewide programs and regulations are presently being developed and implemented by the ARB and U.S. EPA to reduce the risks of exposure to diesel exhaust. These programs include emission control requirements along with subsidies for upgrading older diesel engines to low-emissions models. In light of the available information, the effects of the toxic emissions from future vehicle operations at the project site are not expected to be substantial.

Toxic or carcinogenic air pollutants are not expected to occur in any meaningful amounts in conjunction with operation of the proposed land uses at the Project Site. Only small quantities of common forms of hazardous or toxic substances, such as cleaning agents, which are typically used or stored in conjunction with residential and educational uses, would be present. Most uses of such substances would occur indoors. Based on the common uses expected on the site, any emission would be minor.

This would be a less-than-significant impact regarding the exposure sensitive receptors to substantial pollutant concentrations.

Operational Emissions – Airborne Odors

The occurrence and severity of potential odor impacts depends on numerous factors. The nature, frequency, and intensity of the source, the wind speeds and direction, and the sensitivity of the receiving location each contribute to the intensity of the impact. While offensive odors rarely cause any physical harm, they can be unpleasant and cause distress among the public and generate citizen complaints.

Odors are typically associated with the use of chemicals, solvents, petroleum products, and other strong-smelling elements used in manufacturing processes. The Proposed Project would include residential and commercial uses, and would not contain any of the above-listed odor producing uses. Instead potential operational airborne odors could result from cooking activities associated with the new residential units and restaurants. These odors would be minimal, if at all noticeable; would be similar to existing residential and commercial uses in the local vicinity and would be confined to the immediate vicinity of the new buildings. Therefore, implementation of the Proposed Project is not expected to create objectionable odors affecting a substantial number of people. This is a less-than-significant impact.

Level of Significance After Mitigation

The URBEMIS 2002 computer model has calculated the emissions reduction efficiencies of the measures recommended to reduce construction-related emissions. Specifically, the model assumes that the use of low emission diesel fuel would reduce emissions of NOx by 14 percent and emissions of PM_{10} by 63 percent. The use of diesel-powered equipment that has been retrofitted with after-treatment products would reduce emissions of NOx by a further 40 percent (cooled exhaust gas recirculation) and PM_{10} emissions by 80 percent (diesel particulate filters) to 85 percent (cooled exhaust gas recirculation).

The recommended mitigation measures would reduce construction-related emissions of NOx and PM_{10}. However, the total emissions generated on peak construction days would continue to exceed the thresholds of significance recommended by the SCAQMD. Therefore, this would be a significant and unavoidable Project-specific and cumulative impact.

The recommended mitigation measures would also reduce the average daily operational emissions associated with the Proposed Project, although the actual reduction would be minimal. The use of solar or low-emission water heaters, and heating and cooking appliances would only reduce the emissions from these sources by approximately 0.5 percent. The primary source of emissions associated with the Proposed Project is motor vehicles. Although the Project is proposed to serve the local community and minimize

the number of vehicle trips that would otherwise be made to other locations, no mitigation is available on a project-specific basis to reduce the number of vehicle trips to and from the Project Site and their associated emissions. The resulting average daily emissions would continue to exceed the thresholds of significance recommended by the SCAQMD. Therefore, this would be a significant and unavoidable Project-specific impact.

No additional mitigation can be recommended to reduce the impacts to less than significant.

Transportation and Traffic

Significant Effects

Of the 20 study intersections, the Proposed Project would significantly impact the following five study intersections:

5. Hollywood Freeway NB On-Ramp & Western Avenue
8. Santa Monica Boulevard & Gower Street
10. Santa Monica Boulevard & Wilton Place
11. Santa Monica Boulevard & Western Avenue
19. Melrose Avenue & Western Avenue

All of these intersections can be mitigated to a less than significant level with the exception of the Hollywood Freeway NB On-Ramp & Western Avenue. A signal was recommended as feasible mitigation, which would reduce this impact to less than significant. However, the Los Angeles Department of Transportation rejected this mitigation due to the high level of congestion at the intersection and on-ramp. Therefore, traffic impacts associated with the Proposed Project at the Hollywood Freeway NB On-Ramp at Western Avenue would remain significant and unavoidable during Project operation.

Mitigation Measures

There is no other feasible mitigation other than a traffic signal for this location.

Significant Irreversible Environmental Changes

The types and level of development associated with the Proposed Project would consume limited, slowly renewable and non-renewable resources. This consumption would occur during construction of the Proposed Project and would continue throughout its operational lifetime. The development of the Proposed Project would require a commitment of resources that would include (1) building materials, (2) fuel and operational materials/resources and (3) the transportation of goods and people to and from the Project Site.

Construction of the Proposed Project would require consumption of resources that are not replenishable or which may renew slowly as to be considered non-renewable. These resources would include certain types of lumber and other forest products, aggregate materials used in concrete and asphalt (e.g., sand, gravel and stone), metals (e.g., steel, copper and lead), petrochemical construction materials (e.g., plastics) and water. Fossil fuels, such as gasoline and oil would also be consumed in the use of construction vehicles and equipment.

The commitment of resources required for the type and level of proposed development would limit the availability of these resources for future generations for other uses during the operation of the Proposed Project. However, this resource consumption would be consistent with growth and anticipated change in the Los Angeles region.

Growth Inducing Impacts

The Proposed Project could foster economic growth in the Project area by increasing the number of residents at the Project Site who could patronize local business and services in the area. In addition, employment opportunities would be provided during the construction and operation of the Proposed Project. The Proposed Project would provide additional housing by adding 437 multi-family residences with 748 residents and 377,900 sq. ft. of retail/restaurant/office/medical office space at the Project Site. This growth would be consistent with area-wide population and housing forecasts. The Proposed Project would provide increased tax revenue for the City with the 377,900 sq. ft. retail component. The revenue ultimately would be reinvested into the community. The Proposed Project could stimulate redevelopment and revitalization of the immediate neighborhood and contribute to the overall Hollywood and nearby areas revitalization. Other new projects in the immediate area can also enjoy the amenities of this Project with the pedestrian plaza as a community gathering location, use of the roof-top garden, etc. The Project is adding retail uses for the Project area thereby reducing vehicle miles traveled in the Project vicinity.

Also, the roadways and other infrastructure (e.g., water facilities, electricity transmission lines, natural gas lines, etc.) associated with the Proposed Project would not induce growth because they are existing and they would only serve Project residents and businesses.

Alternatives

The Draft EIR considered a reasonable range of alternatives to the Project to provide informed decision-making in accordance with Section 15126.6 of the State CEQA Guidelines. The alternatives analyzed in the Draft EIR included:

- Alternative A: No Build/No Project and Code Compliant Project/No Project (Without Linoleum City Parcel);
- Alternative B: Mixed Use Alternative Site Plan (Without Linoleum City Parcel)
- Alternative C: Office/Retail Alternative (With Linoleum City Parcel)
- Alternative D: Studio/Retail Alternative (With Linoleum City Parcel)
- Alternative E: Residential, Less Retail Alternative (With Linoleum City Parcel)
- Alternative F: Residential, Less Retail Alternative (Without Linoleum City Parcel)

Alternative A: No Build/No Project and Code Compliant Project/No Project (Without Linoleum City Parcel

Alternative A evaluated two variations of the No Project Alternative:

No Build (No Project Alternative). Under this variation of the No Project Alternative, the Proposed Project would not be constructed and the five retail single-story buildings (including the Linoleum City parcel) and the 3-story (above grade) retail

department store building (currently occupied by Sears), totaling approximately 161,550 square feet, would continue to occupy the Project Site and would be operational. The analysis of the No Build/No Project Alternative assumes the continuation of existing conditions, as well as development of the related projects.

Code Compliant Project (No Project Alternative). Under this variation of the No Project Alternative, it is possible that disapproval of the Proposed Project could eventually result in development of another project in accordance with the requirements of the current Community Plan and existing C4 and R4 zoning on Site I of the Project Site. Site I currently includes five single-story and one 3-story (above grade) department store building (currently occupied by Sears). Four out of the five existing single-story buildings would be demolished under this scenario and the Linoleum City building and the 3-store (above grade) department store building would not be demolished and remain in their current condition. This variation of the No Project Alternative assumes that the Project Site is developed in conformance with the current land use regulations and does not include development on the Linoleum City parcel (and the Linoleum City building would remain as retail use) and the 3-story (above grade) department store building would continue to be retail. Under the Code Compliant scenario, feasible development of Site I, approximately 4.9-acres, would involve construction of a residential complex. It is reasonable to assume that the 3-story (above grade) retail department store building that is currently leased to Sears would remain as a retail use in the foreseeable future on-site as retail, leased to a retail tenant or tenants. Based on the remaining size of Site I, a maximum of 351 multi-family units with 865 parking spaces, per the City Planning Commission Policy for Condominiums of 2.25 spaces per unit (including 75 spaces for the retail department store building), could be provided under the R4 allowable density zone. The maximum height allowed under the C4 and R4 zone is 45-feet. This scenario may not include the vacation of the entire alley, but may include the vacation of part of the alley.

Alternative A Impact Summary

The Proposed Project would result in significant impacts after mitigation in air quality construction and operation. The No Build scenario would not result in any significant environmental impacts associated with its implementation and would eliminate the Proposed Project's significant and unavoidable construction and operational air quality impacts. The Code Compliant Project scenario would result in significant impacts after mitigation with construction; however, the implementation of this development scenario would eliminate the operational significant and unavoidable air quality impacts and such impacts would be less than significant.

The No Build scenario would avoid most of the environmental impacts associated with the Proposed Project. However, the No Build scenario would not satisfy any of the project objectives. With respect to the Project objectives, the No Build scenario would not provide housing or additional retail, or a town center for the surrounding neighborhood as a gathering spot for the community and no public open spaces would be provided.

The Code Compliant Project scenario would avoid most of the environmental impacts associated with the Proposed Project, with the exception of aesthetics. With respect to the project objectives, the Code Compliant Project scenario would provide housing but no additional retail, or a town center for the surrounding neighborhood.

Alternative B: Mixed Use Alternative Site Plan (Without Linoleum City Parcel)

The Project Applicant does not currently own the Linoleum City Parcel. The Project Applicant and the Linoleum City Parcel owner have been in negotiations for several months for parcel acquisition by the Project Applicant. At the time of publication of this Draft EIR, there is no certainty that Linoleum City will be acquired. In the event that Linoleum City Parcel can be acquired, then the Project Applicant will move forward with the Proposed Master Project. If the Linoleum City Parcel is cannot be acquired, Alternative B (Alternative Project) will be replaced as the Proposed Project. Alternative B proposes a mixed use project in which the Project would be built around the Linoleum City Parcel and would reduce the proposed development, by approximately 24,000 square feet of retail space. Though the Linoleum City Parcel totals 20,020 sq. ft. (and the building is approximately 16,000 sq. ft.), the Project under Alternative B assumes approximately 24,000 sq. ft. less retail development for a conservative analysis. The Linoleum City building would not be demolished and would remain in its current existing condition. Alternative B addresses an altered site development condition on Site I only. The table below provides a breakdown of the uses provided under Alternative B with a comparison to the Proposed Project.

Table
Alternative B Project Characteristics

		Project (with Linoleum City)	Alt. B Alternative Site Plan (w/o Linoleum City Parcel)
Site I			
	Retail (SF)	263,780[1]	239,721
	Sears as Retail (SF)	114,120	114,120
	Residential (units)	375	375
	Studio (SF)	--	--
	Office (SF)	See retail	--
	Parking (spaces)	1,671	1,551[2]
Site II			
	Residential (units)	24	24
	Parking (spaces)	54	54
Site III			
	Residential (units)	38	38
	Parking (spaces)	86	86
Total (all sites)			
	Retail (SF)	377,900	353,841
	Office (SF)	--	--
	Studio (SF)	--	--
	Residential (SF)	448,090	448,040
	Residential	437	437

	(units)		
	Parking (spaces)	1,811[1]	1,691
Total Height (ft)		94	94
Unoccupied Tower Height (ft)		113	113

NOTES:
1. Includes 25,000 sq. ft. restaurant and up to approximately 50,000 sq. ft. Office.
2 Includes 75 parking spaces for the 3-story (above grade) retail department store (Sears).

The Linoleum City building (approximately 16,000 sq. ft.) would not be demolished and would remain in its current existing condition. The remaining existing retail space on Site I, totaling 27,410 square feet, would be demolished. This includes some ancillary structures to the existing 3-story (above retail) department store building. The total new construction to be built under this Alternative would be approximately 239,721 sq. ft., which is approximately 24,000 sq. ft. less than the Proposed Project's 263,780 sq. ft. Further, the approximately 114,120 sq. ft.[17] existing 3-story (above grade) retail department store building would not be demolished and would continue to be used as retail like it would under the Proposed Project, or converted to residential. As compared to the Proposed Project's retail total of 377,900 sq. ft., the overall size of the Project the retail under this Alternative would be reduced by approximately 24,000 square feet of retail space and would total approximately 353,841 sq. ft (which is approximately 24,000 sq. ft. less than the Proposed Project).

In addition, this Alternative would include construction of 375 multi-family residential units on Site I, which is the same as the Proposed Project's 375 multi-family residential units for Site I. Since this Alternative would include less retail space, the total number of parking spaces would be reduced to approximately 1,551 spaces on Site I, which are about 120 spaces less than the Proposed Project's 1,671 parking spaces. Like the Proposed Project, the parking spaces on Site I would be provided in a below grade structure. Without the Linoleum City Parcel, the Project (including the underground parking structure) would have to be designed around that parcel. A variation of the alley vacations would be provided to allow rear access to the Linoleum City Parcel. Therefore, this Alternative would not result in greater development than the Proposed Project.

The height of the structure would be the same as the Proposed Project with a maximum height of approximately 94 feet of occupied space (up to approximately 113 feet, including 19 feet of unoccupied architectural features). Like the Proposed Project, a pedestrian plaza would be provided along Santa Monica Boulevard would be provided under this Alternative, as would a paseo between Santa Monica Boulevard and Virginia Avenue. The difference between the Proposed Project and this Alternative regarding the pedestrian plaza is the placement and size. Under the Proposed Project, the pedestrian plaza would be located in the general vicinity of the Linoleum City Parcel and under this Alternative the plaza would be located further east closer to the existing 3-story (above grade) retail department store building

[17] The existing 3-story (above grade) department store building currently occupied by Sears totals approximately 124,120 sq. ft. with the ancillary structures. It is proposed that those ancillary structures, totaling approximately 10,000 sq.ft. be demolished and the remaining structure would total approximately 114,120, sq.ft.

Also, the plaza under this Alternative would not include a water fountain feature and the plaza size would be smaller. Though this Alternative would include a paseo connecting the plaza to Virginia Avenue like the Proposed Project, the paseo would be smaller and the area in which the paseo is accessed on Virginia Avenue would not be as large and open as the one under the Proposed Project. The proposed roof-top garden on top of the 3-story (above grade) department store building may not be provided under this Alternative, however, if provided, the garden may be smaller than under the Proposed Project. Access to this site would be the same as the Proposed Project with ingress/egress driveways on Wilton Place, Virginia Avenue and St. Andrews Place.

The open space areas under the Proposed Project would be provided under this Alternative with a smaller pedestrian public plaza on Santa Monica Boulevard. Further, a paseo connecting the plaza to Virginia Avenue would also be provided. Also, the proposed roof-top garden on top of the 3-story (above grade) department store building would be provided under this Alternative.

Site development conditions would remain the same for Sites II and II and no further analysis is necessary. Site II would include 24 multi-family units with 54 spaces below grade parking spaces and Site III would include 38 multi-family units with 86 below grade parking spaces. Access to the 62 residential units for Sites II and III would be on Virginia Avenue. These residential structures would be 45-feet tall.

Alternative B Impact Summary

The Proposed Project would result in potentially significant environmental impacts to: air quality (construction and operation); cultural resources (archaeological and paleontological); geology and soils; hazards; noise (construction); and transportation and traffic (five study intersections). With implementation of recommended mitigation measures these potential impacts would be reduced to less than significant with the exception of air quality (construction and operation). Alternative B would result in similar impacts to the Proposed Project and would involve implementation of similar recommended mitigation measures to reduce impacts to less than significant with the exception of air quality (construction and operation).

This Alternative would be nearly the same as the Proposed Project with the exclusion of the Linoleum City parcel as part of the Project Site. The proposed total square footage and mix of uses would be the same though the total lot area of the Project Site would be smaller under this Alternative. This Alternative would provide open space areas such as the pedestrian public plaza but would be smaller than the one proposed under the Proposed Project. Consequently, a limited size town center would be provided for public gathering. Further, full traffic improvements will not be made on Santa Monica Boulevard. Finally, the visual aesthetics would be reduced with implementation of this Alternative. This Alternative would satisfy most of the Project objectives.

Alternative C: Office/Retail Alternative (With Linoleum City Parcel)

Alternative C would include demolition of existing retail space of approximately 47,430 square feet and continued use of the existing 3-story (above grade) department store building, approximately 114,120 square feet, as retail. This alternative would include construction of new retail space on Site I of approximately 263,780 square feet that would be incorporated with the existing 3-story (above

grade) retail department store building, 114,120 square feet, and a total of 377,900 square feet of retail space would be provided. In addition, this Alternative would include construction of 397,870 square feet of office space, which is equivalent to the Proposed Project's residential square footage for Site I. Parking on Site I would include 1,399 spaces. Therefore, this Alternative would not result in greater development than the Proposed Project.

On Site I, this alternative would include a podium of 2-stories of retail space. There would be no a pedestrian plaza along Santa Monica Boulevard and there would not be a paseo linking Santa Monica Boulevard and Virginia Avenue. This Alternative would include an additional one level of below grade retail space. The office space would be placed in additional 6-stories above the 2-story retail podium, providing a maximum height of 8-stories for the entire development on Site I. The floor to ceiling height for retail/commercial uses are typically greater than for residential uses; therefore, the actual height would be approximately 16 feet taller with a height of approximately 110 feet above grade. Parking would be provided in below grade parking structure and access would be similar to the Proposed Project with driveways on Wilton Place, Virginia Avenue and St. Andrews Place.

Site II would include 24 residential units with 54 parking spaces and Site III would include development of 38 residential units and 86 parking spaces. This Alternative would include a total of approximately 1,539 parking spaces. For Sites II and III, residential would be constructed similar to the Proposed Project with 24 units on Site I and 38 units on Site III. Parking would be the same as the Proposed Project and access would be provided on Virginia Avenue. These structures would be 45-feet tall. Since site development conditions remain unchanged under this Alternative for Sites II and III, no further analysis is necessary.

Alternative C Impact Summary

The Proposed Project would result in potentially significant environmental impacts to: air quality (construction and operation); cultural resources (archaeological and paleontological); geology and soils; hazards; noise (construction); and transportation and traffic (five study intersections). With implementation of recommended mitigation measures these potential impacts would be reduced to less than significant with the exception of air quality (construction and operation). Alternative C would not reduce the Proposed Project's potentially significant impacts to less than significant. In addition, this Alternative would result in greater impacts, though still less than significant, to: aesthetics (aesthetics/view; and shade/shadow); daytime operational noise; public services (fire protection); traffic (impacts same five study intersections plus additional AM peak hour impacts at two of the study intersections plus impacts at four new intersections); and utilities (water, solid waste and electricity).

Although a different mix of uses with office/retail for Site I Alternative would reduce some of the environmental impacts associated with the Proposed Project, it would increase several of the environmental impacts. Furthermore, this Alternative would not satisfy all of the project objectives. As this Alternative would not include residential uses, it could potentially increase reliance upon automobiles for transportation to retail uses.

Alternative D: Studio/Retail Alternative (With Linoleum City Parcel)

Alternative D would include demolition of existing retail space of approximately 47,430 square feet and re-use and rehabilitation of the existing 3-story (above grade) retail department store building, approximately 114,120 square feet. This Alternative would include construction of new retail space on Site I of approximately 263,780 square feet that would be incorporated with the existing 3-story retail department store building, 114,120 square feet, and a total of 377,900 square feet of retail space would be provided. In addition, this Alternative would include construction of 397,870 square feet of studio space for movie and television production, which is equivalent to the Proposed Project's residential square footage. Parking for Site I would include approximately 1,399 spaces. Therefore, this Alternative would not result in greater development than the Proposed Project.

The retail would be placed in two stories above grade with one level below, similar to the Proposed Project on Site I. However, due to the production needs of a studio space, the floor-to-ceiling height requirement would be greater for studio use than office space. The overall height requirement could be as much as twice an office space from floor-to-ceiling. Consequently, the height of the building would be estimated at 135 feet which is greater than the Proposed Project's approximate height of 113 feet, representing a 22 foot difference. Further, this Alternative would not include a pedestrian plaza or a paseo providing pedestrian passage from Santa Monica Boulevard to Virginia Avenue. The area would be used as building/structure to house the space for the proposed uses. Parking would be provided in below grade parking structure and access would be similar to the Proposed Project with driveways on Wilton Place, Virginia Avenue and St. Andrews Place.

This Alternative would include residential development on Sites II and III: approximately 24 units with 54 parking spaces on Site II, and approximately 38 units with 86 parking spaces on Site III. Total parking provided under this Alternative would include 1,539 parking spaces. For Sites II and III, residential would be constructed similar to the Proposed Project with 24 units on Site II and 38 units on Site III. Parking would be the same as the Proposed Project and access would be provided on Virginia Avenue. The structures on Sites II and III would be 45 feet tall. Since site development remains unchanged under this Alternative for Sites II and III, no further analysis is necessary.

Alternative D Impact Summary

The Proposed Project would result in potentially significant environmental impacts to: air quality (construction and operation); cultural resources (archaeological and paleontological); geology and soils; hazards; noise (construction); and transportation and traffic (five study intersections). With implementation of recommended mitigation measures these potential impacts would be reduced to less than significant with the exception of air quality (construction and operation). Alternative D would not reduce the Proposed Project's potentially significant impacts to less than significant. In addition, this Alternative would result in greater impacts, though still less than significant to: aesthetics (aesthetics/view); construction noise; daytime operational noise; public services (fire protection); traffic (same impacted 5 study intersections); and utilities (solid waste and electricity).

Although a different mix of uses with studio/retail for Site I Alternative would reduce some of the environmental impacts associated with the Proposed Project, it would

increase other environmental impacts. Though this Alternative provides a mix of uses, residential units on Site I are eliminated, thus, significantly reducing the number of residential units. Consequently, traffic patterns may differ and possibly result in greater traffic circulation effects elsewhere in the Community as the goal of reducing traffic may not be realized to the same level as the Proposed Project. Furthermore, this Alternative would not satisfy all of the project objectives.

Alternative E: Residential, Less Retail Alternative (With Linoleum City Parcel)

Alternative E would include demolition of existing retail space of approximately 47,430 square feet and use the existing 3-story department store building, approximately 114,120 square feet as retail and construction of 599 multi-family residential units on Site I. Also, an addition of 33,000 square feet of retail space would be constructed on Site I; thus a total of 147,120 square feet of retail space would be provided on Site I under Alternative E. The parking required for Site I would be approximately 1,488 spaces which includes 75 spaces for the department store provided in a below grade structure. This Alternative would not include a pedestrian plaza or a paseo linking Santa Monica Boulevard and Virginia Avenue. The retail would be located along Santa Monica Boulevard. Further, no roof-garden would be provided; however, some landscaped open space areas would be provided per code requirements.

The height of the structure would be the same as the Proposed Project with a maximum height of 113 feet for an architectural feature and up to 94 feet of occupied space. Access to Site I would be the same as the Proposed Project with driveways on Wilton Place, Virginia Avenue and St. Andrews Place.

Sites II and III would be developed with 62 multi-family residential units, 24 units and 54 spaces on Site II, and 38 units and 86 spaces on Site III. For Sites II and III, parking would be the same as the Proposed Project and access would be provided on Virginia Avenue. The structures would be 45-feet tall. Since site development conditions remain the same under this Alternative as under the Proposed Project, no additional analysis is necessary.

Alternative E Impact Summary

The Proposed Project would result in potentially significant environmental impacts to: air quality (construction and operation); cultural resources (archaeological and paleontological); geology and soils; hazards; noise (construction); and transportation and traffic (five study intersections). With implementation of recommended mitigation measures these potential impacts would be reduced to less than significant with the exception of air quality (construction and operation). Alternative E would reduce the Proposed Project's potentially significant air quality operational impacts to less than significant. In addition, this Alternative would result in greater impacts, though still less than significant to: aesthetics (aesthetics, public services (police protection); traffic (eliminates impacts at three of the five significantly impacted intersections and eliminates PM peak impacts at all of the intersections); and utilities (wastewater, water, and natural gas).

Implementation of Alternative E would result in the construction of 599 residential units and retention of a 114,120 square foot retail department store building on Site I, construction of 24 units on Site II and 38 units on Site III for a total of 661 multi-family residential units. This Alternative would also increase some of the environmental

impacts but reduce some of the Project identified impacts. However, this Alternative would not satisfy all of the project objectives. This Alternative would include only a (former) retail department store building, and 33,000 square feet of retail on Santa Monica Boulevard, which would provide some local retail tenants (as the department store building will be subdivided) but would provide a smaller mix of neighborhood retail services such as dry cleaners, specialty market, bakery, coffee house, banks, food and liquor establishments to name a few that would create a more limited mixed use environment and provide a more limited place for residents to shop locally at neighborhood for these services. Since a large mix of retail (like the Proposed Project) would not be provided, residents may need to use cars or other means of transportation to shop for daily and weekly retail needs and could generate traffic circulation effects elsewhere in the community. This Alternative would not meet all of the Project objectives, specially would not: encourage and enhance pedestrian activity in the Project Area.; create a community town center for the Project Area; and create various, business incubation retail space to provide the opportunity for first time store operators to enter the market and sell their products.

Alternative F: Residential, Less Retail Alternative (Without Linoleum City Parcel)

Alternative F would include demolition of existing retail space of approximately 27,410 square feet and retain the existing 3-story (above grade) department store building, approximately 114,120 square feet as multiple retail. New construction on Site I would include 599 residential units and 23,400 square feet of neighborhood serving retail along Santa Monica Boulevard in addition to the 114,120 square foot existing 3-story (above grade) retail and/or department store building. Therefore, the total retail provided under Alternative F would be 137,520 square feet. The parking required for Site I would be approximately 1,469 spaces which includes 75 spaces for the 3-story (above grade) retail department store provided in a below grade structure. This Alternative does not include the 20,020 square foot Linoleum City Parcel on Site 1. This Alternative would involve a vacation of all or part of the existing alleys. Also, this Alternative does not include a pedestrian plaza or a paseo linking Santa Monica Boulevard and Virginia Avenue.

The maximum height of the structure on Site I would be approximately 94 feet which would be approximately the same height as the occupied areas of the Proposed Project and would include the architectural feature of the Proposed Project that would rise another 19 feet above the occupied space for height maximum of 113 feet. Access to Site I would be the same as the Proposed Project with driveways on Wilton Place, Virginia Avenue and St. Andrews Place.
Site II would be developed with 24 residential units and 54 underground parking spaces. Site III would 38 residential units with 86 underground parking spaces. For Sites II and III, parking would be the same as the Proposed Project and access would be provided on Virginia Avenue. The structures on Site II and III would be 45-feet tall. Since site development conditions would not change under this alternative for Sties II and III, no additional analysis is necessary.

Alternative F Impact Summary

The Proposed Project would result in potentially significant environmental impacts to: air quality (construction and operation); cultural resources (archaeological and paleontological); geology and soils; hazards; noise (construction); and transportation and traffic (five study intersections). With implementation of recommended mitigation measures these potential impacts would be reduced to less than significant with the exception of air quality (construction and operation). Alternative F would reduce the Proposed Project's potentially significant air quality operational impacts to less than significant. In addition, this Alternative would result in greater impacts, though still less than significant to: aesthetics; seismic hazards; public services (police); traffic (eliminates PM impacts at three of the five and AM impacts at one of the significantly impacted intersections); and utilities (wastewater and water).

Implementation of Alternative F would result in the construction of 599 residential units and retention of a 114,120 square foot retail department store building which will be adapted into multiple tenant spaces and construct an additional 23,400 square feet of retail fronting Santa Monica Boulevard on Site I, construction of 24 units on Site II and 38 units on Site III for a total of 661 multi-family residential units. This Alternative would also increase some of the environmental impacts but reduce some of the Project identified impacts. However, this Alternative would not satisfy all of the project objectives. This Alternative would include retaining the existing retail department store building and subdividing into two or more retail tenant spaces and additional neighborhood serving retail of approximately 23,400 square feet which would provide some local retail but would not provide a mix of neighborhood retail services such as a specialty market, and clothing stores, soft goods stores, and larger format tenants,, to name a few that would create an integrated mixed use environment and provide a place for residents to shop locally for these services. Since this mix of retail would not be provided, residents may need to use cars or other means of transportation to shop for daily and weekly retail needs and could generate traffic circulation effects elsewhere in the community. Specifically, Alternative F would not: create a community town center for Project Area; provide a mixed use development with a pedestrian plaza in the Project Area for neighbors to meet and gather; and create various, business incubation retail space to provide the opportunity for first time store operators to enter the market and sell their products.

Environmentally Superior Alternative

In addition to the discussion and comparison of impacts of a Proposed Project and the Alternatives, Section 15126.6 of the CEQA Guidelines requires that an "environmentally superior" Alternative be selected and the reasons for such a selection disclosed. In general, the environmentally superior Alternative is the Alternative that would be expected to generate the least amount of adverse impacts. In this case, the No Build/No Project Alternative would result in the least impacts on the existing environment. However, Section 15126.6(e)(2) of the CEQA Guidelines states if the No Project Alternative is the environmentally superior alternative, then the EIR shall also identify an environmentally superior alternative among the other alternatives. Based on the alternatives analysis, Alternative F, Residential, Less Retail, Without Linoleum City Parcel Alternative is considered to be the environmentally superior alternative, since it would reduce the Proposed Project's significant air quality operational impact to less than significant. Finally, daytime operational noise would be less under Alternative F compared to the Proposed

Project. However, as previously discussed, Alternative F would not satisfy all of the project objectives. Though Alternative F would not attain a more pedestrian environment with a plaza along Santa Monica Boulevard, (creating a town center as the Proposed Project) it would include a small mix of uses.

Statement of Overriding Considerations

The Final EIR has identified unavoidable significant impacts that will result from implementation of the Project. Section 21081 of the California Public Resources Code and Section 15093(b) of the CEQA Guidelines provide that when the decisions of the public agency allows the occurrence of significant impacts identified in the Final EIR that are not substantially lessened or avoided, the lead agency must state in writing the reasons to support its action based on the Final EIR and/or other information in the record. Article I of the City's CEQA Guidelines incorporates all of the State CEQA Guidelines contained in Title 15, California Code of Regulations, Sections 15000 et seq. and thereby requires, pursuant to Section 15093 (b) of the CEQA Guidelines, that the decision maker adopt a Statement of Overriding Considerations at the time of approval of a project if it finds that significant adverse environmental effects identified in the Final EIR cannot be substantially lessened or avoided. These findings and the Statement of Overriding Considerations are based on substantial evidence in the record, including but not limited to the Final EIR, the source references in the Final EIR, and other documents and material that constitute the record of proceedings.

Based on the analysis in the Final EIR, the Project would result in significant unavoidable environmental impacts with respect to construction-related emissions of NOx and PM_{10} and average daily emissions from motor vehicles during Project operation, and it is not feasible to mitigate such impacts to a less-than-significant level. Accordingly, the City adopts the following Statement of Overriding Considerations. The City recognizes that significant and unavoidable impacts will result from implementation of the Project. Having (i) adopted all feasible mitigation measures, (ii) rejected as infeasible alternatives to the Project, (iii) recognized all significant, unavoidable impacts, and (iv) balanced the benefits of the Approved Project against the Approved Project's significant and unavoidable impacts, the City hereby finds that the each of the Project's benefits, as listed below, outweighs and overrides the significant unavoidable impacts of the Project's air emissions during construction and operation and the Project impact at the intersection of Western Avenue and the Hollywood Freeway NB On-Ramp. (LADOT rejected a signal at this intersection due to congestion at the ramp – a signal would have mitigated the impact and there is no other feasible mitigation at this location).

Summarized below are the benefits, goals and objectives of the Approved Project. These provide the rationale for approval of the Proposed Project. Any one of the overriding considerations of economic, social, aesthetic and environmental benefits individually would be sufficient to outweigh the significant unavoidable impacts of the Approved Project and justify the approval, adoption or issuance of all of the required permits, approvals and other entitlements for the Approved Project an the certification of the completed Final EIR. Despite the unavoidable impacts regarding air emissions for the Proposed project, the City approves the project based on the following contributions of the Project to the Community

1. The Proposed Project will create a pedestrian-friendly, mixed use development with a variety of housing and neighborhood serving retail opportunities for the community.

2. The Proposed Project will increase the supply of housing in the City of Los Angeles, Hollywood Community.

3. The Proposed Project will develop an integrated mixed use project that is in close proximity to jobs and public transportation.

4. The Proposed Project will enhance the visual aesthetics of the area through redevelopment and provision of landscaping and design in an urban area.

5. The Proposed Project will encourage and enhance pedestrian activity in the Project Area.

6. The Proposed Project will provide employment associated with construction and operation of the Proposed Project.

7. The Proposed Project will create a community town center for the Project Area.

8. The Proposed Project will provide a mixed use development with a pedestrian plaza creating a safe public gathering place, policed by private security guards, where the community will feel secure in a family friendly environment in order to enhance the time spent shopping and engaging in leisure activities.

9. The Proposed Project will provide residential opportunities on land previously used for parking while not reducing code required parking for existing uses.

10. The Proposed Project will reduce traffic within the immediate Project Site neighborhood by locating housing near stores, goods and services.

Mitigation Monitoring Program

In accordance with the Requirements of Public Resources Code § 21081.6, the City Planning Commission hereby adopts the Mitigation Monitoring Program, which is described in full in Section IV of the Final EIR for the Proposed Project, and is incorporated herein by this reference. The City Planning Commission reserves the right to make amendments and/or substitutions of mitigation measures if the City Planning Commission or their designee determines that the amended or substituted mitigation measure will mitigate the identified potential environmental impacts to at least the same degree as the original mitigation measure, and where the amendment or substitution would not result in a new significant impact on the environment which cannot be mitigated.

Independent Judgment

The Applicant's consultants prepared the screencheck versions of the Draft EIR, Final EIR and Traffic Study. All such materials and all other materials related to the EIR were extensively reviewed and, where appropriate, modified by the Planning Department or other City representatives. As such, the Draft EIR, Final EIR, Traffic Study, and all other related materials reflect the independent judgment and analysis of the Lead Agency.

Substantial Evidence

The City Planning Commission finds and declares that substantial evidence for each and every finding made herein is contained in the Draft EIR, Final EIR, Traffic Study, and other related materials, each of which are incorporated herein by this reference. Moreover, the City Planning Commission finds that where more than one reason exists for any finding, the City Planning Commission finds that each reason independently supports such finding, and that any reason in support of a given finding individually constitutes a sufficient basis for that finding.

Relationship of Findings to EIR

These Findings are based on the most current information available. Accordingly, to the extent there are any apparent conflicts or inconsistencies between the Draft EIR and the Final EIR, on the one hand, and these Findings, on the other, these Findings shall control and the Draft EIR and Final EIR or both, as the case may be, are hereby amended as set forth in these Findings.

Project Conditions of Approval

Each of the Project features and mitigation measures referenced herein shall be conditions of project approval to be monitored and enforced by the City pursuant to the building permit process and the Mitigation Monitoring Program. To the extent feasible, each of the other findings and conditions of approval made by or adopted by the City Planning Commission in connection with the Project are also incorporated herein by this reference.

Custodian of Documents

The custodian of the documents or other material which constitutes the record of proceedings upon which the Director's decision is based is the City of Los Angeles, Planning Department, located at 200 North Spring Street, Room 750, Los Angeles, California 90012.

13. **Fish and Game** The subject project which is located in the County of Los Angeles, will not have an impact on fish or wildlife resources or habitat upon which fish and wildlife depend, as defined by California Fish and Game Code Section 711.2.

14. **Volunteered Conditions.** The City has a legitimate interest in regulating development to protect the health and safety of the public by ensuring development of a functionally integrated project where vehicle and pedestrian circulation occurs in a safe manner. Measures have been included to provide additional public open space and affordable housing units. An Environmental Impact Report in full compliance with CEQA was prepared for this project and impact mitigation has been incorporated. In addition, other conditions have been recommended to ensure that the project site is developed as presented. The nature and extent of the potential effects of this project will be further reduced by theses volunteered conditions and will further protect and enhance the surrounding neighborhoods.

PUBLIC HEARING AND COMMUNICATIONS

Summary of Public Hearing Testimony and Communications Received

The Public Hearing on this matter was held at Los Angeles City Hall, 200 North Spring Street, 10th Floor Hearing Room, Los Angeles, CA 90012 on Thursday, October 26, 2006, at 11:30 AM. The Public Hearing was held for both the Master Project CPC-2006-4392-GPA-ZC-ZV-HD-ZAA-ZAI-SPR and Alternative Project CPC-2006-4401-GPA-ZC-ZV-HD-ZAA-ZAI-SPR. The Public Hearing was concurrent with the Deputy Advisory Agency for the Subdivision request for the Master Project Vesting Tentative Tract (VTT) 66044 and Alternative Project VTT66814.

1. Present: Approximately 60 people attended.

2. Speakers: 8 in support; 2 in opposition .

3. A representative of Councilmember Eric Garcetti, Council District 13, was present and spoke concerning the project.

4. A representative of the Community Redevelopment Agency (CRA) was present and spoke in favor of the project.

4. Organizations testifying in SUPPORT: Hollywood Studio District Neighborhood Council, Hollywood Chamber of Commerce, and the Melrose Hill Neighborhood Association.

4. Organizations testifying in OPPOSITION: La Mirada Avenue Neighborhood Association

Public Hearing Testimony Notes

Representative from CD 13

1. The Applicant has sought Community consensus on the project.
2. CD 13 is concerned about the Open Space area over Sears that may be withdrawn but should be required
3. The Design, while a good design, the Council Office was hoping for a more varied mass. Current design does not draw from the surrounding area. A more consistent Spanish Colonial revival or Craftsman style could be call upon as these styles were widely used in the area.
4. The amount of retail space is excessive. Would like to see a greater balance to include more office uses.
5. CD13 was hoping for an affordable housing component that is missing from the current proposal.
6. Traffic concerns about the intersection of the Hollywood Freeway (US101) and Western Avenue. A mitigation measure should be outlined.
   The area is pedestrian in nature and current use. The reduction of sidewalk area should be avoided.
7. More pedestrian activity should be encouraged given the amount of mass transit in the area.
8. More parking is necessary for the surrounding area and this provides an opportunity to increase parking amounts.
9. The roof top park over the Sears building must be maintained for the increase in the number of dwelling units from this project.
10. The Public benefit should be well identified.

Representative from the CRA

1. In favor of the project as it complements the redevelopment of the area. It provides a variety of dwelling units in an area where housing is needed. The amounts of commercial space will add vitality to the surrounding area.
2. The Paseo between Santa Monica Blvd and Virginia provides alternative pedestrian circulation. The project presented at earlier public meetings included a business incubator component to encourage small business development
3. Due to the high levels of pedestrian traffic, sidewalk area amounts should be retained and improved. No narrowing should be allowed.

SPEAKERS COMMENTS SUPPORTING THE PROJECTS:

- The project, overall, is welcomed in the neighborhood. Would like the project to provide more parking.
- Concerned about construction impacts on small business in the area.
- In favor of the project. The project was developed with a lot of community input at several community meetings.
- In favor of project as more jobs will be created improving the area. A new development will encourage improved maintenance of surrounding buildings and perhaps increase property values.
- In Favor. Provides extra parking, The architectural design is good. The project provides more retail uses and added jobs.
- Project provided Small commercial spaces for smaller businesses.
- Very good out reach to the community resulting in strong community support.
- Landscaping details should be disclosed and comprehensive.
- More parking would solve parking shortage in the area.
- In favor of project and amount of new parking will help the area.

SPEAKERS COMMENTS OPPOSING THE PROJECTS:

- All environmental impacts must be fully mitigated.
- Major concern about the traffic and the unmitigated traffic impact at the 101 northbound on ramp at Western. The speaker wants the project reduced to eliminate all impacts.
- the EIR had many questionable elements including:
  a. The project description was inconsistent.
  b. The FAR of 3.8 was understated (Note; the speaker did not provide an alternative FAR amount).
  c. Noticing for the EIR review was inadequate
  d. Growth impacts are precedent setting
  e. Cumulative and indirect impacts were not adequately addressed
  f. Many comments were not adequately responded to. (i.e. comment 2-14 and 2-18 response were not correct.)
  g. Trip counts 12,900 are significant and must be fully mitigated.
  h. There were several factual errors in the EIR (discussion of other project in the Hollywood area.)
- Project should be reduced in density and height to be more compatible with the surrounding area and to reduce environmental impacts.
- The finding for a variance regarding a Hardship cannot be made as the development is new and therefore self imposed.
- State code section 66474 requires that all elements of the General Plan must be complied with.

SPEAKERS WITH GENERAL COMMENTS

- Project is inconsistent with existing lease terms. Wants to retain parking requirements of lease. They request a delay of the project until all disagreements can be solved.
- The speaker has a lease for a space on the project site. The speaker wants options made available to allow the continuation of the existing business in some manner.
- Don't allow the use of eminent domain.

Communications Received

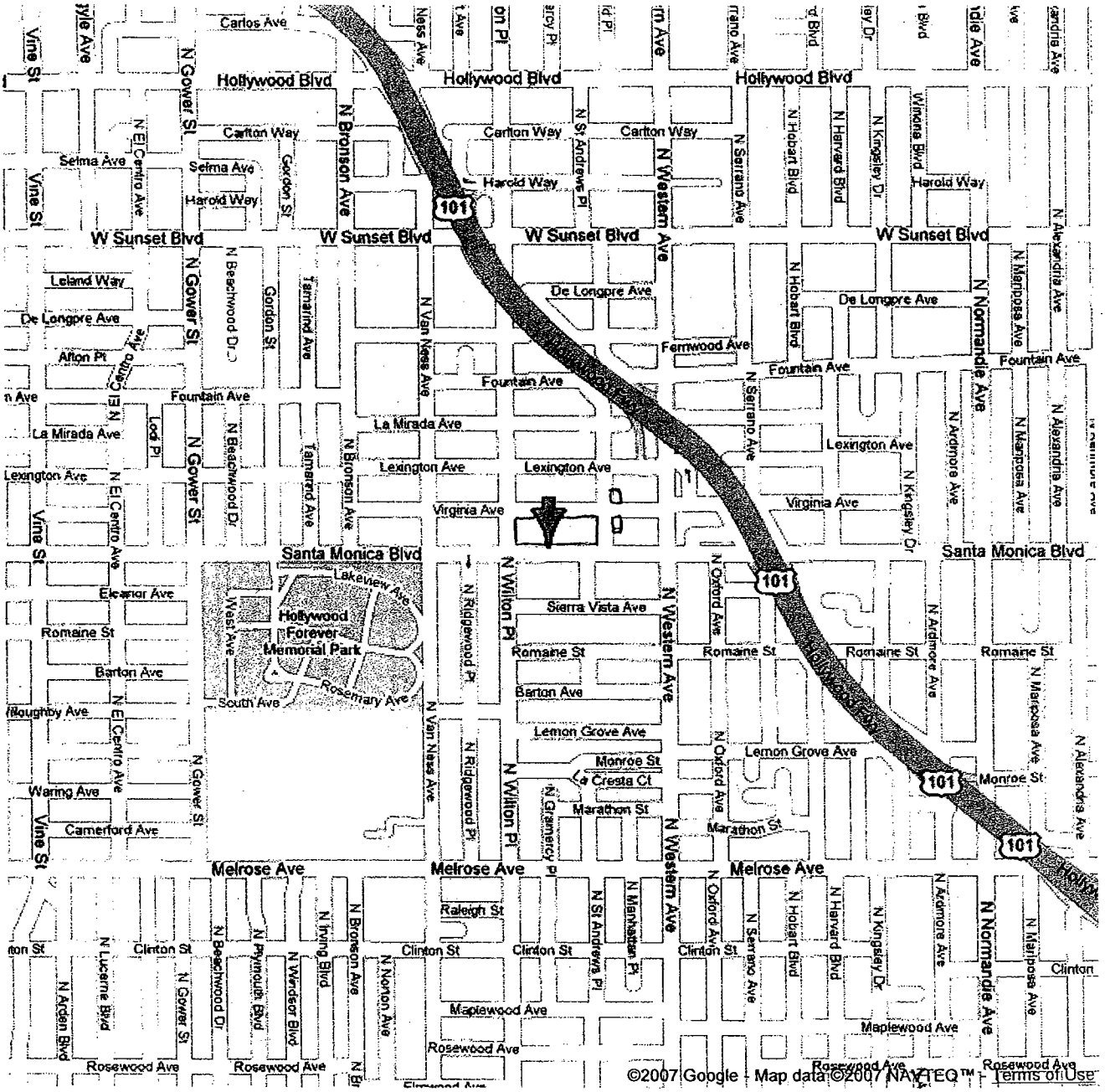
Letters - Support:
Hollywood/Los Angeles Beautification Team
The applicant's representative submitted the following letters:
November 9, 2006 - "Follow Up Letter to the October 26, 2006 Hearing" provided additional information and clarification of issues raised at the public hearing. This letter included two volunteered conditions. One condition is for a roof top garden on the Sears building and the second to require the applicant to work with the CRA to identify pedestrian improvements.
February 1, 2007 – A letter requesting a continuance of the CPC hearing to March 8, 2007 to allow the consideration of a General Plan Amendment.
February 6, 2007 – A Letter volunteering "10% of the total units constructed on Site I shall be low-income affordable units and shall be located on Site III."
February 20, 2007 – A letter revising the volunteered condition to require development of a roof top garden on the Sears building in conjunction with renovation of that building other than work associated with the proposed project.
Letters - Opposition: .None received prior to the completion of this report.

Exhibit A-1

Google Maps

Address **5651 Santa Monica Blvd**
Hollywood, CA 90038

Notes CPC-2006-4392-ZC-HD-ZV-ZAA
ZAI-SPR
CPC2006-4401-ZC-HD-ZV-ZAA-
ZAI-SPR



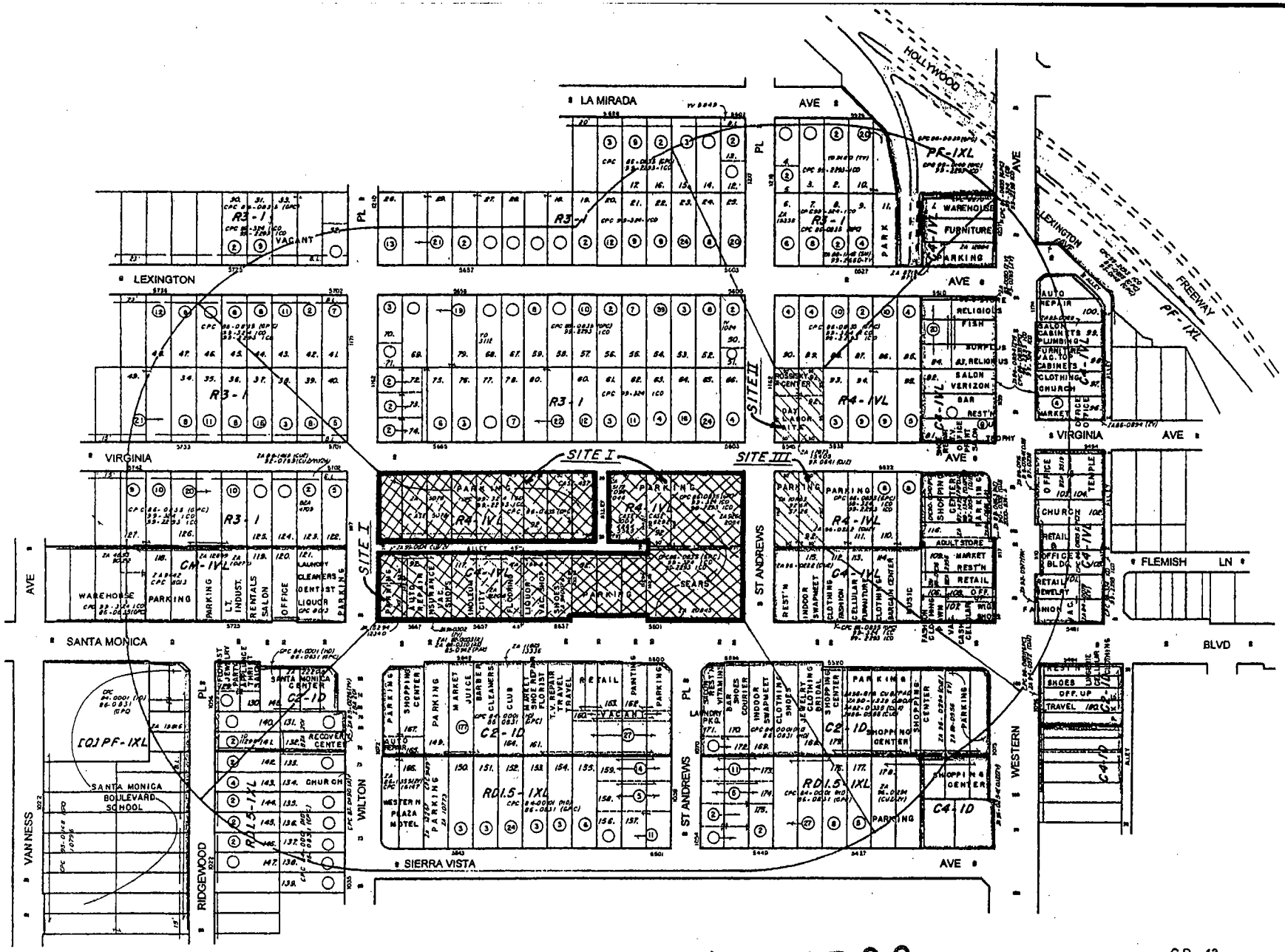


Exhibit A-2.1

CPC 2006 -4392

LEGAL
SEE APPLICATION.

C4-1VL AND R4-1VL TO RAS4-2D

C.D. 13
C.T. 1917.20
P.A. HOLLYWOOD

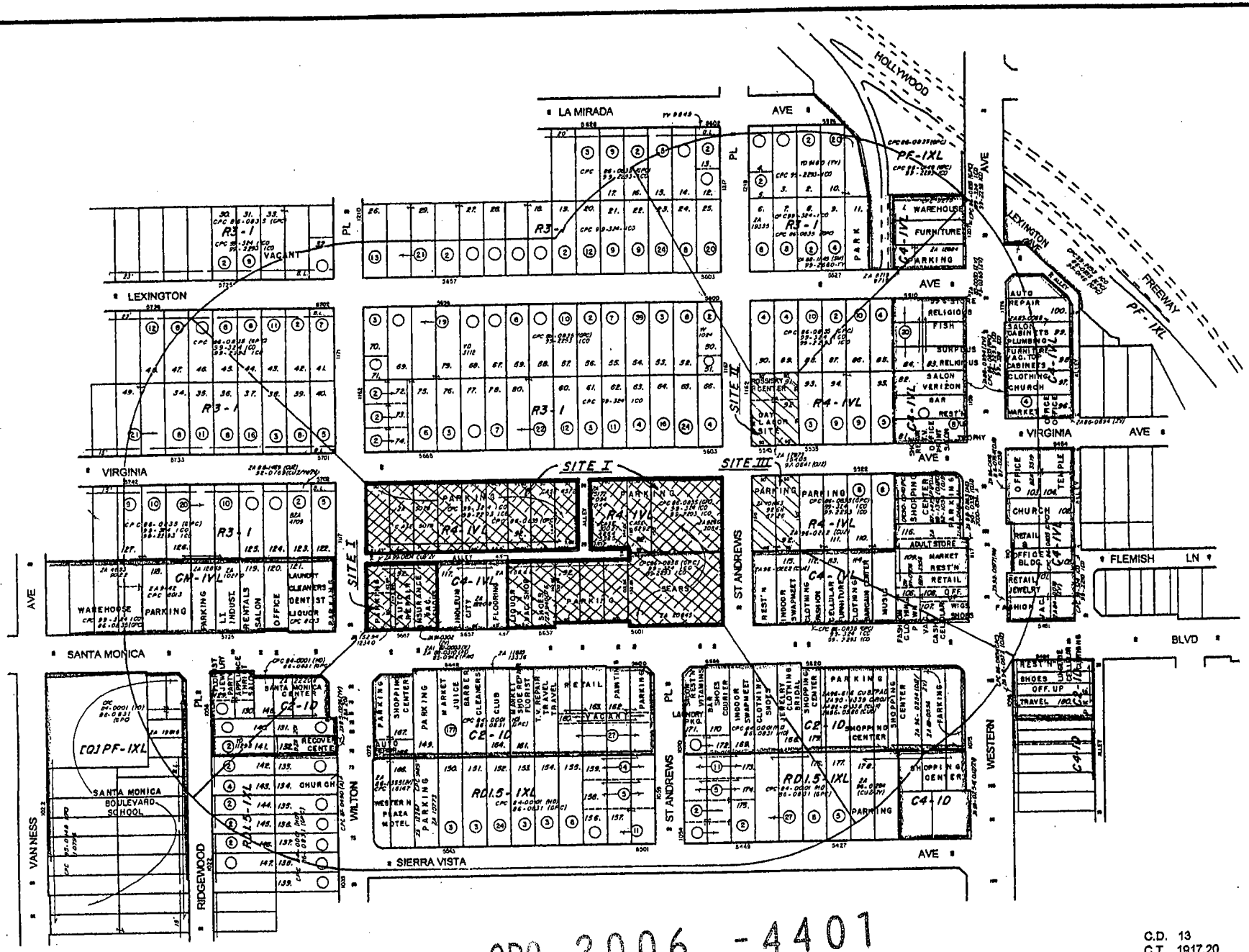
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GC MAPPING SERVICE
711 MISSION STREET, SUITE D
SOUTH PASADENA, CA. 91030
(626) 441-1080

VESTING TENTATIVE TRACT MAP NO.066044
ZONE CHANGE / HEIGHT DISTRICT CHANGE
VARIANCE / ZONING ADMINISTRATOR'S ADJUSTMENT
SITE PLAN REVIEW

NET AC.= 5.43±

CASE NO.
DATE: 04-24-06
SCALE: 1" = 100'
USES FIELD
D.M. 144 B 189
144 B 193
T.B. PAGE: 593 GRID: H-5



CPC 2006 - 4401

C.D. 13
C.T. 1917.20
P.A. HOLLYWOOD

N

LEGAL
SEE APPLICATION.

C4-1VL AND R4-1VL TO RAS4-2D

Exhibit A-2, 2

GC MAPPING SERVICE

711 MISSION STREET, SUITE D
SOUTH PASADENA, CA. 91030
(626) 441-1080

VESTING TENTATIVE TRACT MAP NO.066814
ZONE CHANGE / HEIGHT DISTRICT CHANGE
VARIANCE / ZONING ADMINISTRATOR'S ADJUSTMENT
SITE PLAN REVIEW

NET AC.= 4.96±

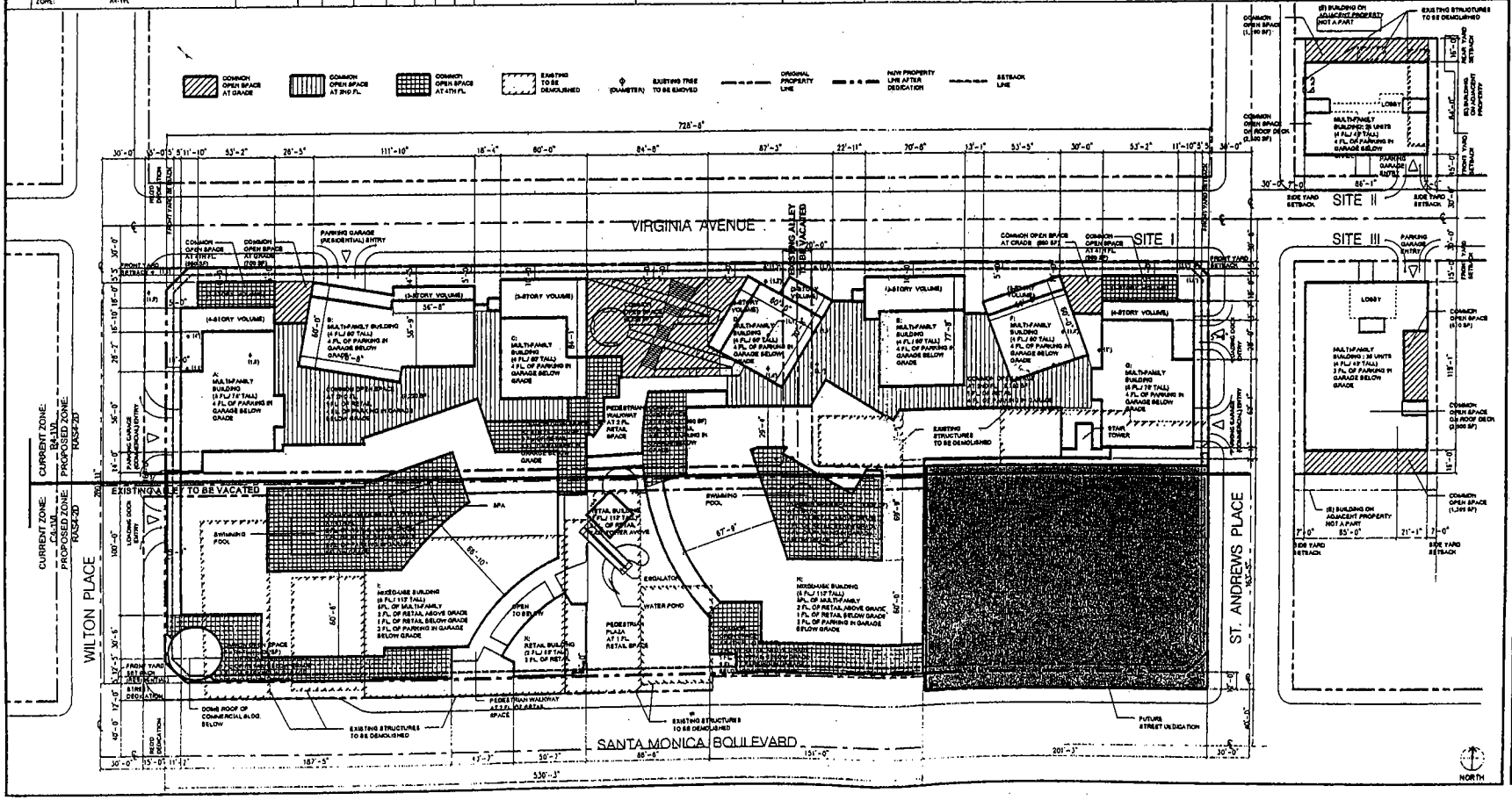
CASE NO.
DATE: 04-24-06
SCALE: 1" = 100'
USES FIELD
D.M. 144 B 189
144 B 193
T.B. PAGE: 593 GRID: H-5

Exhibit B-1
CPC 2006-4392
MASTER PROJECT

	GENERAL INFORMATION	ADDRESS/ LEGAL DESCRIPTION	LOT AREA & BUILDABLE AREA	SETBACKS	BLDG. HEIGHT	FLOOR AREA	RETAIL SPACE	RESIDENTIAL DENSITY	OPEN SPACE
SITE I	PROJECT ADDRESS: 5661 WEST SANTA MONICA BLVD, LOS ANGELES, CA 90038 COMMUNITY PLAN: HOLLYWOOD COMMUNITY PLAN GENERAL PLAN LAND USE: NEIGHBORHOOD OFFICE COMMERCIAL CRA PLAN AREA: HOLLYWOOD REDEVELOPMENT PROJECT CRA PLAN DESIGNATION: NEIGHBORHOOD OFFICE COMMERCIAL CURRENT ZONE: C4-1VL AND R4-1VL PROPOSED ZONE: RAS4-2D	ADDRESS / APN / TRACT / MAP REF. / BLOCK / LOT / ZONING (see table)	LOT AREA BEFORE DEDICATIONS: 818,670 SF LOT AREA AFTER REQ'D DEDICATIONS: 793,170 SF MINUS FUTURE STREET DEDICATIONS: 8,612 SF PLUS EXISTING ALLEY TO BE VACATED: (AFTER STREET DEDICATION) 11,273 SF TOTAL USABLE AREA: (LOT AREA AFTER DEDICATION PLUS EXISTING ALLEYS TO BE VACATED) 812,831 SF BUILDABLE AREA: (TOTAL USABLE AREA MINUS REQ'D SETBACKS) 202,084 SF THE EXISTING ALLEYS ARE PROPOSED TO BE VACATED.	REQUIRED SETBACKS / PROPOSED SETBACKS FRONT YARDS: 6 FEET OR AVERAGE OF ADJOINING BUILDING SANTA MONICA BOULEVARD: 1ST STORY(mixed): 0 FEET; 2ND STORY(mixed): 6 FEET; 3RD STORY(residential): 6 FEET VIRGINIA AVENUE: 1ST STORY(residential): 5 FEET WILTON PLACE: 1ST STORY(mixed): 0 FEET; 2ND STORY(mixed): 0 FEET; 3RD STORY(residential): 6 FEET; 4TH STORY(residential): 6 FEET ST. ANDREWS PLACE: 1 STORY EXISTING(mostly 0 FEET); 1ST STORY(residential): 6 FEET SIDE YARDS: 5 FEET FOR RESIDENTIAL; NONE FOR COMMERCIAL AT GROUND FLOOR REAR YARDS: 6 FEET / N/A	ALLOWABLE BUILDING HEIGHT IN RAS4-2D: NO VERTICAL HEIGHT LIMIT; NO STORY LIMIT PROPOSED BUILDING HEIGHT: TIER I: 85 FEET TIER 2: 85 FEET TIER 3: 75 FEET TIER 4: 94 FEET TIER 5: 113 FEET EXISTING SEARS STORE: 85 FEET (ESTIMATED)	ALLOWABLE F.A.R. IN RAS4-2D: = 6 : 1 ALLOWABLE FLOOR AREA: 1,218,384 SF (202,084 SF X 6 = 1,212,384 SF) PROPOSED FLOOR AREA: 776,770 SF RESIDENTIAL: 397,870 SF COMMERCIAL: 377,900 SF (NEW COMMERCIAL 263,780 SF; EXISTING SEARS 114,120 SF) PROPOSED F.A.R. = 3.84 : 1 (776,770 SF / 202,084 SF = 3.84)	TOTAL RETAIL SPACE PROPOSED: 377,900 SF EXISTING (1 LEVEL): 114,120 SF NEW RETAIL: 263,780 SF BELOW GRADE LEVEL (P-3): 94,370 SF SUBTERRANEAN RETAIL FOR USE BY A TYPICAL DEPARTMENT STORE GRADE LEVEL: 102,440 SF NEIGHBORHOOD SERVING RETAIL AND RESTAURANTS SECOND LEVEL: 66,770 SF NEIGHBORHOOD SERVING RETAIL AND OFFICE USE	400 SF MIN. LOT AREA PER DWELLING UNIT FOR RAS4-2D ZONE: DWELLING UNITS ALLOWED: 830 UNITS 212,831 SF TOTAL USABLE LOT AREA (LOT AREA AFTER DEDICATION PLUS ALLEY TO BE VACATED) / 400 SF PER UNIT = 532 UNITS ALLOWED DWELLING UNITS PROPOSED: 378 UNITS 100 SF FOR UNITS < 3 HABITABLE ROOMS: 42 UNITS 125 SF FOR UNITS OF 3 HABITABLE ROOMS: 259 UNITS 175 SF FOR UNITS > 3 HABITABLE ROOMS: 83 UNITS	TOTAL REQUIRED: 378 UNITS 49,875 SF 100 SF FOR UNITS < 3 HABITABLE ROOMS: 42 UNITS 4,200 SF; 125 SF FOR UNITS OF 3 HABITABLE ROOMS: 259 UNITS 32,375 SF; 175 SF FOR UNITS > 3 HABITABLE ROOMS: 83 UNITS 14,525 SF TOTAL PROPOSED: 52,653 SF COMMON OPEN SPACE PROVIDED: 51,653 SF; GROUND FLOOR: 7,538 SF; 2ND FLOOR: 16,119 SF; 4TH FLOOR: 27,335 SF AMENITIES INCLUDED: 2 POOLS, SPA, COMMUNITY ROOM, GYM/AEROBIC, LAUNDRY FACILITIES, TRASH CHUTES
SITE II	PROJECT ADDRESS: 5545 WEST VIRGINIA AVENUE LOS ANGELES, CA 90038 COMMUNITY PLAN: HOLLYWOOD COMMUNITY PLAN GENERAL PLAN LAND USE: NEIGHBORHOOD OFFICE COMMERCIAL CRA PLAN AREA: HOLLYWOOD REDEVELOPMENT PROJECT CRA PLAN DESIGNATION: NEIGHBORHOOD OFFICE COMMERCIAL ZONE: R4-1VL	(see table)	LOT AREA: 9,500 SF BUILDABLE AREA: (LOT AREA MINUS REQ'D SETBACKS) 6,504 SF	REQUIRED SETBACKS IN R4: FRONT YARD: 15 FEET REAR YARD: 15 FEET (15' + 1' X (FL - 3FL)) SIDE YARDS: 7 FEET (5' + 1' X (FL - 3FL)) PROPOSED SETBACKS IN R4: SAME AS REQUIRED	ALLOWABLE BUILDING HEIGHT IN R4-1VL: NOT TO EXCEED 45 FEET; NOT LIMITED AS PER NUMBER OF STORIES PROPOSED BUILDING HEIGHT: 4 STORY / 45 FEET	ALLOWABLE F.A.R. IN R4-1VL: = 3 : 1 ALLOWABLE FLOOR AREA IN R4-1VL: 19,512 SF (6,504 SF X 3 = 19,512 SF) PROPOSED FLOOR AREA: 18,612 SF PROPOSED F.A.R. = 2.8 : 1 (18,612 SF / 6,504 SF = 2)	NO RETAIL SPACE PROPOSED	400 SF MIN. LT AREA PER DWELLING UNIT FOR R4-1VL ZONE DWELLING UNITS ALLOWED: 24 UNITS (9,600 SF LOT AREA / 400 SF PER UNIT = 24 UNITS ALLOWED DWELLING UNITS PROPOSED: 24 UNITS	TOTAL REQUIRED: 24 UNITS 3,100 SF 100 SF FOR UNITS < 3 HABITABLE ROOMS: 4 UNITS 400 SF; 125 SF FOR UNITS OF 3 HABITABLE ROOMS: 16 UNITS 2,000 SF; 175 SF FOR UNITS > 3 HABITABLE ROOMS: 4 UNITS 700 SF TOTAL PROPOSED: 3,700 SF PRIVATE OPEN SPACE PROPOSED: NONE; COMMON OPEN SPACE PROPOSED: 3,700 SF
SITE III	PROJECT ADDRESS: 5542 WEST VIRGINIA AVENUE LOS ANGELES, CA 90038 COMMUNITY PLAN: HOLLYWOOD COMMUNITY PLAN GENERAL PLAN LAND USE: NEIGHBORHOOD OFFICE COMMERCIAL CRA PLAN AREA: HOLLYWOOD REDEVELOPMENT PROJECT CRA PLAN DESIGNATION: NEIGHBORHOOD OFFICE COMMERCIAL ZONE: R4-1VL	(see table)	LOT AREA: 18,008 SF BUILDABLE AREA (LOT AREA MINUS REQ'D SETBACKS) 10,256 SF	REQUIRED SETBACKS IN R4: FRONT YARD: 15 FEET REAR YARD: 10 FEET (10' + 1' X (FL - 3FL)) SIDE YARDS: 7 FEET (5' + 1' X (FL - 3FL)) PROPOSED SETBACKS IN R4: SAME AS REQUIRED	ALLOWABLE BUILDING HEIGHT IN R4-1VL: NOT TO EXCEED 45 FEET; NOT LIMITED AS PER NUMBER OF STORIES PROPOSED BUILDING HEIGHT: 4 STORY / 45 FEET	ALLOWABLE F.A.R. IN R4-1VL: = 3 : 1 ALLOWABLE FLOOR AREA IN R4-1VL: 30,717 SF (10,256 SF X 3 = 30,717 SF) PROPOSED FLOOR AREA: 30,717 SF PROPOSED F.A.R. = 3 : 1 (30,717 SF / 10,256 SF = 3)	NO RETAIL SPACE PROPOSED	400 SF MIN. LT AREA PER DWELLING UNIT FOR R4-1VL ZONE DWELLING UNITS ALLOWED: 26 UNITS (10,400 SF LOT AREA / 400 SF PER UNIT = 26 UNITS ALLOWED DWELLING UNITS PROPOSED: 26 UNITS	TOTAL REQUIRED: 26 UNITS 6,075 SF 100 SF FOR UNITS < 3 HABITABLE ROOMS: 3 UNITS 300 SF; 125 SF FOR UNITS OF 3 HABITABLE ROOMS: 21 UNITS 2,375 SF; 175 SF FOR UNITS > 3 HABITABLE ROOMS: 2 UNITS 350 SF TOTAL PROPOSED: 8,610 SF PRIVATE OPEN SPACE PROPOSED: NONE; COMMON OPEN SPACE PROPOSED: 8,610 SF

	NO. OF PARKING SPACES REQUIRED	NO. OF PARKING SPACES PROVIDED
RESIDENTIAL	563 SPACES 1 PER 1 BEDROOM UNIT; 1.5 PER 2 BEDROOM UNIT; 2 PER 3 BEDROOM UNIT; 1 PER 4 BEDROOM UNIT; 1 PER 5 BEDROOM UNIT	644 SPACES
COMMERCIAL	603 SPACES 1 PER 250 SF (RETAIL); 1 PER 500 SF (RESTAURANT); 1 PER 300 SF (OFFICE)	603 SPACES
SUB-TOTAL	1,166 SPACES	1,447 SPACES
ADDITIONAL PARKING REQUIRED	N/A	324 SPACES
TOTAL	1,166 SPACES	1,871 SPACES

	NO. OF PARKING SPACES REQUIRED	NO. OF PARKING SPACES PROVIDED
SITE II	36 SPACES PER LOS ANGELES MUNICIPAL CODE (LAMC 12.21 A 4 (x)): 1 SPACE PER UNIT + 1 HABITABLE ROOMS: 4 UNITS 4 SPACES 1.5 SPACE PER UNITS OF 3 HABITABLE ROOMS: 16 UNITS 24 SPACES 2 SPACES PER UNITS > 3 HABITABLE ROOMS: 4 UNITS 8 SPACES	64 SPACES
SITE III	60 SPACES PER LOS ANGELES MUNICIPAL CODE (LAMC 12.21 A 4 (x)): 1 SPACE PER UNIT + 1 HABITABLE ROOMS: 3 UNITS 3 SPACES 1.5 SPACE PER UNITS OF 3 HABITABLE ROOMS: 21 UNITS 31 SPACES 2 SPACES PER UNITS > 3 HABITABLE ROOMS: 2 UNITS 4 SPACES	66 SPACES



Paseo Plaza
5661 WEST SANTA MONICA BOULEVARD
LOS ANGELES, CALIFORNIA 90038
APPLICANT: BL Andrews + Santa Monica, LLC

GRUEN ASSOCIATES
ARCHITECTURE + PLANNING + INTERIORS

CONSULTANTS

NO.	DATE	REVISION	BY

ENTITLEMENT ISSUED FOR — 05/31/06 DATE — L.S. COORDINATOR

ARCHITECT/ENGINEER SEAL

KEY PLAN

DATE 05/16/06 SCALE 1"=30'-0"

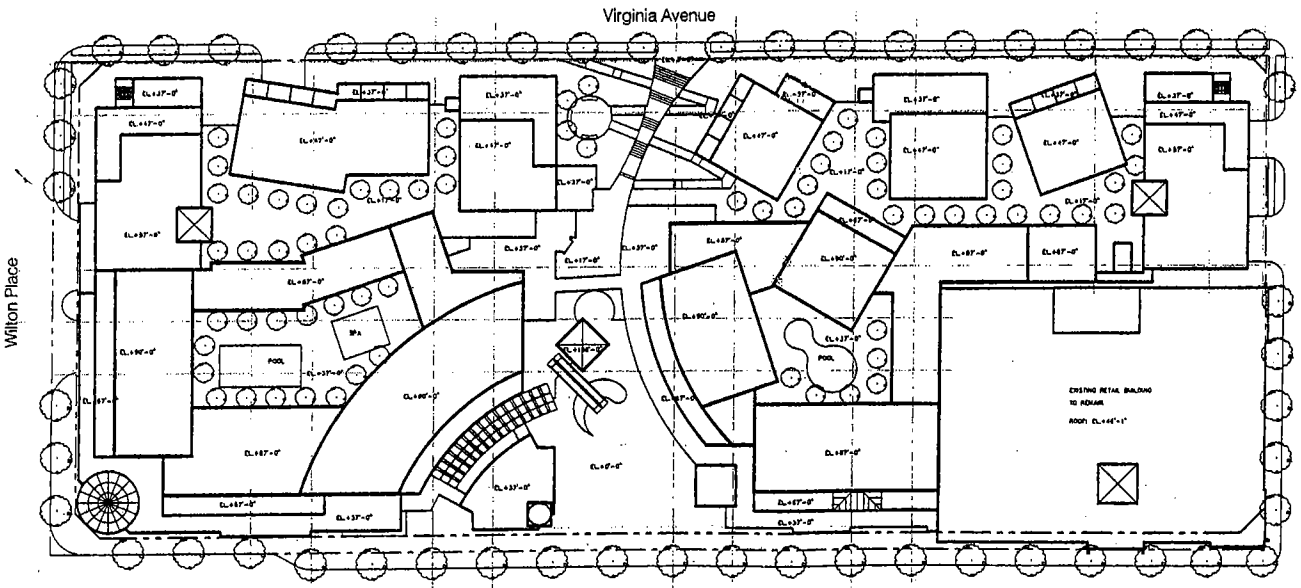
DRAWN BY: CHECKED BY: S.Y.A.S

PLOT PLAN/ MASTER PROJECT

SHEET NO. A1.0

JOB NO. 03A.00 DRAWING NO.

PLOT NAME: A1.01



Paseo Plaza

5661 WEST SANTA MONICA BOULEVARD
LOS ANGELES, CALIFORNIA 90038

APPLICANT: EL Andrews - Santa Monica, LLC
[redacted]

GRUEN ASSOCIATES
ARCHITECTURE • PLANNING • INTERIORS
[redacted]

CONSULTANTS

NO.	DATE	REVISION	BY

(ENTITLEMENT) 05/01/06 LS
ISSUED FOR DATE COORDINATOR

ARCHITECT/ENGINEER SEAL

KEY PLAN

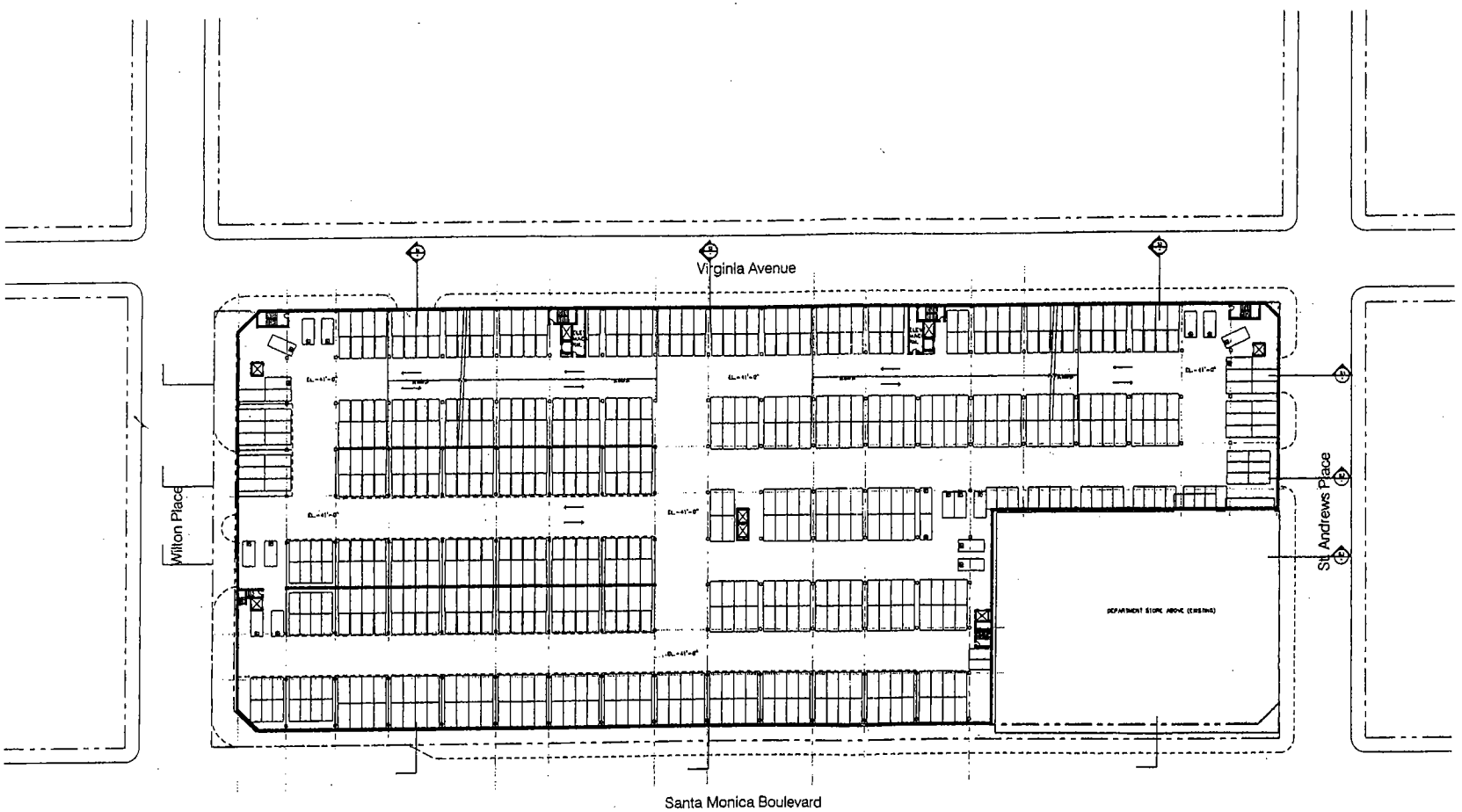
DATE 05/01/06 SCALE: 1"=30'-0"
DRAWN BY: ST CHECKED BY: LS

SITE PLAN/
MASTER PROJECT

SHEET TITLE

ARCHITECTURAL
EA2.1

JOB NO. 7553.00 DRAWING NO.:



NUMBER OF PARKING SPACES

	P1	P2	P3	P4	TOTAL
STANDARD	150	122	421	433	1,126
COMPACT	87	84	145	190	506
HCP	6	10	4	19	39
TOTAL	243	216	570	642	1,671

Pasco Plaza

5661 WEST SANTA MONICA BOULEVARD
LOS ANGELES, CALIFORNIA 90038

APPLICANT: St. Andrews - Santa Monica, LLC

GRUEN ASSOCIATES
ARCHITECTURE • PLANNING • INTERIORS

CONSULTANTS

NO.	DATE	REVISION	BY

ENTITLEMENT — 05/01/06 — L.S.
ISSUED FOR — DATE — COORDINATOR

ARCHITECT/ENGINEER SEAL

KEY PLAN

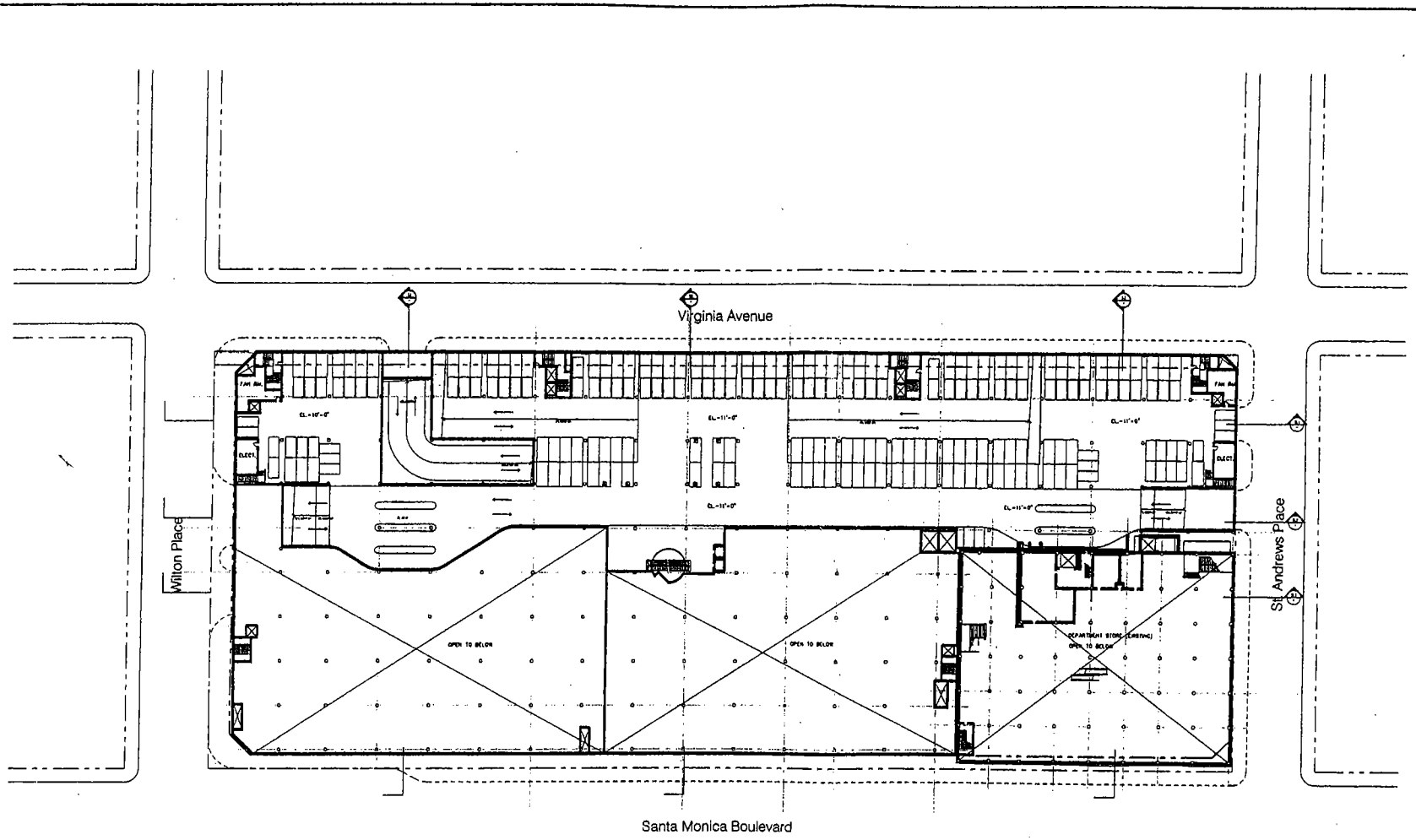
DATE: 05/01/06 — SCALE: 1"=30'-0"
DRAWN BY: ST — CHECKED BY: LS

SUBTERRANEAN PARKING LEVEL 4 PLAN

SHEET FILE

ARCHITECTURAL
EA4.01
DRAWING NO.

JOB NO 7553.00



NOTE: PLEASE REFER TO SHEET EA4.01 FOR NUMBER OF PARKING SPACES.

Paseo P

5601 WEST SANTA MONICA
LOS ANGELES, CALIFORN

APPLICANT: St. Andrews - Santa M

GRUEN ASSOC
ARCHITECTURE + PLANNING

CONSULTANTS

NO. DATE REVISION

ENTITLEMENT
ISSUED FOR 05/01/
DATE

ARCHITECT/ENGINEER SEAL

KEY PLAN

DATE 05/01/06 SCALE

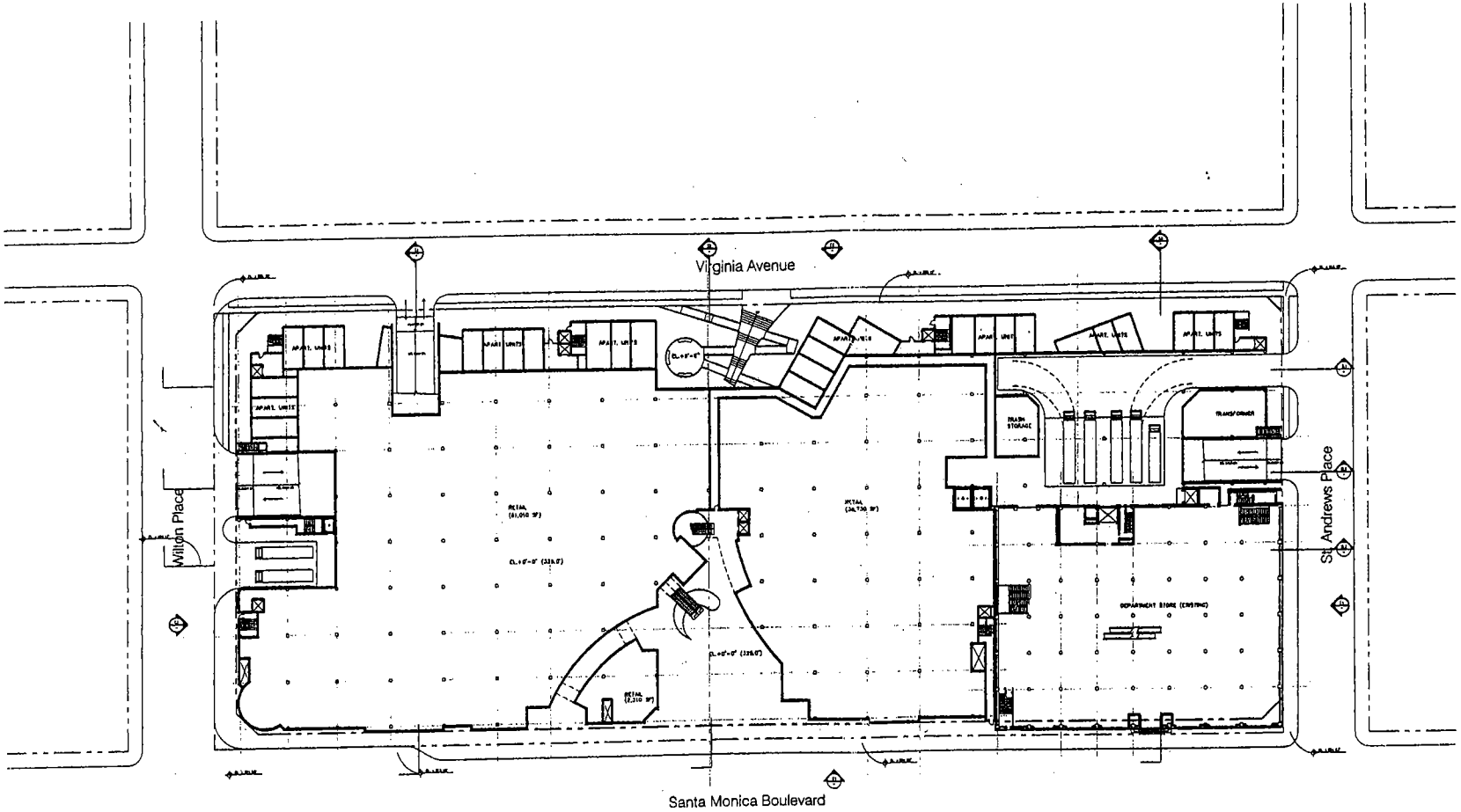
DRAWN BY: SY CHECKED BY:

SUBTERRANE
PARKING LEVE
PLAN

SHEET TITLE

ARCHITE
EA4
DRAWING NO.

JOB NO. 7552.00



Pasco Plaza

8861 WEST SANTA MONICA BOULEVARD
LOS ANGELES, CALIFORNIA 90035

APPLICANT: St. Andrews - Santa Monica, LLC

GRUEN ASSOCIATES
ARCHITECTURE • PLANNING • INTERIORS

CONSULTANTS

NO.	DATE	REVISION	BY

ENTITLEMENT ISSUED FOR — 03/01/06 DATE — L.S. COORDINATOR

ARCHITECT/ENGINEER SEAL

KEY PLAN

DATE: 05/01/06 — SCALE: 1"=30'-0"

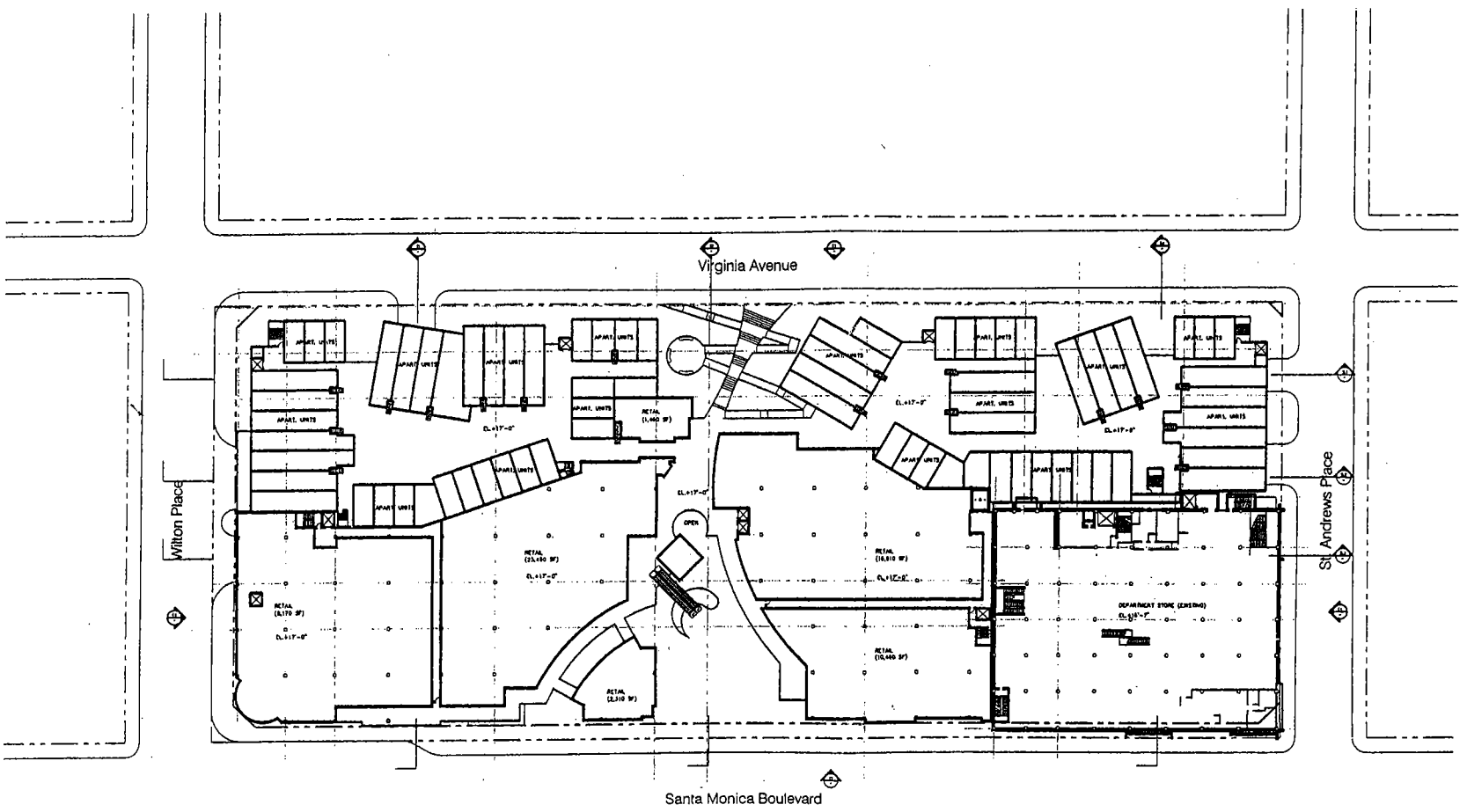
DRAWN BY: SY — CHECKED BY: LS

SHEET TITLE: FIRST FLOOR PLAN

ARCHITECTURAL EA4.11

JOB NO. 7533.00 — DRAWING NO.:

PLOT NAME: PLAN



Paseo Plaza

5661 WEST SANTA MONICA BOULEVARD
LOS ANGELES, CALIFORNIA 90038

APPLICANT: St. Andrews - Santa Monica, LLC
[illegible]

GRUEN ASSOCIATES
ARCHITECTURE • PLANNING • INTERIORS

[illegible]

CONSULTANTS

NO.	DATE	REVISION	BY

ENTITLEMENT — ISSUED FOR — 05/01/06 — DATE — L.S. — COORDINATOR

ARCHITECT/ENGINEER SEAL

[illegible]

KEY PLAN

DATE: 05/01/06 | SCALE: 1"=30'-0"

DRAWN BY: ST | CHECKED BY: LS

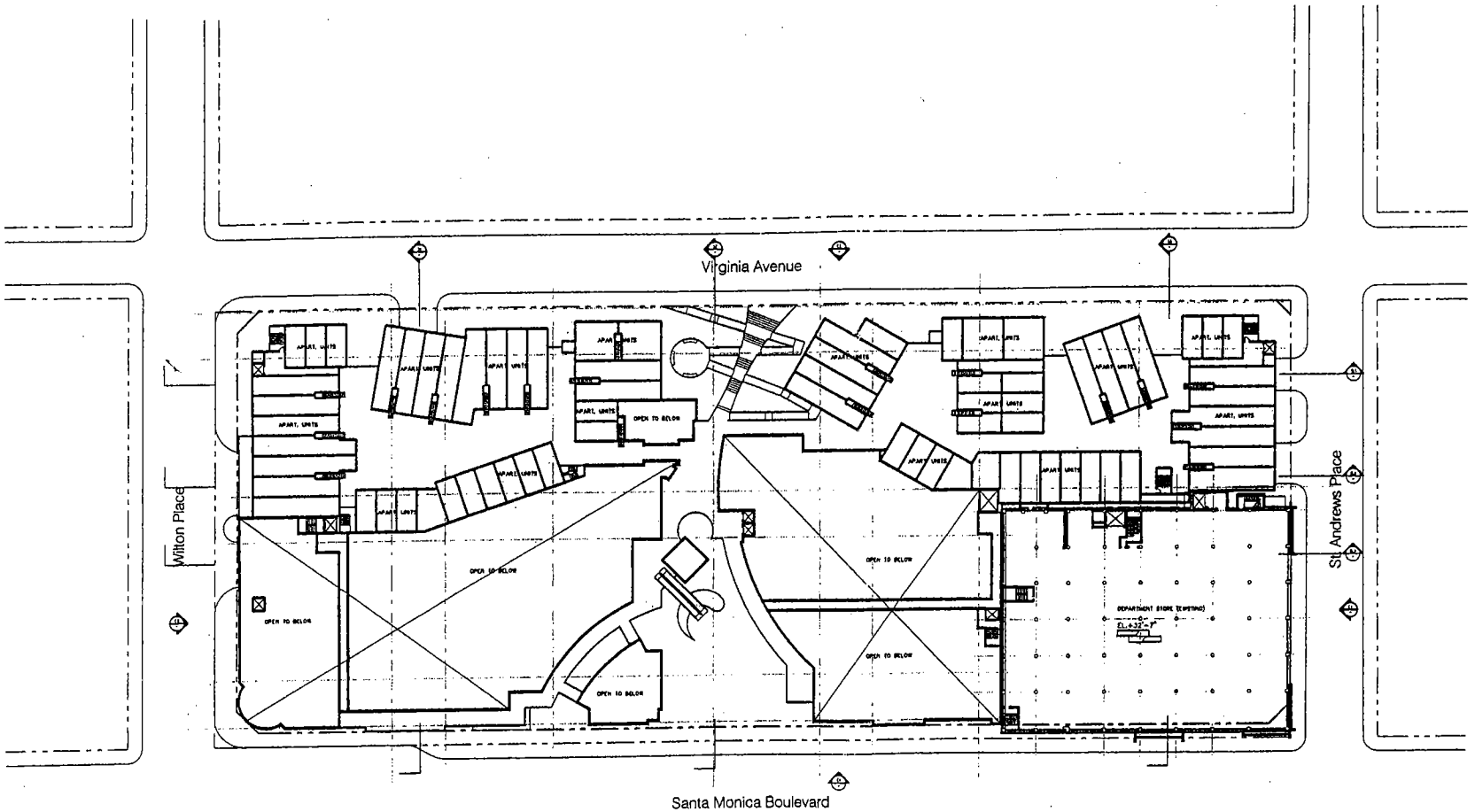
SECOND FLOOR PLAN

SHEET TITLE

ARCHITECTURAL

EA4.12

JOB NO. 7332.00 | DRAWING NO.



Paseo Plaza

5861 WEST SANTA MONICA BOULEVARD
LOS ANGELES, CALIFORNIA 90038

APPLICANT: EL Andrews - Santa Monica, LLC

GRUEN ASSOCIATES
ARCHITECTURE + PLANNING + INTERIORS

CONSULTANTS

NO.	DATE	REVISION	BY

ENTITLEMENT ISSUED FOR — 05/01/06 DATE — LS COORDINATOR

ARCHITECT/ENGINEER SEAL

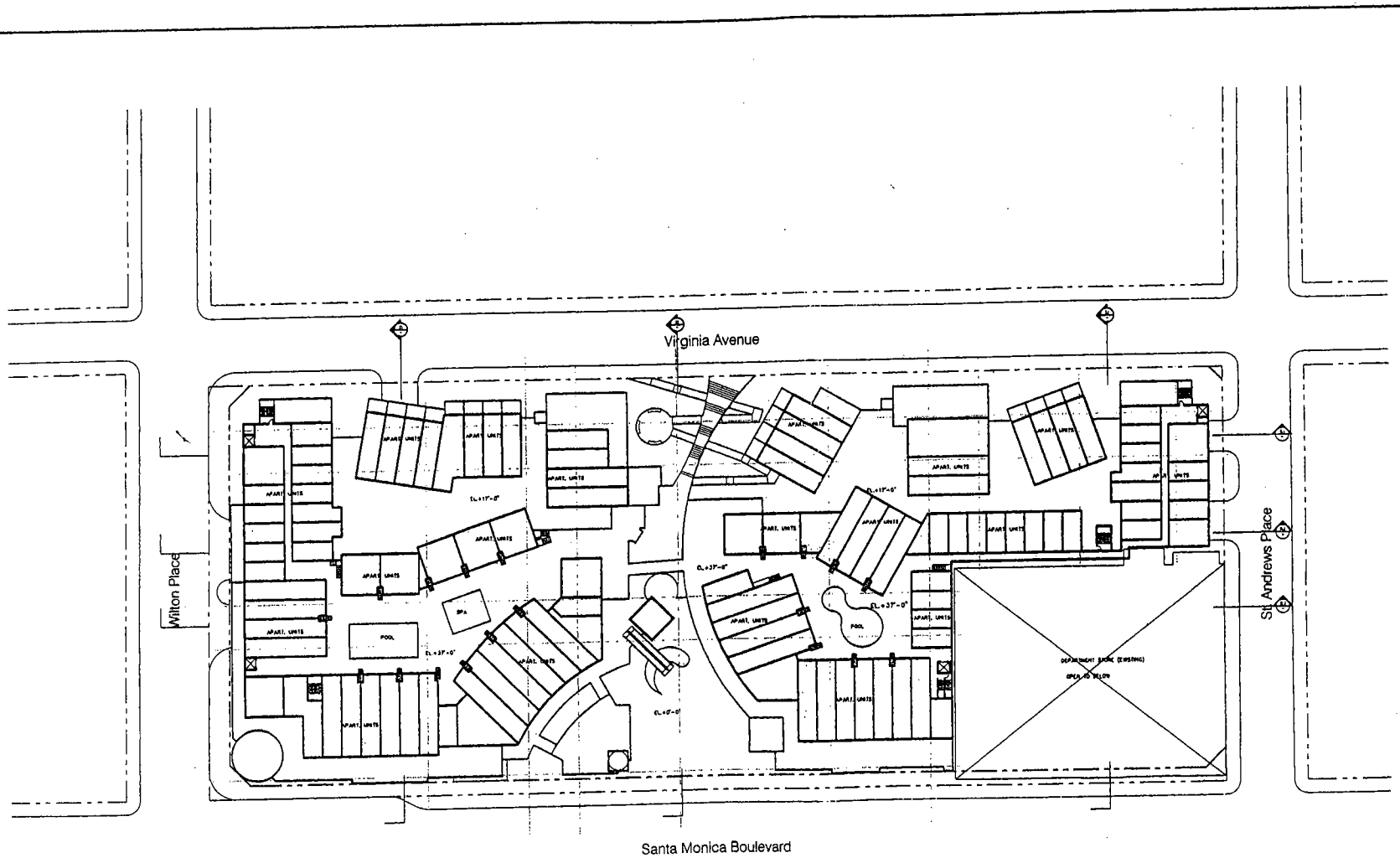
KEY PLAN

DATE: 05/01/06 SCALE: 1"=30'-0"

DRAWN BY: ST CHECKED BY: LS

THIRD FLOOR PLAN

SHEET NO.: ARCHITECTURAL



Pasco Plaza

9661 WEST SANTA MONICA BOULEVARD
LOS ANGELES, CALIFORNIA 90036

APPLICANT: SL Andrews - Santa Monica, LLC

GRUEN ASSOCIATES
ARCHITECTURE + PLANNING + INTERIORS

CONSULTANTS

NO.	DATE	REVISION	BY

ENTITLEMENT — 05/01/06 — LS
ISSUED FOR — DATE — COORDINATOR

ARCHITECT/ENGINEER SEAL

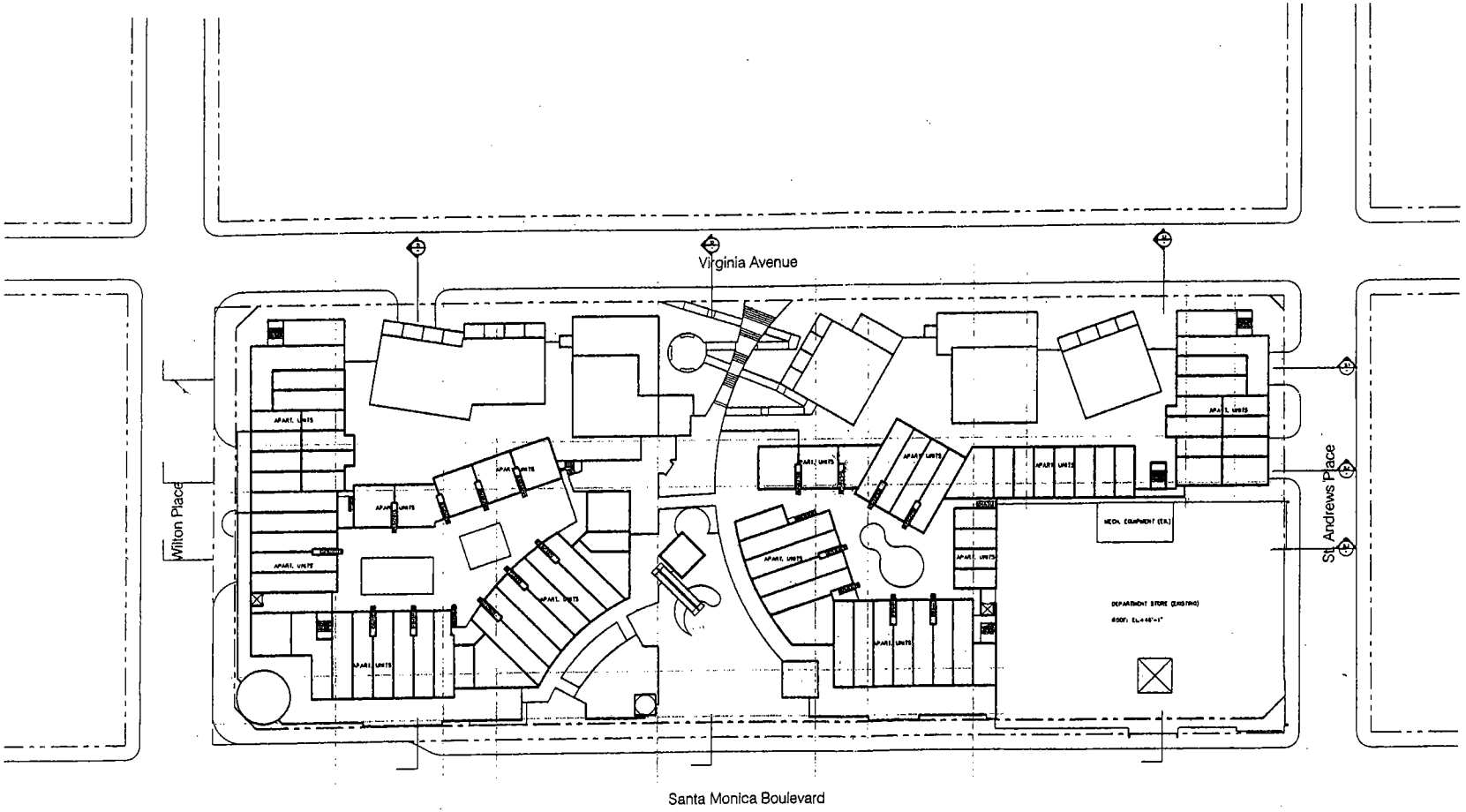
KEY PLAN

DATE: 05/01/06 | SCALE: 1"=30'-0"
DRAWN BY: ST | CHECKED BY: LS

FOURTH FLOOR PLAN

SHEET TITLE

ARCHITECTURAL
EA4.14



Paseo Plaza

5881 WEST SANTA MONICA BOULEVARD
LOS ANGELES, CALIFORNIA 90038

APPLICANT: St. Andrews - Santa Monica, LLC

GRUEN ASSOCIATES
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CONSULTANTS

NO.	DATE	REVISION	BY

ENTITLEMENT 05/01/06 LS
ISSUED FOR DATE COORDINATOR

ARCHITECT/ENGINEER SEAL

KEY PLAN

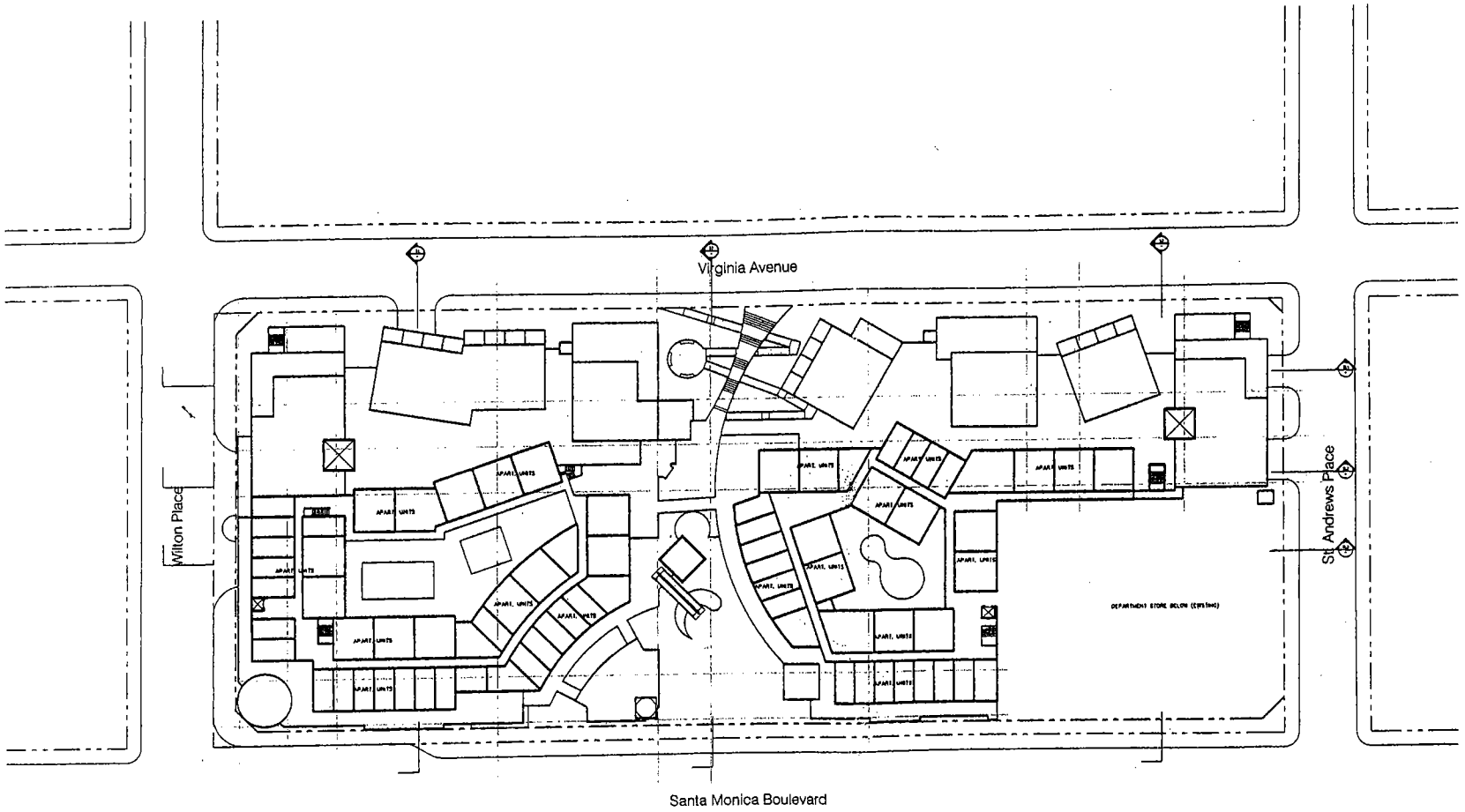
DATE 05/01/06 SCALE: 1"=30'-0"
DRAWN BY: ST CHECKED BY: LS

FIFTH FLOOR PLAN

SHEET TITLE

ARCHITECTURAL
EA4.15

JOB NO: 7552.00 DRAWING NO:



Paseo Plaza

5881 WEST SANTA MONICA BOULEVARD
LOS ANGELES, CALIFORNIA 90038

APPLICANT: St. Andrews - Santa Monica, LLC

GRUEN ASSOCIATES
ARCHITECTURE + PLANNING + INTERIORS

CONSULTANTS

NO.	DATE	REVISION	BY

ENTITLEMENT ISSUED FOR — 05/01/06 DATE — LS COORDINATOR

ARCHITECT/ENGINEER SEAL

KEY PLAN

DATE: 05/01/06 SCALE: 1"=30'-0"

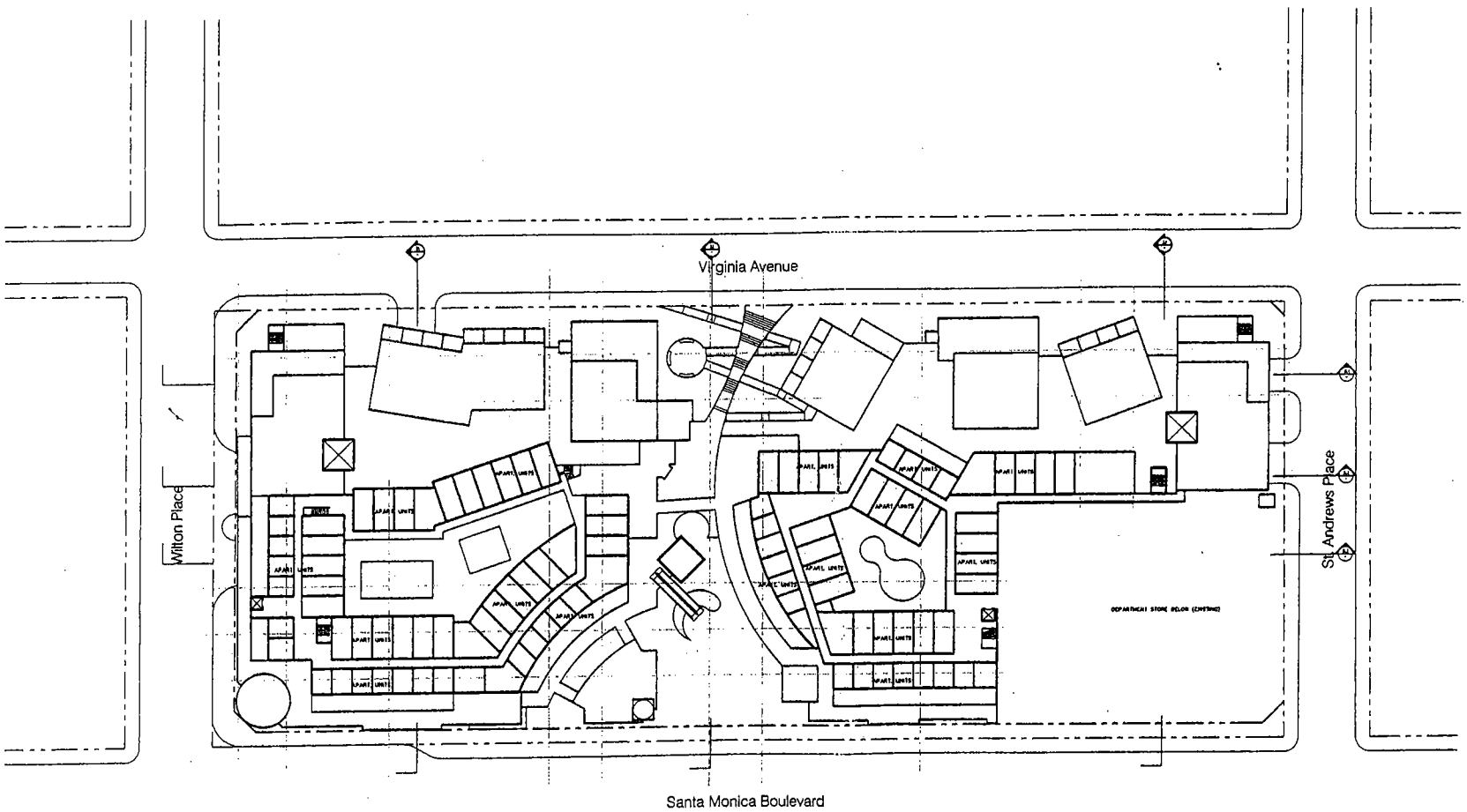
DRAWN BY: ST CHECKED BY: LS

SIXTH FLOOR PLAN

SHEET TITLE

ARCHITECTURAL

JOB NO.: 7583.00 DRAWING NO.: EA4.16



Pasco Plaza

5881 WEST SANTA MONICA BOULEVARD
LOS ANGELES, CALIFORNIA 90038

APPLICANT: SL Andrews - Santa Monica, LLC

GRUEN ASSOCIATES
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CONSULTANTS

NO.	DATE	REVISION	BY

ENTITLEMENT — 05/01/06 — L.S.
ISSUED FOR — DATE — COORDINATOR

ARCHITECT/ENGINEER SEAL

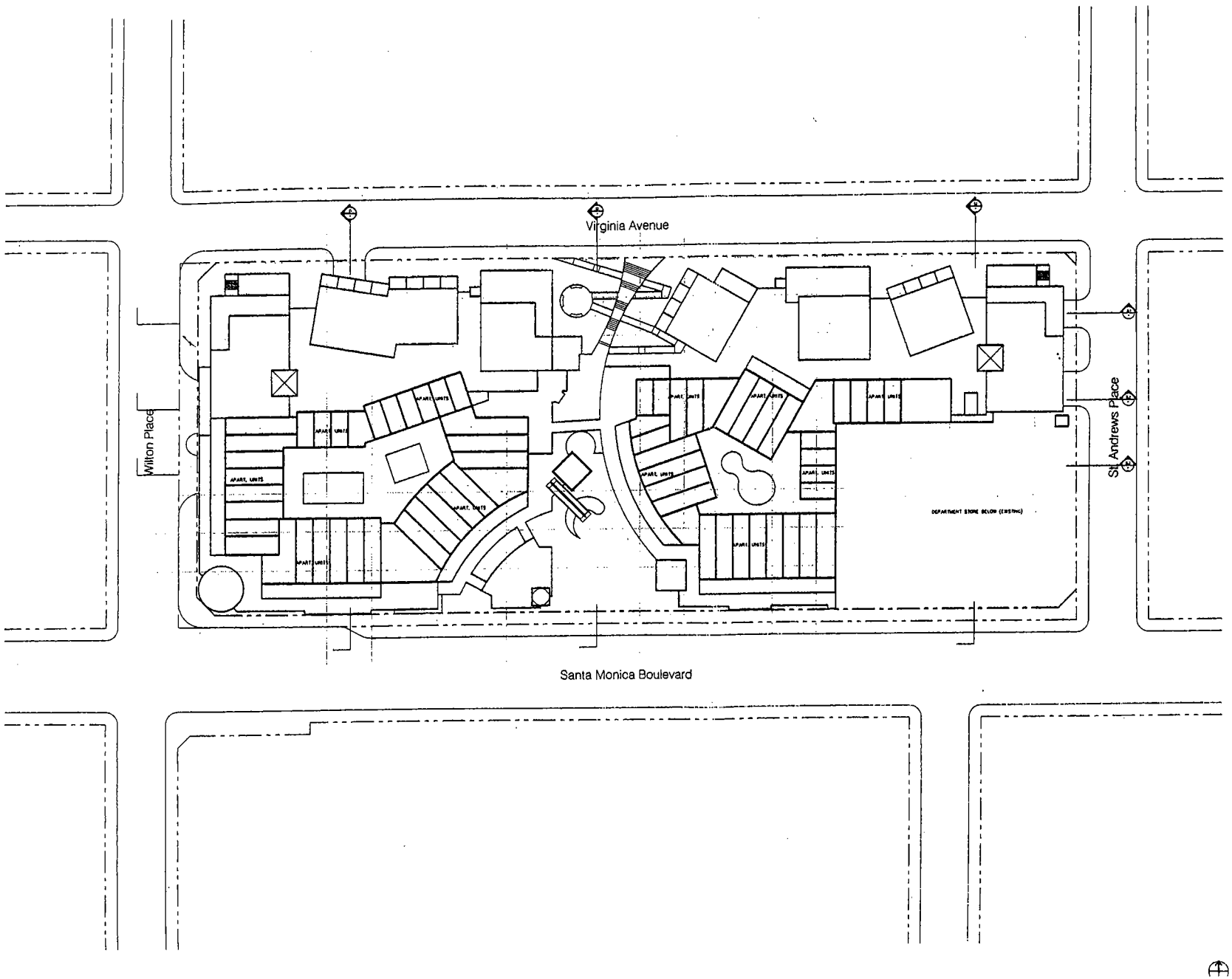
These drawings and specifications, ideas, designs and arrangements are and shall remain the property of our architects in which shall be deemed to be used for any work or project other than the specific project for which they have been prepared or developed without the written permission of the architects. Visual contact with these drawings or specifications shall constitute acceptance of this restriction.

ALT PLAN

DATE 05/01/06 | SCALE: 1"=30'-0"
DRAWN BY: SY | CHECKED BY: LS

SHEET TITLE
SEVENTH FLOOR PLAN

JOB NO: 7552.00 | ARCHITECTURAL DRAWING NO: EA4.17



Paseo Plaza

5681 WEST SANTA MONICA BOULEVARD
LOS ANGELES, CALIFORNIA 90038

APPLICANT: St. Andrews - Santa Monica, LLC

GRUEN ASSOCIATES
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CONSULTANTS

NO.	DATE	REVISION	BY

ENTITLEMENT ISSUED FOR — 05/01/06 DATE — L.S. COORDINATOR

ARCHITECT/ENGINEER SEAL

KEY PLAN

DATE: 05/01/06 SCALE: 1"=30'-0"

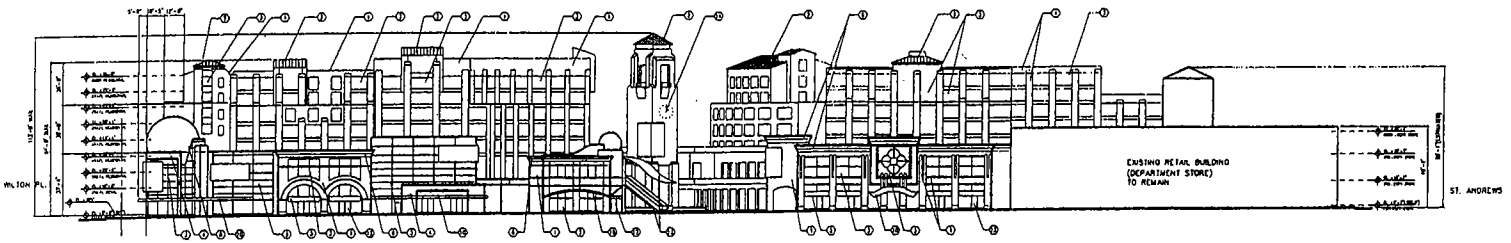
DRAWN BY: ST CHECKED BY: LS

EIGHTH FLOOR PLAN

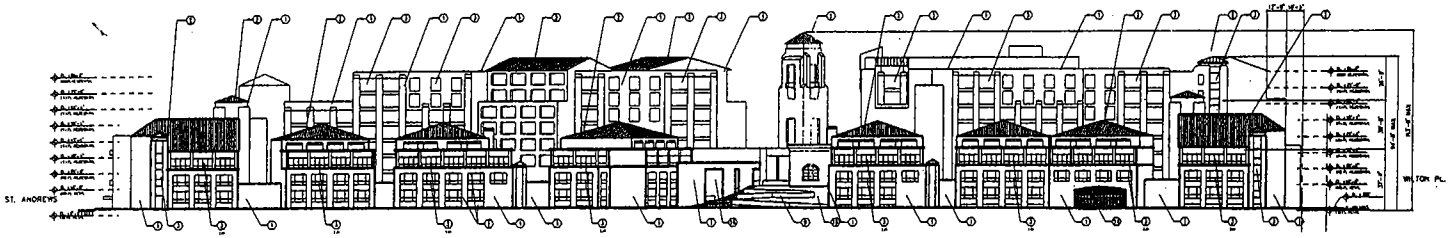
SHEET TITLE

ARCHITECTURAL EA4.18

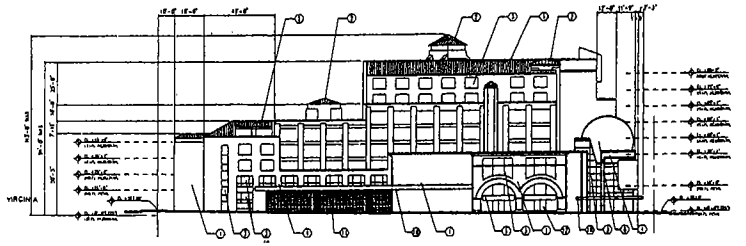
JOB NO. 7553.00 DRAWING NO.



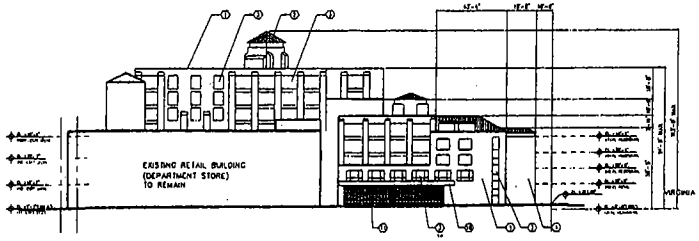
ELEVATION "E1"



ELEVATION "E2"



ELEVATION "E3"



ELEVATION "E4"

KEYNOTES:

1. EXTERIOR CEMENT PLASTER
2. ROOF TILE
3. GLAZING W/ PAINTED ALUMINUM FRAME
4. PAINTED METAL FRAME
5. FABRIC AWNING
6. G.F.R.G. CORNICE
7. PAINTED METAL FIN
8. PAINTED METAL GLOBE
9. CONCRETE WALL
10. PAINTED METAL CANOPY
11. PAINTED METAL ROLL-DOWN GATE
12. GLASS & PAINTED ALUMINUM DOOR
13. ESCALATOR W/ TRANSLUCENT CANOPY
14. CLOCK
15. SLOPED GARDEN
16. OPEN BEYOND

Pasco Plaza

5661 WEST SANTA MONICA BOULEVARD
LOS ANGELES, CALIFORNIA 90038

APPLICANT: BL Andrews - Santa Monica, LLC

GRUEN ASSOCIATES
ARCHITECTURE • PLANNING • INTERIORS

CONSULTANTS

NO.	DATE	REVISION	BY

ENTITLEMENT ISSUED FOR — 05/01/08 DATE — LS COORDINATOR

ARCHITECT/ENGINEER SEAL

KEY PLAN

DATE: 05/01/08 SCALE: 1"=30'-0"

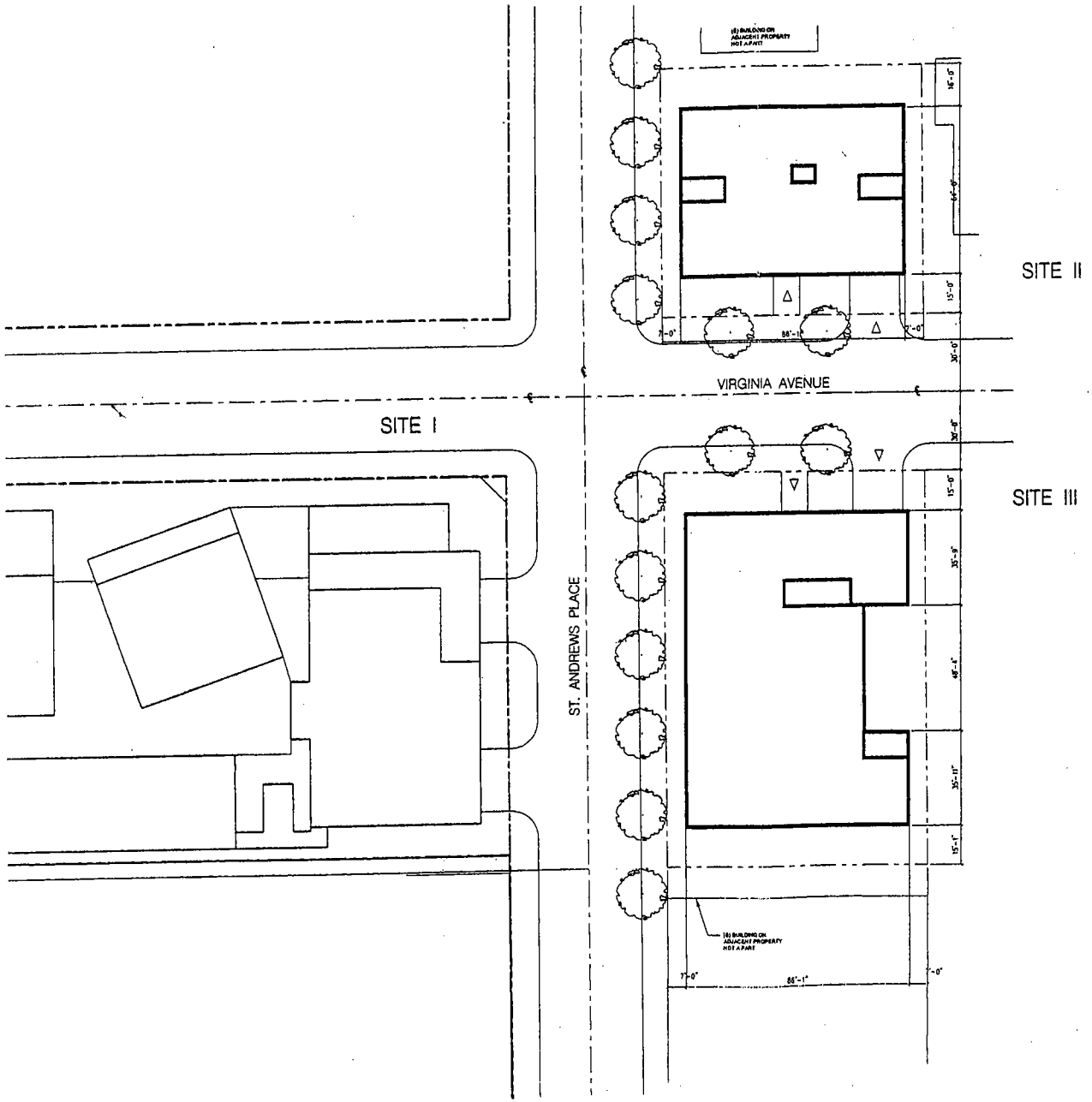
DRAWN BY: SY CHECKED BY: LS

ELEVATIONS

SHEET TITLE

ARCHITECTURAL
EA5.21

JOB NO.: 7653.00 DRAWING NO.:



Pasco Plaza

5881 WEST SANTA MONICA BOULEVARD
LOS ANGELES, CALIFORNIA 90038

APPLICANT: SL Andrews - Santa Monica, LLC

GRUEN ASSOCIATES
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CONSULTANTS

NO. DATE REVISION BY

ENTITLEMENT ISSUED FOR — 05/01/06 DATE — LS COORDINATOR

ARCHITECT/ENGINEER SEAL

KEY PLAN

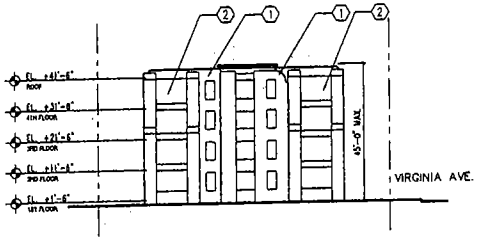
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DRAWN BY CHECKED BY: STAFF

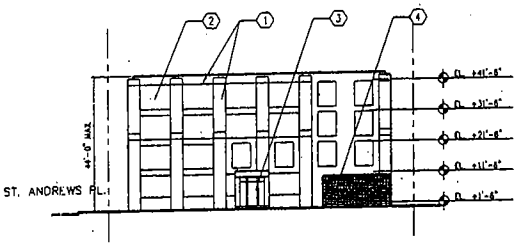
SHEET TITLE
SITE PLAN
(SITE II & III)

JOB NO. 7552.00 DRAWING NO. EA10.10

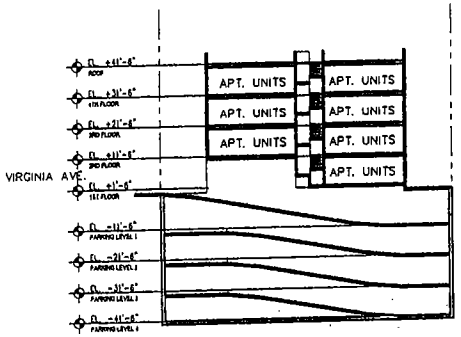
PLOT NAME: EA10.10.pit



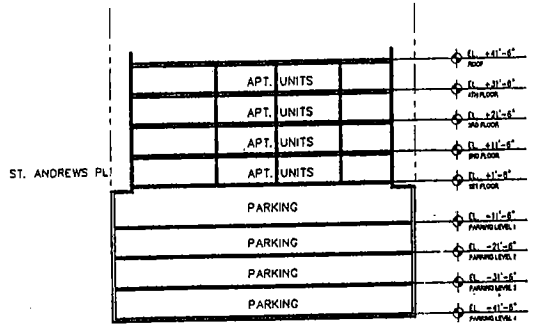
2 WEST ELEVATION
AS NOTED



1 SOUTH ELEVATION
AS NOTED



4 SECTION B2
AS NOTED



3 SECTION A2
AS NOTED

KEYNOTES:

1. EXTERIOR CEMENT PLASTER
2. GLAZING W/ PAINTED ALUMINUM FRAME
3. GLASS & PAINTED ALUMINUM DOOR
4. PAINTED METAL ROLL-DOWN GATE

NORTH

Pasco Plaza

5661 WEST SANTA MONICA BOULEVARD
LOS ANGELES, CALIFORNIA 90038

APPLICANT: St. Andrews - Santa Monica, LLC
3611 Overland Avenue, Suite B / 3rd Fl.
Culver City, California 90232

GRUEN ASSOCIATES
ARCHITECTURE • PLANNING • INTERIORS
6330 San Vicente Boulevard, Suite 200 Los Angeles, California 90048
TEL (323) 937-4170 FAX (323) 937-4891

CONSULTANTS

NO.	DATE	REVISION	BY

ENTITLEMENT ISSUED FOR — 05/01/06 DATE — LB COORDINATOR

ARCHITECT/ENGINEER SEAL

KEY PLAN

DATE: 05/01/06 — SCALE: 1/16"=1'-0"

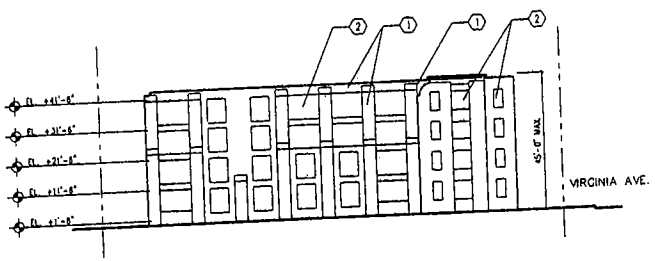
DRAWN BY: — CHECKED BY: SY/AS

ELEVATIONS AND SECTIONS/ SITE II

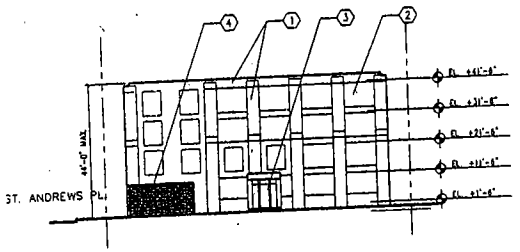
SHEET TITLE

JOB NO.: 7553.00 — DRAWING NO.: EA10.13

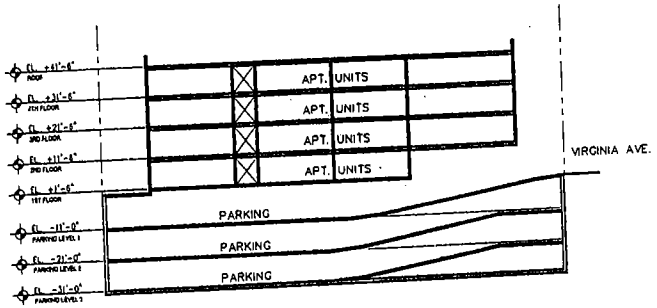
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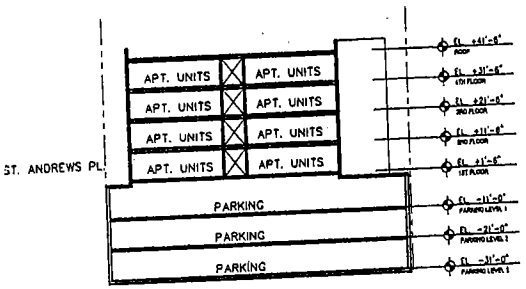
2 WEST ELEVATION
AS NOTED



1 NORTH ELEVATION
AS NOTED



4 SECTION B3
AS NOTED



3 SECTION A3
AS NOTED

KEYNOTES:

1. EXTERIOR CEMENT PLASTER
2. GLAZING W/ PAINTED ALUMINUM FRAME
3. GLASS & PAINTED ALUMINUM DOOR
4. PAINTED METAL ROLL-DOWN GATE

NORTH

Paseo Plaza

5661 WEST SANTA MONICA BOULEVARD
LOS ANGELES, CALIFORNIA 90038

APPLICANT: St. Andrews - Santa Monica, LLC

GRUEN ASSOCIATES
ARCHITECTURE • PLANNING • INTERIORS

CONSULTANTS

NO.	DATE	REVISION	BY

ENTITLEMENT — 05/01/08 — K.B.
ISSUED FOR — DATE — COORDINATOR

ARCHITECT/ENGINEER SEAL

KEY PLAN

DATE: 05/01/08 — SCALE: 1/16"=1'-0"
DRAWN BY: — CHECKED BY: STAS

ELEVATIONS AND SECTIONS/ SITE III

SHEET TITLE

JOB NO: 7583.00 — DRAWING NO: EA10.14

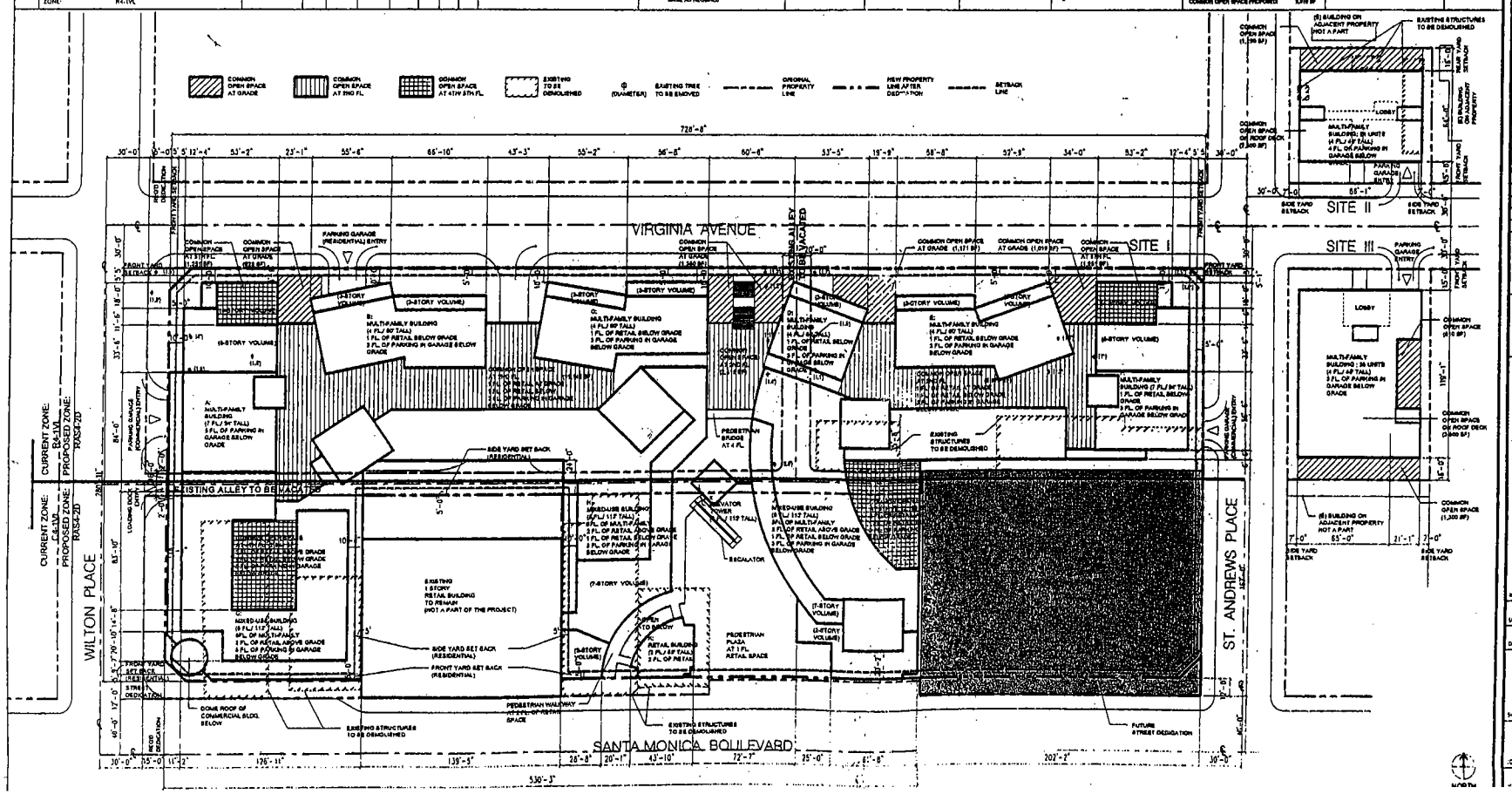
PLOT NAME: EA10.14.dft

Exhibit B-2

CPC 2006-4401

ALTERNATIVE PROJECT

	GENERAL INFORMATION		ADDRESS/ LEGAL DESCRIPTION						LOT AREA & BUILDABLE AREA	SETBACKS		BLDG. HEIGHT	FLOOR AREA	RETAIL SPACE	RESIDENTIAL DENSITY	OPEN SPACE	PARKING
SITE I	PROJECT ADDRESS:	5661 WEST SANTA MONICA BLVD, LOS ANGELES, CA 90038	ADDRESS	APN	TRACT	MAP REF.	BLOCK	LOT	LOT AREA BEFORE DEDICATION: 192,600 SF		REQUIRED SETBACKS	ALLOWABLE BUILDING HEIGHT IN RAS4-20: NO VERTICAL HEIGHT LIMIT; NO STORY LIMIT	ALLOWABLE F.A.R. IN RAS4-20: 6:1	TOTAL RETAIL SPACE PROPOSED: 332,300 SF	400 SF MIN. LOT AREA PER DWELLING UNIT FOR RAS4-20 ZONE:	TOTAL REQUIRED: 278 UNITS 81,180 SF	NO. OF PARKING SPACES REQUIRED
	COMMUNITY PLAN:	HOLLYWOOD COMMUNITY PLAN							LOT AREA AFTER REQD DEDICATIONS: 184,682 SF		PROPOSED SETBACKS		ALLOWABLE FLOOR AREA (192,600 SF X 6:1 = 1,095,600 SF)	EXISTING STORE: 114,120 SF	DWELLING UNITS ALLOWED: 484 UNITS	100 SF FOR UNITS + 3 HABITABLE ROOMS: 49 UNITS 4,900 SF; 125 SF FOR UNITS OF 3 HABITABLE ROOMS: 216 UNITS 27,000 SF; 175 SF FOR UNITS + 3 HABITABLE ROOMS: 116 UNITS 19,250 SF	RESIDENTIAL: 583 SPACES
	GENERAL PLAN LAND USE:	NEIGHBORHOOD OFFICE COMMERCIAL							MINUS FUTURE STREET DEDICATIONS: 5,918 SF	FRONT YARDS	SANTA MONICA BOULEVARD: 1ST STORY(max): NONE; 2ND STORY(max): NONE; 3RD STORY(max): 5 FEET		PROPOSED FLOOR AREA: 726,594 SF	NEW RETAIL: 238,180 SF	182,650 SF TOTAL USABLE LOT AREA & LOT AREA AFTER DEDICATION PLUS ALLEY TO BE VACATED) 1,400 SF PER UNIT = 484 UNITS ALLOWED		844 SPACES
	CRA PLAN AREA:	HOLLYWOOD REDEVELOPMENT PROJECT							PLUS EXISTING ALLEY TO BE VACATED (AFTER STREET DEDICATION): 11,273 SF		VIRGINIA AVENUE: 1ST STORY(max): 5 FEET; 2ND STORY(max): NONE; 3RD STORY(max): NONE		RESIDENTIAL: 369,360 SF	BELOW GRADE LEVEL (P-2): 102,340 SF (SUBTERRANEAN RETAIL FOR USE BY A TYPICAL DEPARTMENT STORE	DWELLING UNITS PROPOSED: 376 UNITS	TOTAL PROPOSED: 83,320 SF	COMMERCIAL: 584 SPACES
	CRA PLAN DESIGNATION:	NEIGHBORHOOD OFFICE COMMERCIAL							TOTAL USABLE AREA: (LOT AREA AFTER DEDICATION PLUS EXISTING ALLEYS TO BE VACATED) 195,663 SF		1ST STORY(max): NONE; 2ND STORY(max): NONE; 3RD STORY(max): 5 FEET		COMMERCIAL: 362,300 SF	GRADE LEVEL: 84,230 SF	100 SF FOR UNITS + 3 HABITABLE ROOMS: 49 UNITS; 125 SF FOR UNITS OF 3 HABITABLE ROOMS: 216 UNITS; 175 SF FOR UNITS + 3 HABITABLE ROOM: 116 UNITS	PRIVATE OPEN SPACE PROVIDED (80 SF X 376 UNITS): 30,080 SF	SUB-TOTAL: 1,147 SPACES
	CURRENT ZONE:	C4-1VL AND R4-1VL							BUILDABLE AREA: (TOTAL USABLE AREA MINUS REQD SETBACKS) 182,408 SF	SIDE YARDS	5 FEET OR AVERAGE OF ADJOINING BUILDING		(1 SF COMMERCIAL=1 RESIDENTIAL) 370,660 SF (EQUITY)	SEARS STORE: 114,120 SF		COMMON OPEN SPACE PROVIDED: 53,014 SF; GROUND FLOOR: 4,830 SF; 2ND FLOOR: 25,026 SF; 4TH FLOOR: 5,060 SF; 6TH FLOOR: 7,500 SF	Additional Non-Required: N/A
	PROPOSED ZONE:	RAS4-20							THE EXISTING ALLEYS ARE PROPOSED TO BE VACATED.		5 FEET OR AVERAGE OF ADJOINING BUILDING		PROPOSED F.A.R. = 4.04:1 (734,340 SF / 182,408 SF = 4.04)				TOTAL: 1,147 SPACES
										REAR YARDS	5 FEET	PROPOSED BUILDING HEIGHT: TIER 1: 60 FEET; TIER 2: 84 FEET; TIER 3: 84 FEET; TIER 4: 84 FEET; TIER 5: 113 FEET.					
SITE II	PROJECT ADDRESS:	5548 WEST VIRGINIA AVENUE LOS ANGELES, CA 90038							LOT AREA: 9,600 SF		REQUIRED SETBACKS IN R4: FRONT YARD: 15 FEET; REAR YARD: 15 FEET (15' + 1' X (4 FL - 3FL)); SIDE YARD: 7 FEET (5' + 2' X (4FL - 3FL))	ALLOWABLE BUILDING HEIGHT IN R4-1VL: NOT TO EXCEED 45 FEET; NOT LIMITED AS PER NUMBER OF STORIES	ALLOWABLE F.A.R. IN R4-1VL: = 3:1; ALLOWABLE FLOOR AREA IN R4-1VL: 16,810 SF (5,604 SF X 3 = 16,810 SF)	NO RETAIL SPACE PROPOSED	400 SF MIN. LT AREA PER DWELLING UNIT FOR R4-1VL ZONE	TOTAL REQUIRED: 24 UNITS 9,600 SF	58 SPACES
	COMMUNITY PLAN:	HOLLYWOOD COMMUNITY PLAN							BUILDABLE AREA: (LOT AREA MINUS REQD SETBACKS) 5,604 SF		PROPOSED SETBACKS IN R4: SAME AS REQUIRED	PROPOSED BUILDING HEIGHT: 4 STORY / 45 FEET	PROPOSED FLOOR AREA: 16,812 SF; PROPOSED F.A.R. = 3:1 (16,812 SF / 5,604 SF= 3)		DWELLING UNITS ALLOWED: 24 UNITS 9,600 SF LOT AREA / 400 SF PER UNIT = 24 UNITS ALLOWED	TOTAL REQUIRED: 24 UNITS 3,100 SF; 100 SF FOR UNITS + 3 HABITABLE ROOMS: 4 UNITS 400 SF; 125 SF FOR UNITS OF 3 HABITABLE ROOMS: 18 UNITS 2,800 SF; 175 SF FOR UNITS + 3 HABITABLE ROOMS: 4 UNITS 700 SF	PER LOS ANGELES MUNICIPAL CODE (LAMC 12.21 A.4 (a)): 1 SPACE FOR UNITS + 3 HABITABLE ROOMS: 4 UNITS 4 SPACES; 1.5 SPACES FOR UNITS OF 3 HABITABLE ROOMS: 18 UNITS 28 SPACES; 2 SPACES FOR UNITS + 3 HABITABLE ROOMS: 4 UNITS 8 SPACES
	GENERAL PLAN LAND USE:	NEIGHBORHOOD OFFICE COMMERCIAL													DWELLING UNITS PROPOSED: 24 UNITS	TOTAL PROPOSED: 3,780 SF	
	CRA PLAN AREA:	HOLLYWOOD REDEVELOPMENT PROJECT														PRIVATE OPEN SPACE PROPOSED: NONE; COMMON OPEN SPACE PROPOSED: 3,780 SF	
	CRA PLAN DESIGNATION:	NEIGHBORHOOD OFFICE COMMERCIAL															
	ZONE:	R4-1VL															
SITE III	PROJECT ADDRESS:	5542 WEST VIRGINIA AVENUE LOS ANGELES, CA 90038							LOT AREA: 18,008 SF		REQUIRED SETBACKS IN R4: FRONT YARD: 15 FEET; REAR YARD: 15 FEET (15' + 1' X (4 FL - 3FL)); SIDE YARD: 7 FEET (5' + 2' X (4FL - 3FL))	ALLOWABLE BUILDING HEIGHT IN R4-1VL: NOT TO EXCEED 45 FEET; NOT LIMITED AS PER NUMBER OF STORIES	ALLOWABLE F.A.R. IN R4-1VL: = 3:1; ALLOWABLE FLOOR AREA IN R4-1VL: 30,717 SF (10,239 SF X 3 = 30,717 SF)	NO RETAIL SPACE PROPOSED	400 SF MIN. LT AREA PER DWELLING UNIT FOR R4-1VL ZONE	TOTAL REQUIRED: 58 UNITS 8,076 SF	80 SPACES
	COMMUNITY PLAN:	HOLLYWOOD COMMUNITY PLAN							BUILDABLE AREA: (LOT AREA MINUS REQD SETBACKS) 10,239 SF		PROPOSED SETBACKS IN R4: SAME AS REQUIRED	PROPOSED BUILDING HEIGHT: 4 STORY / 45 FEET	PROPOSED FLOOR AREA: 30,717 SF; PROPOSED F.A.R. = 3:1 (30,717 SF / 10,239 SF= 3)		DWELLING UNITS ALLOWED: 58 UNITS 18,008 SF LOT AREA / 400 SF PER UNIT = 58 UNITS ALLOWED	100 SF FOR UNITS + 3 HABITABLE ROOMS: 5 UNITS 500 SF; 125 SF FOR UNITS OF 3 HABITABLE ROOMS: 37 UNITS 5,376 SF; 175 SF FOR UNITS + 3 HABITABLE ROOMS: 6 UNITS 1,400 SF	PER LOS ANGELES MUNICIPAL CODE (LAMC 12.21 A.4 (a)): 1 SPACE FOR UNITS + 3 HABITABLE ROOMS: 5 UNITS 5 SPACES; 1.5 SPACES FOR UNITS OF 3 HABITABLE ROOMS: 37 UNITS 55 SPACES; 2 SPACES FOR UNITS + 3 HABITABLE ROOMS: 6 UNITS 12 SPACES
	GENERAL PLAN LAND USE:	NEIGHBORHOOD OFFICE COMMERCIAL													DWELLING UNITS PROPOSED: 58 UNITS	TOTAL PROPOSED: 8,810 SF	
	CRA PLAN AREA:	HOLLYWOOD REDEVELOPMENT PROJECT														PRIVATE OPEN SPACE PROPOSED: NONE; COMMON OPEN SPACE PROPOSED: 8,810 SF	
	CRA PLAN DESIGNATION:	NEIGHBORHOOD OFFICE COMMERCIAL															
	ZONE:	R4-1VL															



Paseo Plaza

5661 WEST SANTA MONICA BOULEVARD
LOS ANGELES, CALIFORNIA 90038

APPLICANT: St. Andrews - Santa Monica, LLC

GRUEN ASSOCIATES
ARCHITECTURE • PLANNING • INTERIORS

CONSULTANTS

NO.	DATE	REVISION	BY

ENTITLEMENT 05/01/06 L.J.
ISSUED FOR DATE COORDINATOR

ARCHITECT/ENGINEER SEAL

KEY PLAN

DATE 05/16/06 SCALE: 1"=30'-0"

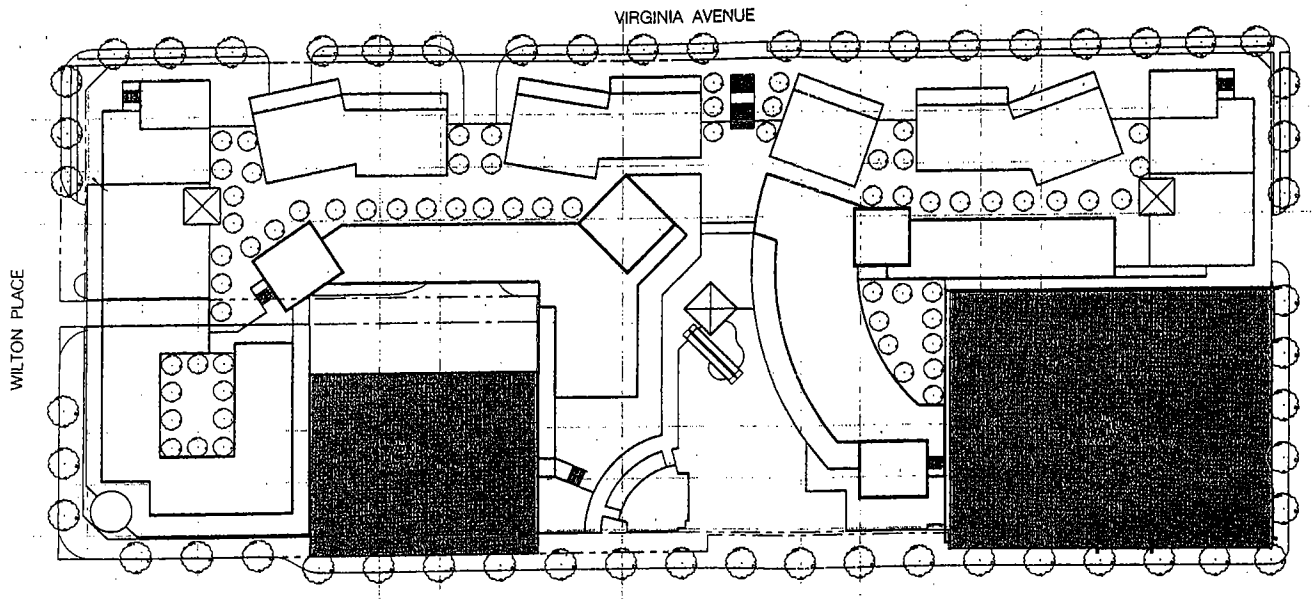
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PLOT PLAN/ ALTERNATIVE

SHEET TITLE

JOB NO: 7553.00 DRAWING NO: A1.0L

CPC 2006 4401



Paseo Plaza

5661 WEST SANTA MONICA BOULEVARD
LOS ANGELES, CALIFORNIA 90038

APPLICANT: St. Andrews - Santa Monica, LLC

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ARCHITECT/ENGINEER SEAL

SITE PLAN

DATE: 05/01/06 — SCALE: 1"=30'-0"

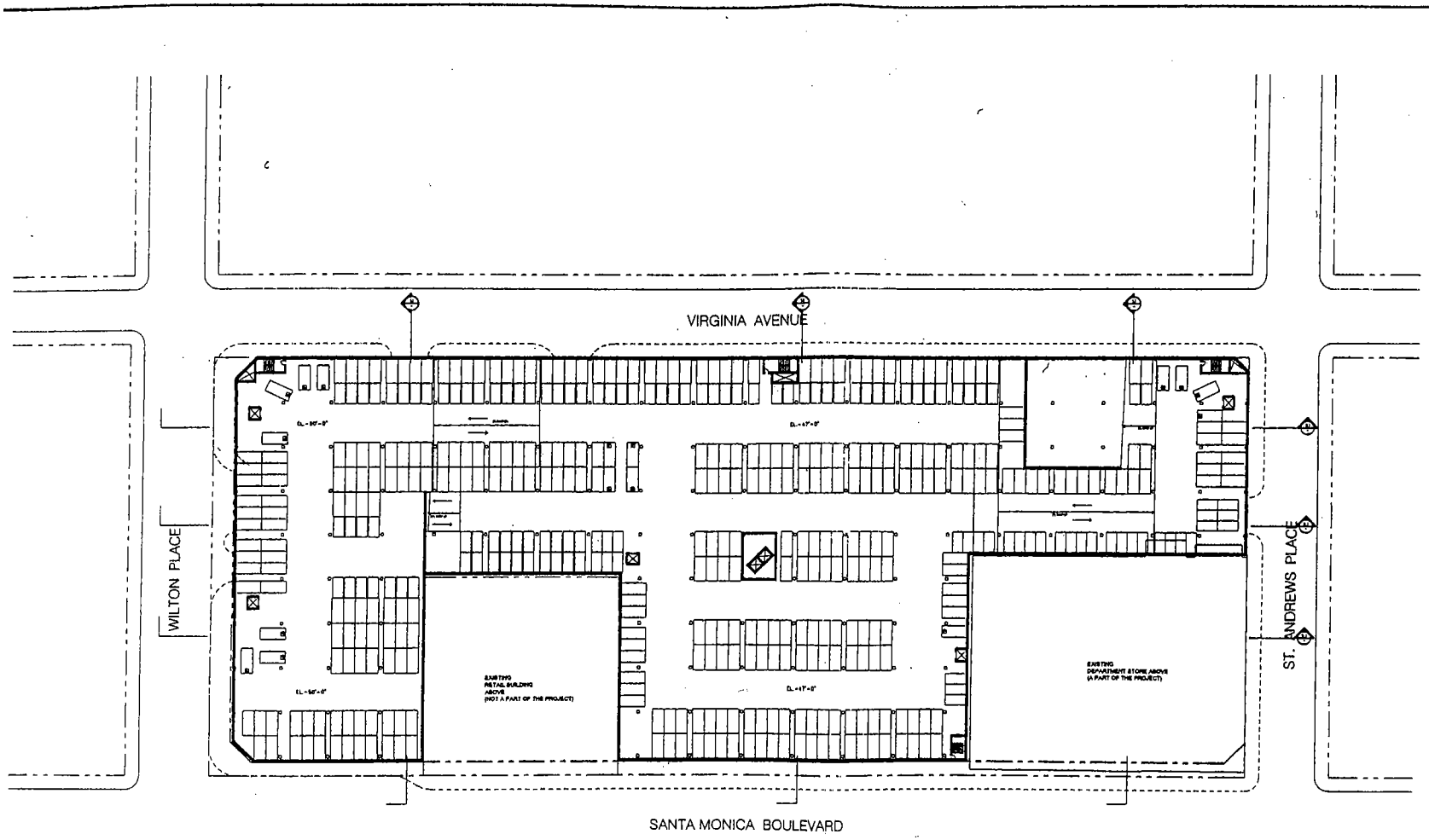
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SITE PLAN/ ALTERNATIVE

SHEET TITLE

ARCHITECTURAL
EA2.1L

JOB NO: 7553.00 — DRAWING NO.:



NUMBER OF PARKING SPACES

	P1	P2	P3	P4	P5	TOTAL
STANDARD	40	62	279	364	356	1,101
COMPACT	6	22	82	137	119	366
HCP	2	-	10	5	16	33
TOTAL	48	84	371	506	491	1,500

Paseo Plaza

5861 WEST SANTA MONICA BOULEVARD
LOS ANGELES, CALIFORNIA 90038

APPLICANT: EL Andalusia - Santa Monica, LLC

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NO.	DATE	REVISION	BY

ENTITLEMENT 09/01/04 LS
ISSUED FOR DATE COORDINATOR

ARCHITECT'S/ENGINEER SEAL

KEY PLAN

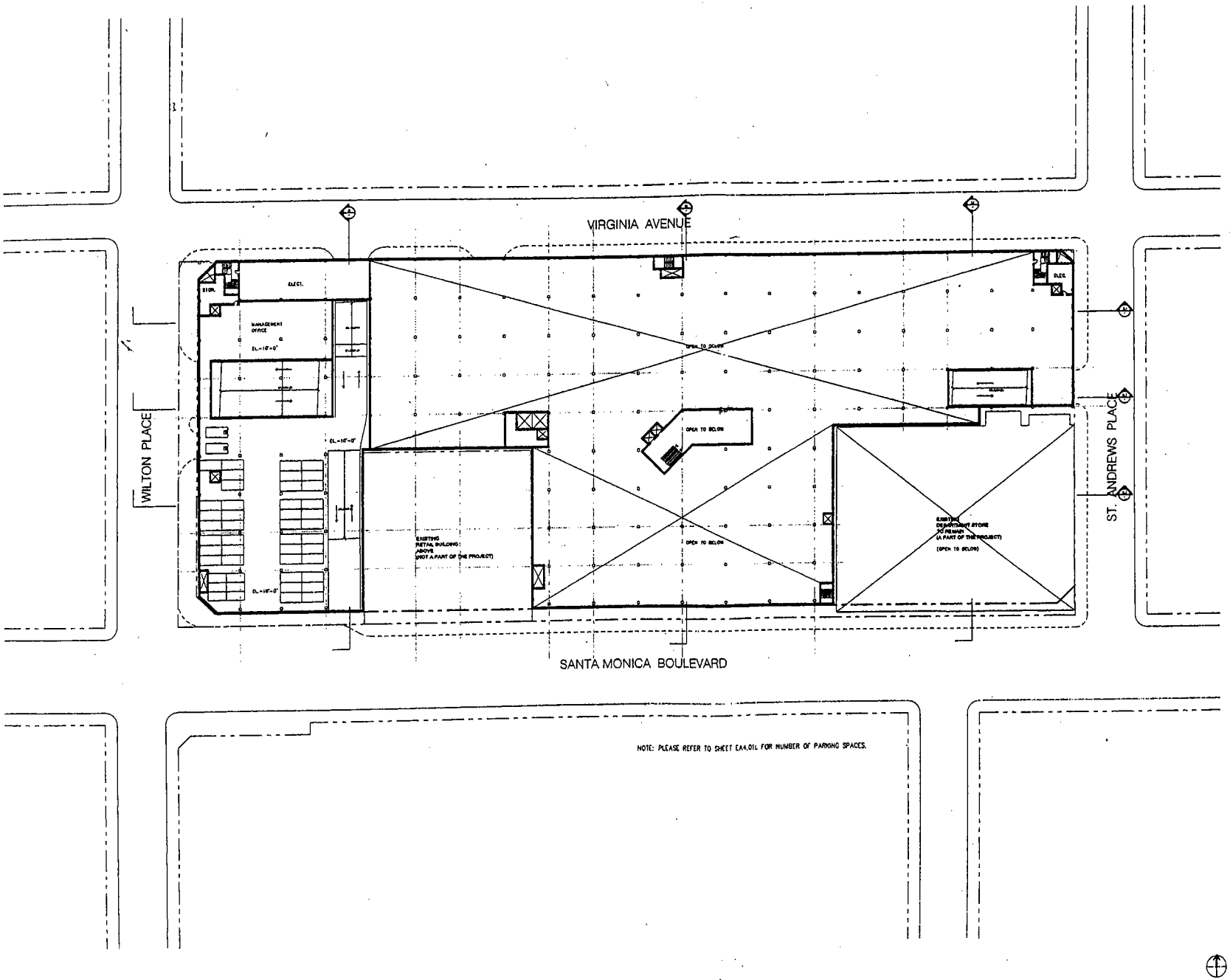
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SUBTERRANEAN PARKING LEVEL 5 PLAN

SHEET TITLE

ARCHITECTURAL
EA4.01L

JOB NO.: 7503.00 DRAWING NO.:



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LOS ANGELES, CALIFORNIA 90038

APPLICANT: St. Andrews - Santa Monica, LLC

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ARCHITECT/ENGINEER SEAL

KEY PLAN

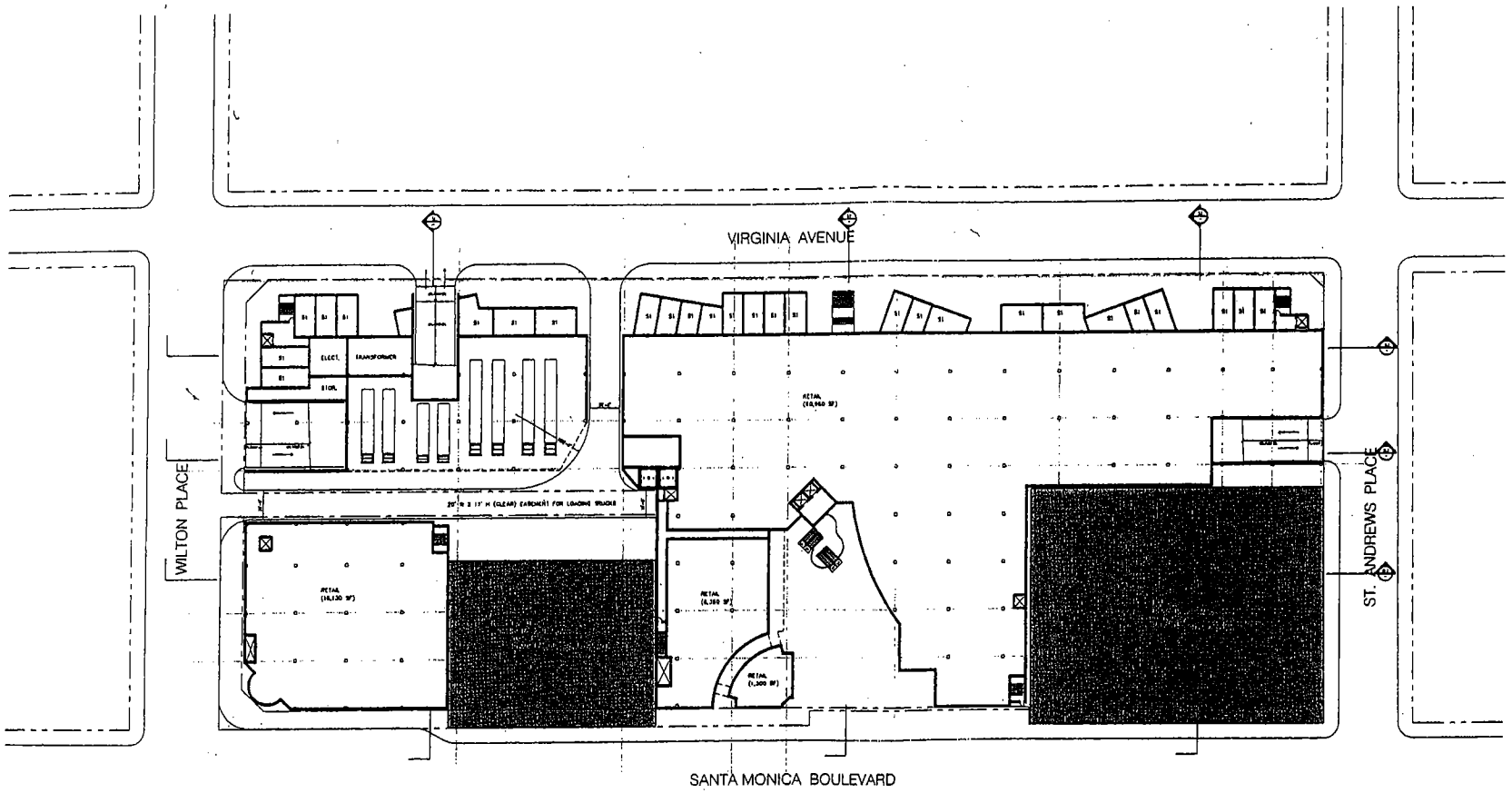
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DRAWN BY: SY — CHECKED BY: LS

SUBTERRANEAN PARKING LEVEL 1 PLAN

SHEET NAME

ARCHITECTURAL
DRAWING NO. EA4.05L

JOB NO.: 7553.00



Pasco Plaza

5881 WEST SANTA MONICA BOULEVARD
LOS ANGELES, CALIFORNIA 90038

APPLICANT: SL Andrews - Santa Monica, LLC

GRUEN ASSOCIATES
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CONSULTANTS

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SUBMITTAL/ISSUED FOR	05/20/06 DATE	LS COORDINATOR

ARCHITECT/ENGINEER SEAL

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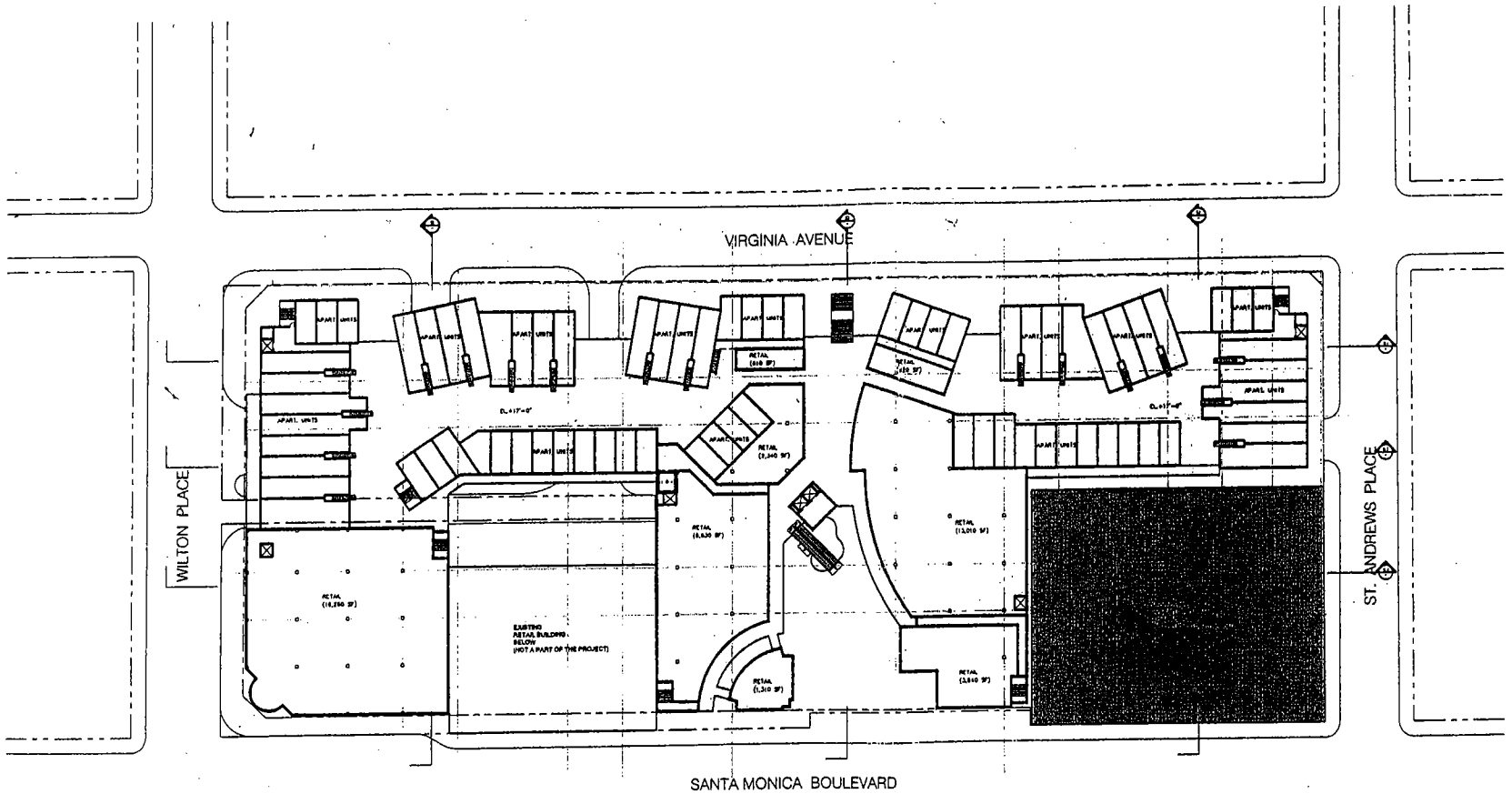
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SHEET TITLE
FIRST FLOOR PLAN

JOB NO: 3533.00	ARCHITECTURAL DRAWING NO: EA4.11L

PLOT NAME: EA4.11L.DWG

NORTH



Paseo Plaza

5661 WEST SANTA MONICA BOULEVARD
LOS ANGELES, CALIFORNIA 90038

APPLICANT: St. Andrews - Santa Monica, LLC

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ARCHITECT/ENGINEER SEAL:

KEY PLAN

DATE: 05/01/06 SCALE: 1"=30'-0"

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SECOND FLOOR PLAN

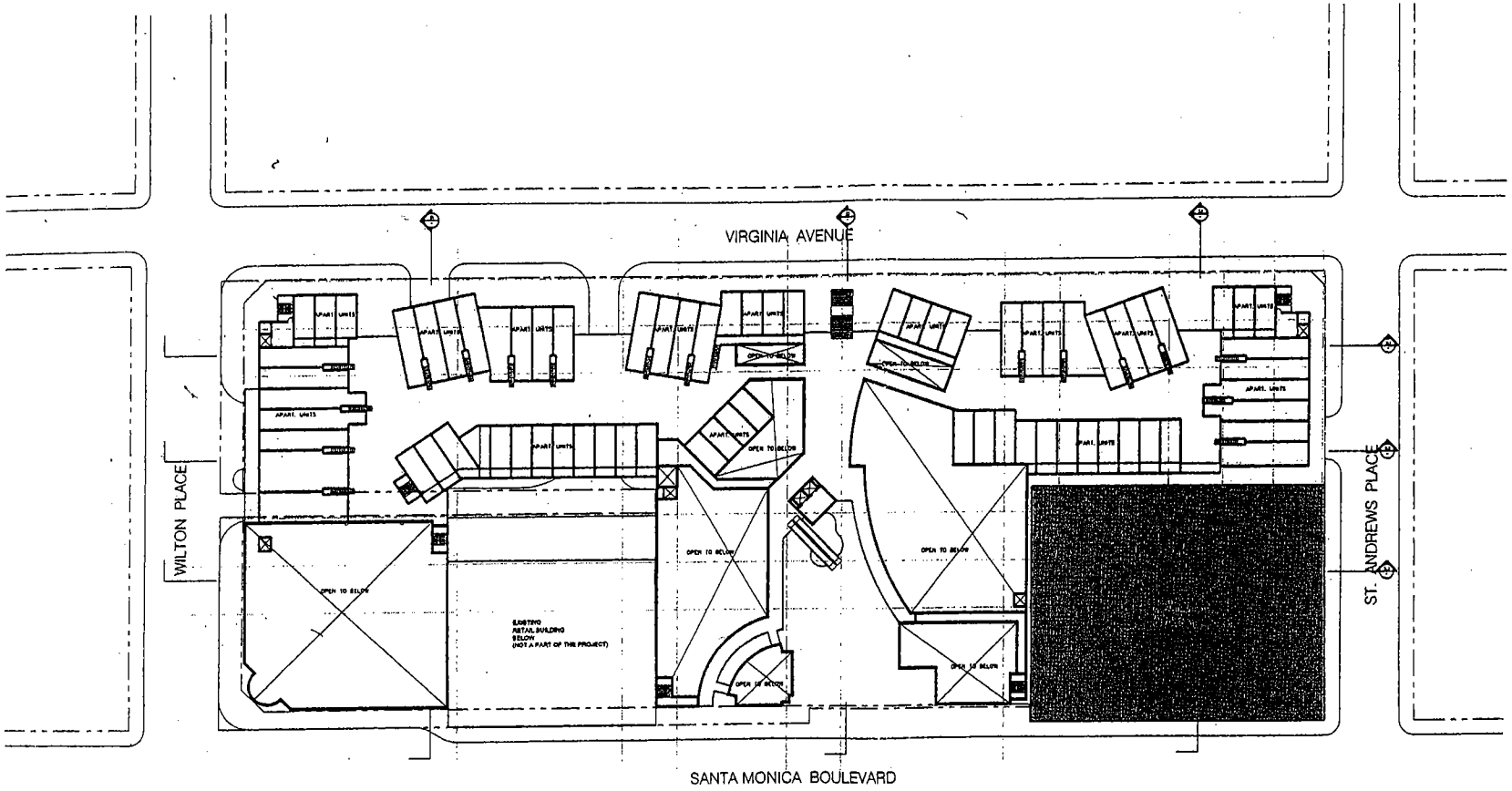
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ARCHITECTURAL

EA4.12L

JOB NO.: 7553.00 DRAWING NO.:

PLOT NAME: EA4.12L.dwg



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5881 WEST SANTA MONICA BOULEVARD
LOS ANGELES, CALIFORNIA 90038

APPLICANT: EL Andrews - Santa Monica, LLC

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CONSULTANTS

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ENTITLEMENT — 05/01/08 — LR
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ARCHITECT/ENGINEER SEAL

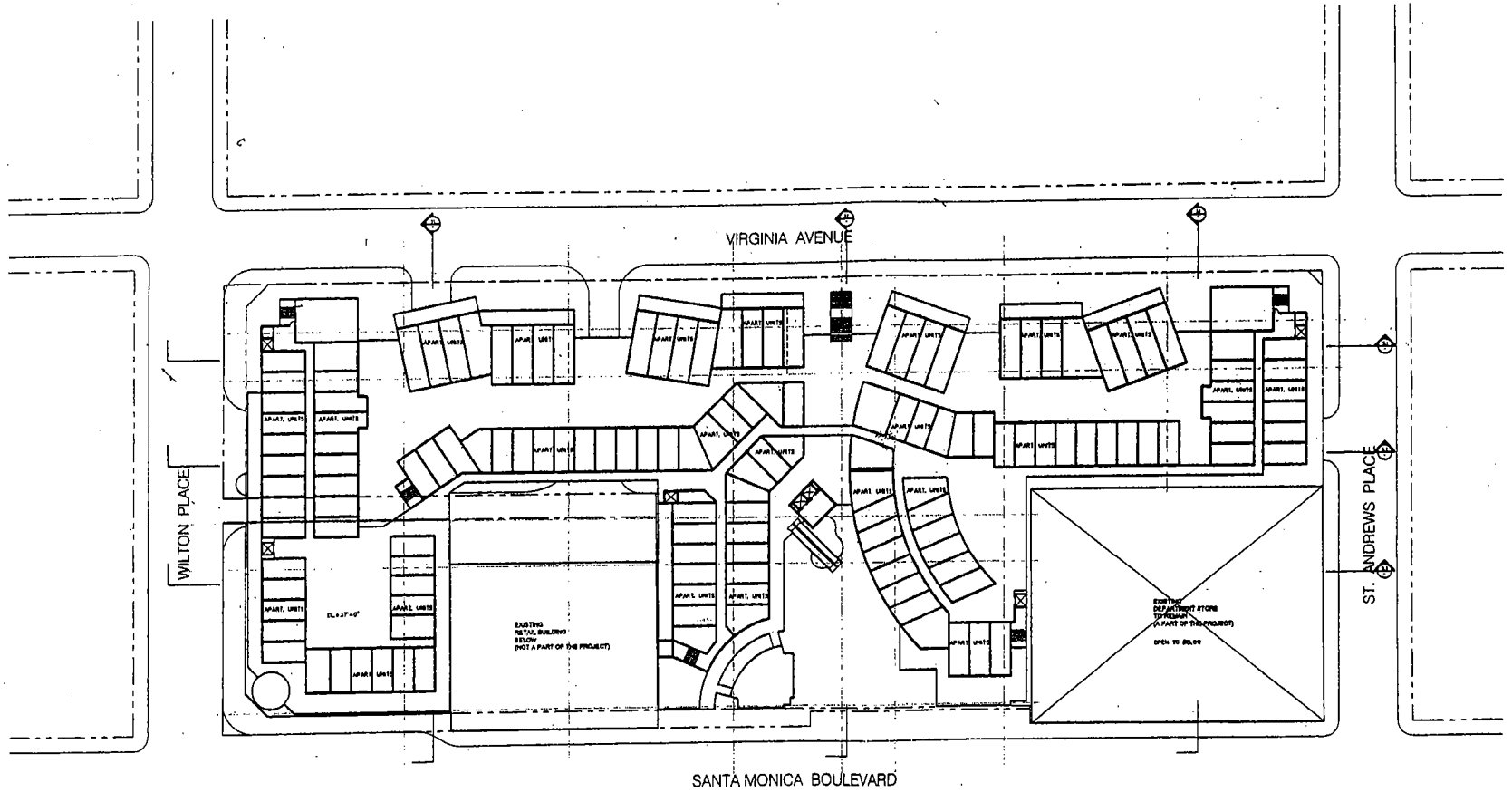
KEY PLAN

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DRAWN BY: ST | CHECKED BY: LS

SHEET TITLE: THIRD FLOOR PLAN

ARCHITECTURAL
EA4.13L

JOB NO.: 7853.00 | DRAWING NO.:



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LOS ANGELES, CALIFORNIA 90038

APPLICANT: St. Andrews - Santa Monica, LLC
[illegible]

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[illegible]

CONSULTANTS

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ARCHITECT/ENGINEER SEAL

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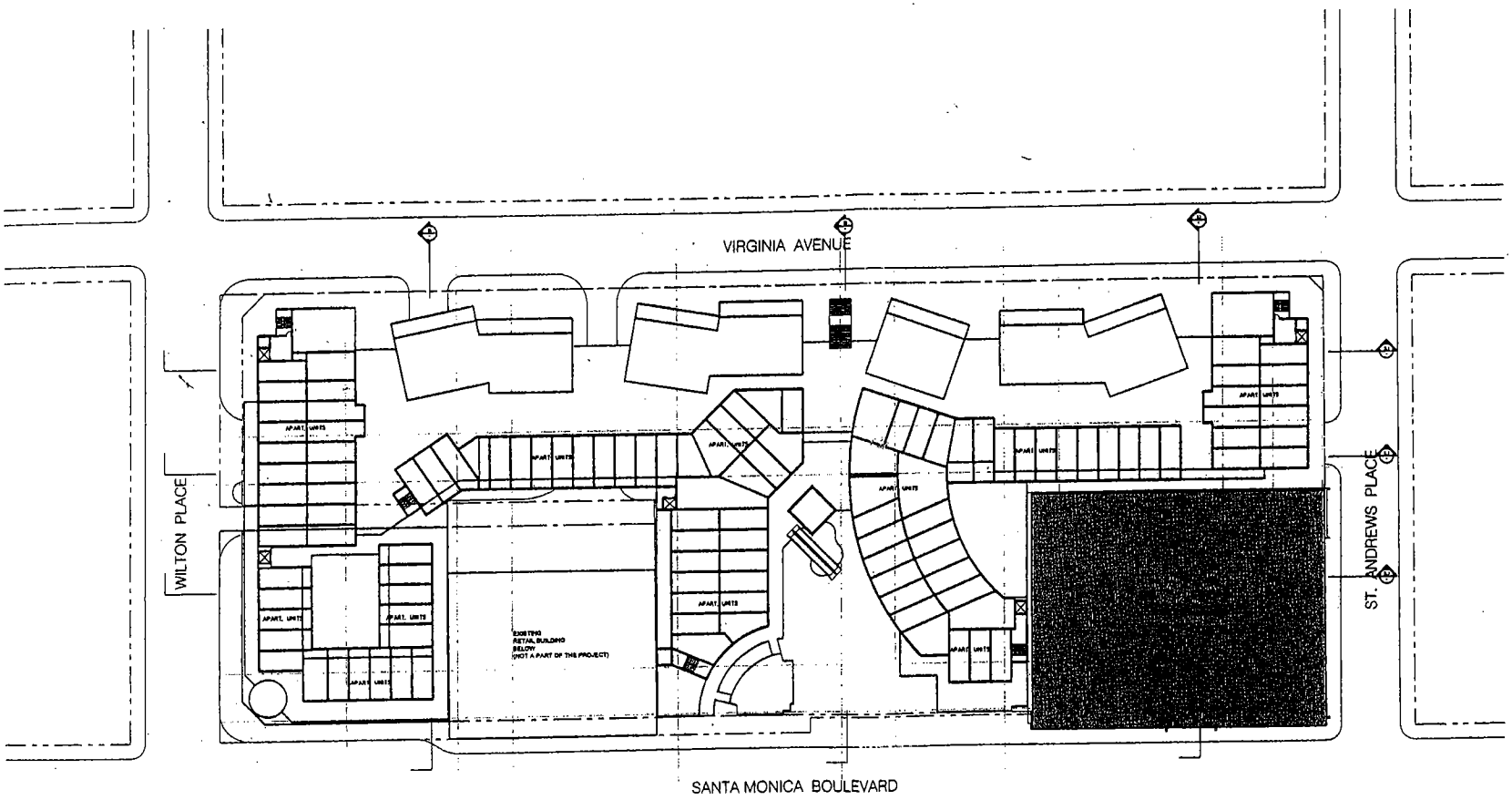
KEY PLAN

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DRAWN BY: ST | CHECKED BY: LS

SHEET TITLE
FOURTH FLOOR PLAN

ARCHITECTURAL
DRAWING NO.: EA4.14L

JOB NO.: 7552.00



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LOS ANGELES, CALIFORNIA 90038

APPLICANT: St. Andrews - Santa Monica, LLC

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ISSUED FOR DATE COORDINATOR

ARCHITECT/ENGINEER SEAL

KEY PLAN

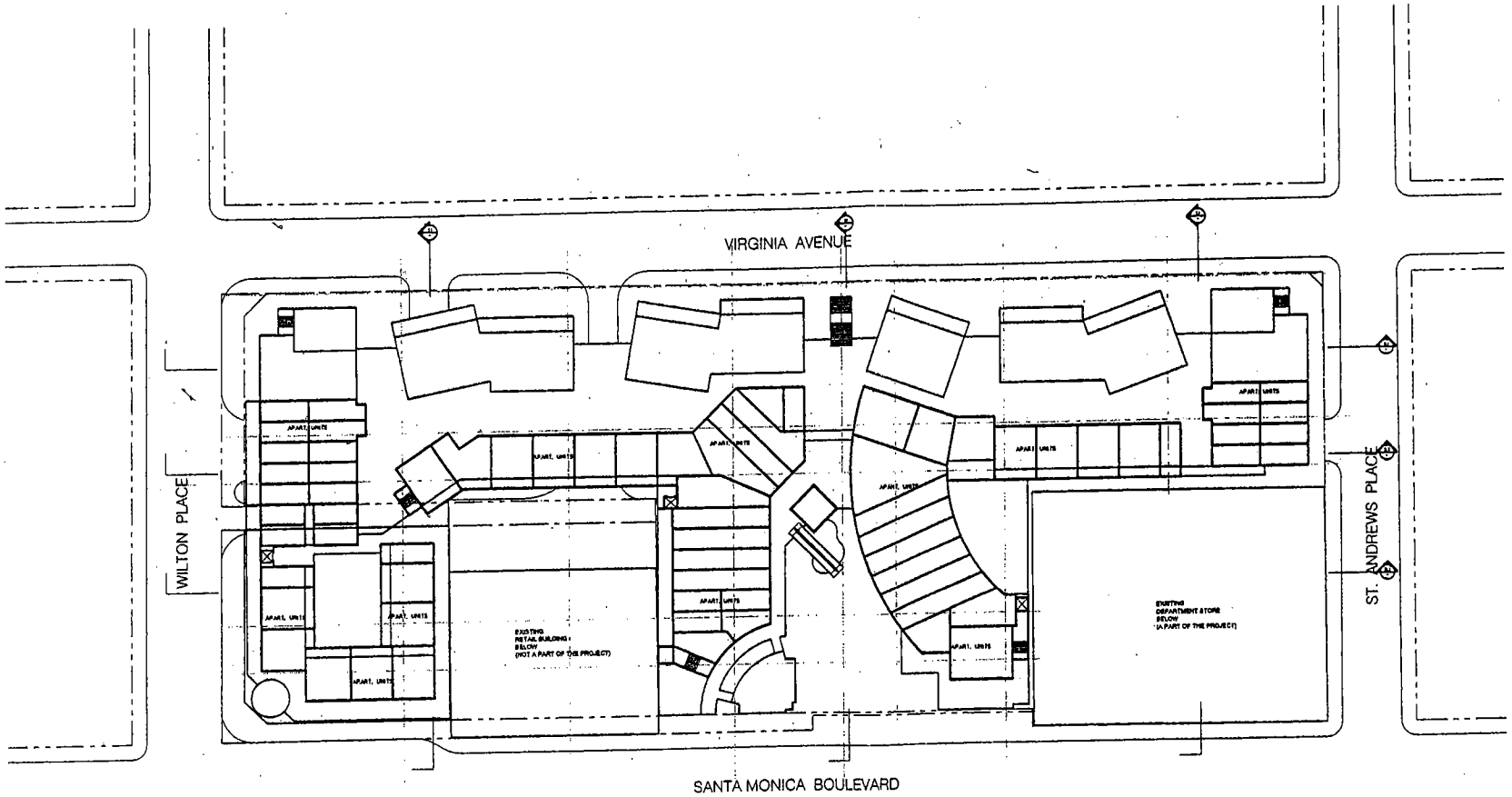
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SHEET TITLE
FIFTH FLOOR PLAN

JOB NO. 7593.00

ARCHITECTURAL
DRAWING NO.: EA4.15L



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APPLICANT: St. Andrews - Santa Monica, LLC

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ARCHITECT/ENGINEER SEAL

KEY PLAN

DATE: 05/01/06 — SCALE: 1"=30'-0"

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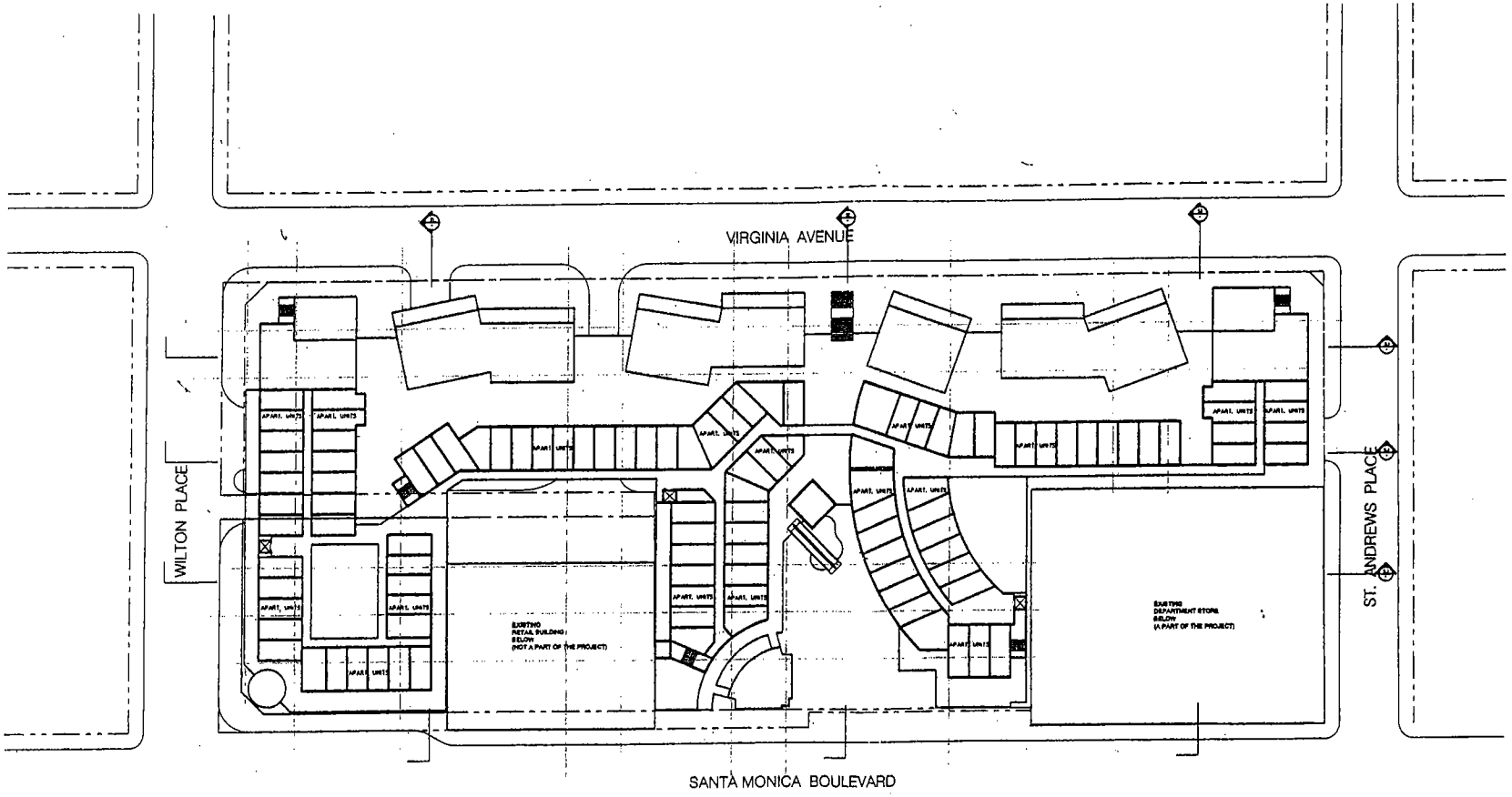
SIXTH FLOOR PLAN

SHEET TITLE

ARCHITECTURAL
EA4.16L

JOB NO.: 7553.00 — DRAWING NO.:

PLOT NAME:



Paseo Plaza

5661 WEST SANTA MONICA BOULEVARD
LOS ANGELES, CALIFORNIA 90038

APPLICANT: St. Andrews - Santa Monica, LLC
[illegible]

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[illegible]

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ARCHITECT/ENGINEER SEAL

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KEY PLAN

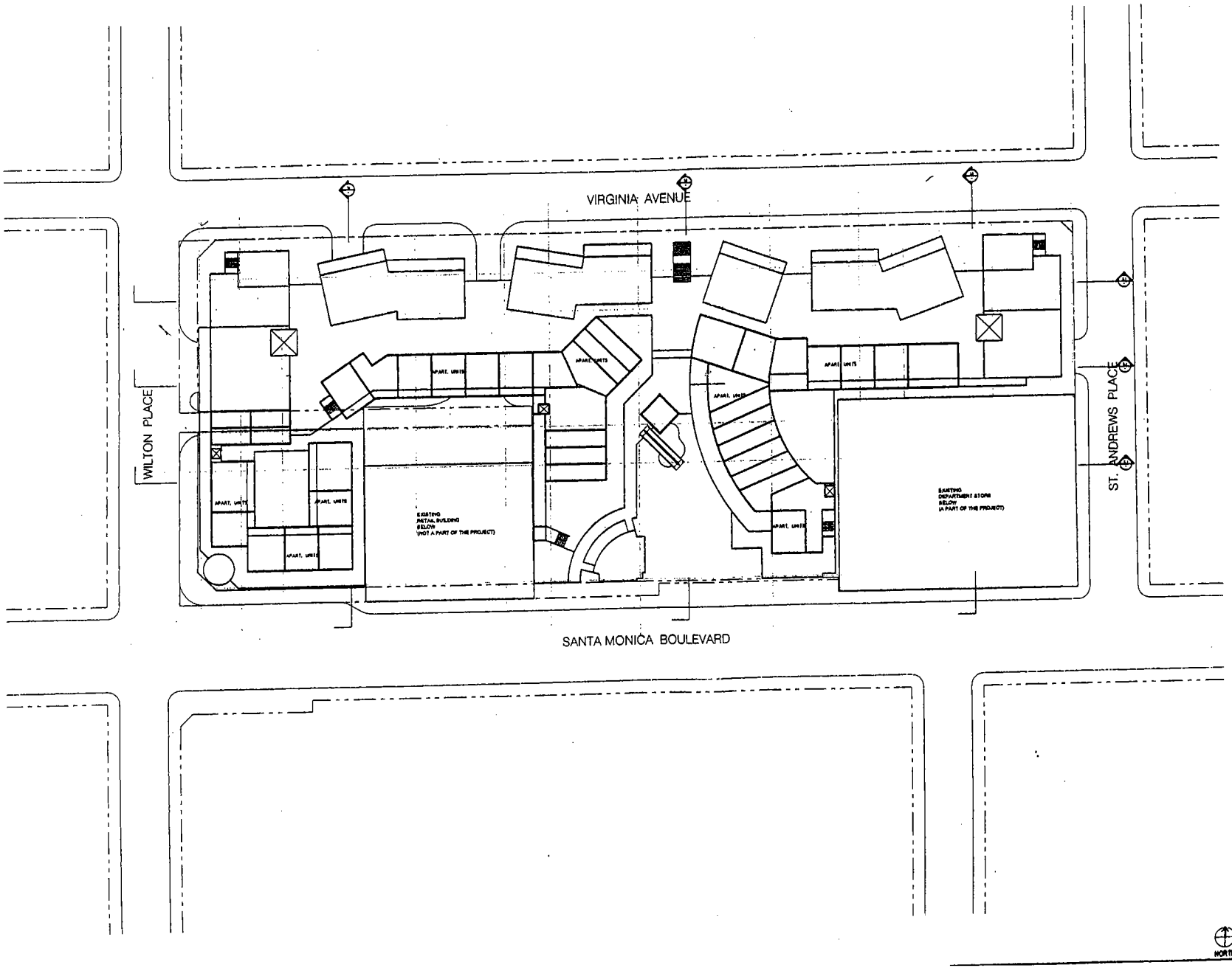
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SEVENTH FLOOR PLAN

SHEET TITLE

ARCHITECTURAL
EA4.17L

JOB NO.: 7553.00 — DRAWING NO.:



Pasco Plaza

5661 WEST SANTA MONICA BOULEVARD
LOS ANGELES, CALIFORNIA 90038

APPLICANT: EL Andrews - Santa Monica, LLC
[illegible]

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[illegible]

CONSULTANTS

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ENTITLEMENT 05/01/08 LS
ISSUED FOR DATE COORDINATOR

ARCHITECT/ENGINEER SEAL

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KEY PLAN

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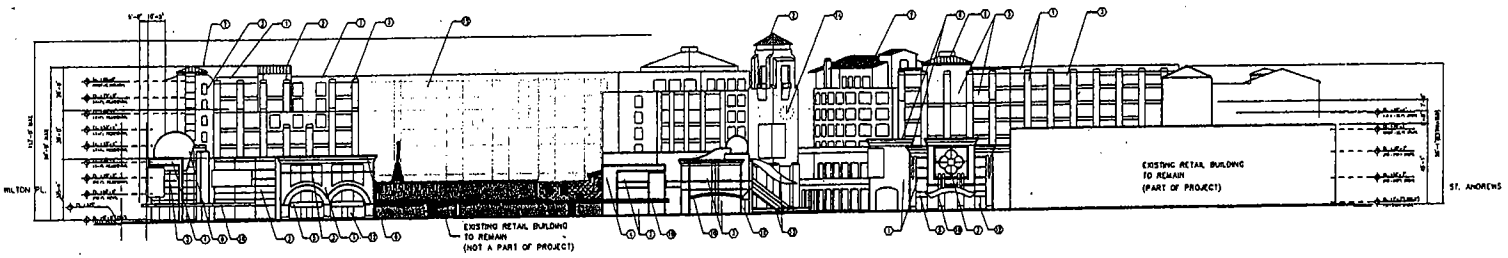
EIGHTH FLOOR PLAN

SHEET TITLE

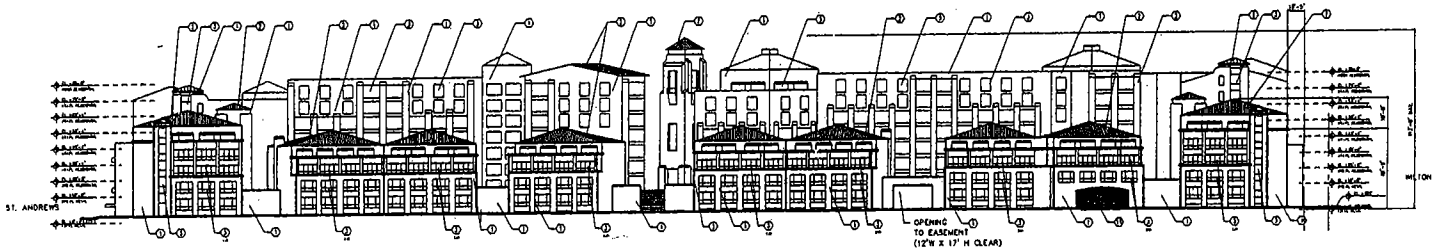
ARCHITECTURAL
EA4.18L

JOB NO.: 7553.00 DRAWING NO.:

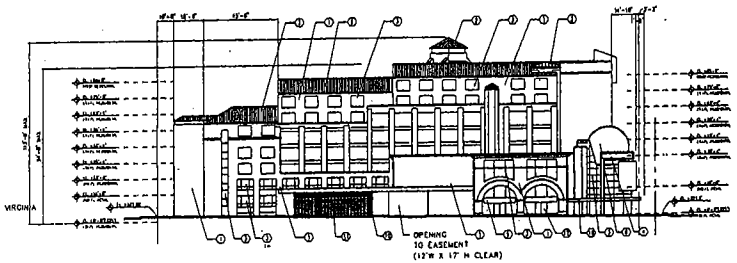
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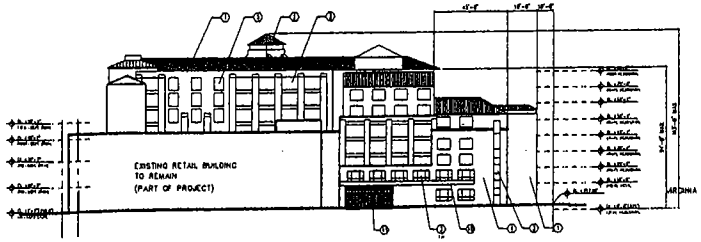
ELEVATION "E1"



ELEVATION "E2"



ELEVATION "E3"



ELEVATION "E4"

KEYNOTES:

1. EXTERIOR CEMENT PLASTER
2. ROOF TILE
3. GLAZING W/ PAINTED ALUMINUM FRAME
4. PAINTED METAL FRAME
5. FABRIC AWNING
6. G.F.R.G. CORNICE
7. PAINTED METAL FIN
8. PAINTED METAL GLOBE
9. CONCRETE WALL
10. PAINTED METAL CANOPY
11. PAINTED METAL ROLL-DOWN GATE
12. GLASS & PAINTED ALUMINUM DOOR
13. ESCALATOR W/ TRANSLUCENT CANOPY
14. CLOCK
15. BUILDING BEYOND
16. OPEN BEYOND

NORTH

Pasco Plaza

8661 WEST SANTA MONICA BOULEVARD
LOS ANGELES, CALIFORNIA 90035

APPLICANT: Bt. Andrews - Santa Monica, LLC
[illegible]

GRUEN ASSOCIATES
ARCHITECTURE + PLANNING + INTERIORS

[illegible]

CONSULTANTS

NO.	DATE	REVISION	BY

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ARCHITECT/ENGINEER SEAL

[boilerplate]

KEY PLAN

DATE: 05/16/06 SCALE: 1"=30'-0"

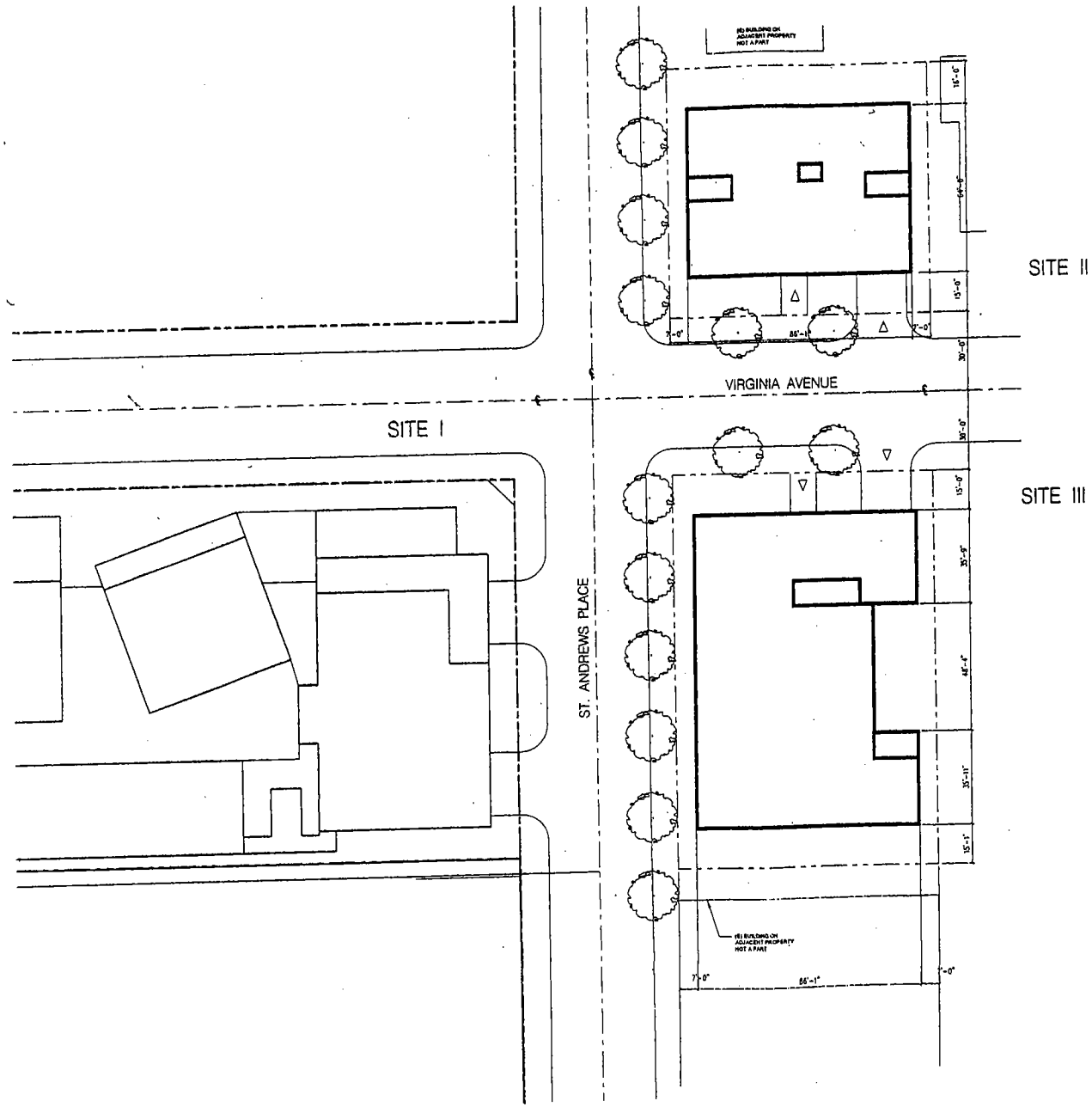
DRAWN BY: ST CHECKED BY: LS

ELEVATIONS

SHEET TITLE

JOB NO: 7533.00 ARCHITECTURAL DRAWING NO: EA5.21L

PLOT NAME: EA5.21L.pit



NORTH

Pasco Plaza

5661 WEST SANTA MONICA BOULEVARD
LOS ANGELES, CALIFORNIA 90038

APPLICANT: St. Andrews - Santa Monica, LLC
3611 Optical Avenue, Suite B - 3rd Fl.
Cole Chz, California 95121

GRUEN ASSOCIATES
ARCHITECTURE • PLANNING • INTERIORS
6330 San Vicente Boulevard, Suite 250 Los Angeles, California 90048
TEL (323) 937-4084 FAX (323) 937-4084

CONSULTANTS

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ENTITLEMENT — 05/01/06 — LS
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Written dimensions on these drawings shall have precedence over scaled dimensions. Contractors shall verify and be responsible for all dimensions and conditions on the job and these drawings. Any discrepancies shall be reported to the architect before proceeding with fabrication.

KEY PLAN

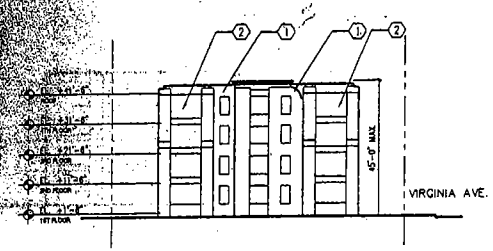
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DRAWN BY: — CHECKED BY: ST.A.S

SITE PLAN
(SITE II & III)

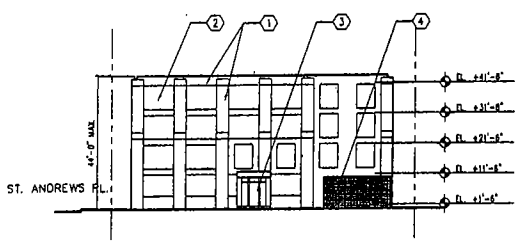
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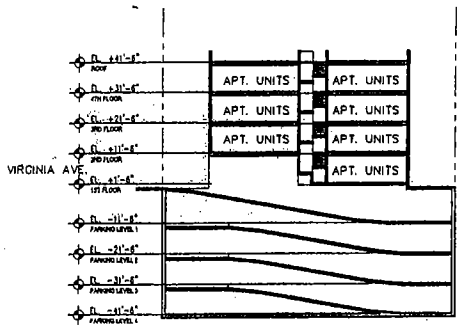
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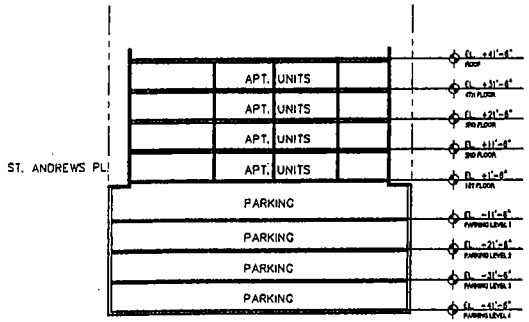
2 WEST ELEVATION
AS NOTED



1 SOUTH ELEVATION
AS NOTED



4 SECTION B2
AS NOTED



3 SECTION A2
AS NOTED

KEYNOTES:

1. EXTERIOR CEMENT PLASTER
2. GLAZING W/ PAINTED ALUMINUM FRAME
3. GLASS & PAINTED ALUMINUM DOOR
4. PAINTED METAL ROLL-DOWN GATE

Paseo Plaza

8661 WEST SANTA MONICA BOULEVARD
LOS ANGELES, CALIFORNIA 90035

APPLICANT: St. Andrews - Santa Monica, LLC

GRUEN ASSOCIATES
ARCHITECTURE • PLANNING • INTERIORS

CONSULTANTS

NO.	DATE	REVISION	BY

ENTITLEMENT ISSUED FOR — 05/01/06 DATE — L.S. COORDINATOR

ARCHITECT/ENGINEER SEAL

KEY PLAN

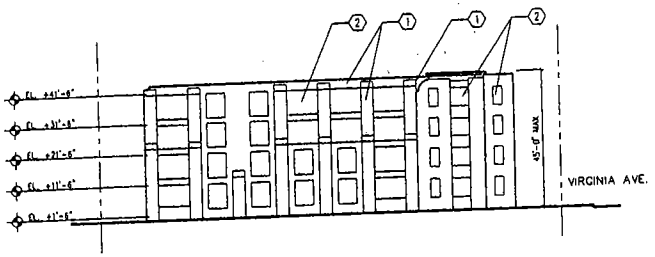
DATE: 05/01/06 SCALE: 1/16"=1'-0"

DRAWN BY: CHECKED BY: SYAS

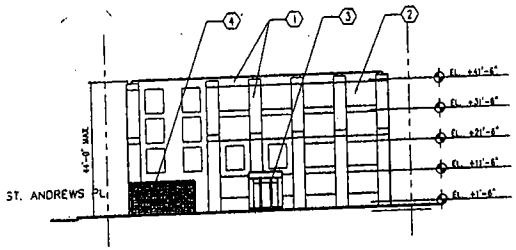
ELEVATIONS AND SECTIONS/ SITE II

SHEET TITLE

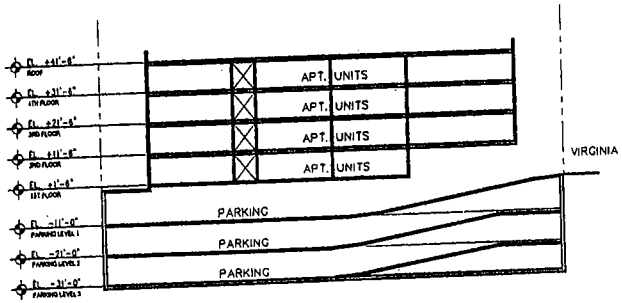
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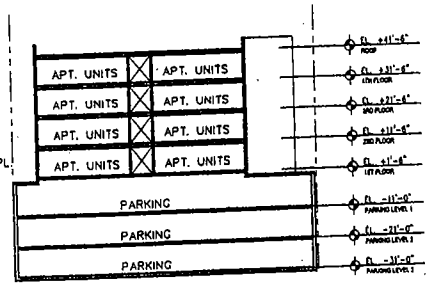
2 WEST ELEVATION
AS NOTED



1 NORTH ELEVATION
AS NOTED



4 SECTION B3
AS NOTED



3 SECTION A3
AS NOTED

KEYNOTES:

1. EXTERIOR CEMENT PLASTER
2. GLAZING W/ PAINTED ALUMINUM FRAME
3. GLASS & PAINTED ALUMINUM DOOR
4. PAINTED METAL ROLL-DOWN GATE

NORTH

Paseo Plaza

5881 WEST SANTA MONICA BOULEVARD
LOS ANGELES, CALIFORNIA 90038

APPLICANT: EL Andrews - Santa Monica, LLC
3424 Overland Avenue, Suite B - 2nd Fl.
Culver City, California 90232

GRUEN ASSOCIATES
ARCHITECTURE • PLANNING • INTERIORS
6330 San Vicente Boulevard, Suite 300 Los Angeles, California 90048
TEL (323) 937-4270 FAX (323) 937-4281

CONSULTANTS

NO.	DATE	REVISION	BY

ENTITLEMENT ISSUED FOR — 05/01/06 DATE — LS COORDINATOR

ARCHITECT/ENGINEER SEAL

The drawings and specifications, ideas, designs and arrangements of and shall remain the property of the architect. no part thereof shall be used or shall be disclosed to any person, firm or corporation for any purpose whatsoever without the written permission of the architect. these documents are not to be changed or copied in any form whatsoever, whether graphically or otherwise, or assigned to any third party without first obtaining the express written permission and consent of the architect. any unauthorized use of these documents will be at the user's sole risk and without liability to the architect and the architect's consultants. visual contact with these documents shall constitute prima facie evidence of acceptance of these restrictions.

KEY PLAN

DATE: 05/01/06 — SCALE: 1/16"=1'-0"

DRAWN BY: — CHECKED BY: SS/LS

ELEVATIONS AND SECTIONS/ SITE III

SHEET NAME

JOB NO.: 7553.00 — DRAWING NO.: EA10.14

PLOT NAME: EA10.14.DWG

Exhibit C

IV. MITIGATION MONITORING PROGRAM

The Mitigation Monitoring Plan (MMP) has been prepared in accordance with Public Resources Code Section 21081.6, which requires a Lead or Responsible Agency that approves or carries out a project where an EIR has identified significant environmental effects to adopt a "reporting or monitoring program for the changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment." The City of Los Angeles is the Lead Agency for the proposed Project.

The MMP is designed to monitor implementation of all feasible mitigation measures as identified in the Draft and Final EIRs for the proposed Project. Mitigation measures are indicated below and are numbered consistent with the relevant section numbering provided in the Draft EIR. Each mitigation measure is listed and categorized by topic with an accompanying discussion of the following:

- The phase of the Project during which the mitigation measure should be monitored (i.e., prior to issuance of building permit, construction, or occupancy);
- The enforcement agency (i.e., the agency with the authority to enforce the mitigation measure); and
- The monitoring agency (i.e., the agency which monitors compliance and implementation of the required mitigation measure).

The Project Applicant shall be obligated to provide certification prior to the issuance of site or building plans that compliance with the required mitigation measures has been achieved. All departments listed below are within the City of Los Angeles unless otherwise noted. The entity responsible for the implementation of all mitigation measures shall be the project Applicant unless otherwise noted.

AESTHETICS

Visual Resources

B.1-1 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.

Monitoring Phase: Prior to issuance of a building permit

Enforcement Agency: Department of City Planning/Department of Building and Safety

Monitoring Agency: Department of City Planning/Department of Building and Safety

B.1-2 Prior to the issuance of a grading permit or building permit, a plot plan prepared by a reputable tree expert, indicating the location, size, type, and condition of all existing trees on the site shall be submitted to the City of Los Angeles Department of Planning and the Street Tree Division of the Bureau of Street Services. The plan shall contain measures recommended by the tree expert for the preservation of as many trees as possible.

Monitoring Phase: Prior to issuance of a grading permit

Enforcement Agency: Department of City Planning/Street Tree Division, Bureau of Street Services

Monitoring Agency: Department of City Planning/Street Tree Division, Bureau of Street Services

B.1-3 Any trees removed during project implementation shall be replaced by a minimum of 24-inch box trees in the parkway and on the site, on a 1:1 basis, to the satisfaction of the Street Tree Division of the Bureau of Street Services and the decision maker.

Monitoring Phase: Prior to issuance of building permit

Enforcement Agency: Department of City Planning/Street Tree Division, Bureau of Street Services

Monitoring Agency: Department of City Planning/Street Tree Division, Bureau of Street Services

B.1-4 Removal of trees in the public right-of-way shall first require approval from the Board of Public Works. All trees in the public right-of-way shall be provided per the current Street Tree Division standards.

Monitoring Phase: Prior to issuance of building permit

Enforcement Agency: Department of City Planning/Street Tree Division, Bureau of Street Services

Monitoring Agency: Department of City Planning/Street Tree Division, Bureau of Street Services

B.1-5 The genus or genera of the tree(s) shall provide a minimum crown of 30 – 50 feet.

Monitoring Phase: Prior to issuance of a building permit

Enforcement Agency: Department of City Planning/Street Tree Division, Bureau of Street Services

Monitoring Agency: Department of City Planning/Street Tree Division, Bureau of Street Services

B.1-6 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.

Monitoring Phase: Project Operation

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

B.1-7 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.

Monitoring Phase: Project Operation

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Illumination/Glare

B.3-1 The Proposed Project (and related projects) are subject to the City of Los Angeles Zoning Code, Lighting Regulations, Chapter 9, Article 3, Section 93.0117, and will follow regulations which limit reflective surface areas and the reflectivity of

architectural materials used.

Monitoring Phase: Prior to issuance of a building permit

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

B.3-2 Outdoor lighting shall be designed and installed with shielding, so that the light source cannot be seen from adjacent residential properties.

Monitoring Phase: Prior to issuance of a building permit

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Air Quality

C-1 The Applicant shall implement measures to reduce the emissions of pollutants generated by heavy-duty diesel-powered equipment operating at the Project Site throughout the Project construction phases. The Applicant shall include in construction contracts the control measures required and recommended by the SCAQMD at the time of development. Examples of the types of measures currently required and recommended include the following:

- Keep all construction equipment in proper tune in accordance with manufacturer's specifications.
- Use late model heavy-duty diesel-powered equipment at the project site to the extent that it is readily available in the South Coast Air Basin (meaning that it does not have to be imported from another air basin and that the procurement of the equipment would not cause a delay in construction activities of more than two weeks).
- Use diesel-powered equipment that has been retrofitted with after-treatment products (e.g., engine catalysts or cooled exhaust gas recirculation technology) to the extent that it is readily available in the South Coast Air Basin (meaning that it does not have to be imported from another air basin and that the procurement of the equipment would not cause a delay in construction activities of more than two weeks).
- Use low-emission diesel fuel for all heavy-duty diesel-powered

equipment operating and refueling at the project site to the extent that it is readily available and cost effective in the South Coast Air Basin (meaning that it does not have to be imported from another air basin, that the procurement of the equipment would not cause a delay in construction activities of more than two weeks, that the cost of the equipment use is not more than 20 percent greater than the cost of standard equipment). (This measure does not apply to diesel-powered trucks traveling to and from the site.)

- Utilize alternative fuel construction equipment (i.e., compressed natural gas, liquid petroleum gas, and unleaded gasoline) to the extent that the equipment is readily available and cost effective in the South Coast Air Basin (meaning that it does not have to be imported from another air basin, that the procurement of the equipment would not cause a delay in construction activities of more than two weeks, that the cost of the equipment use is not more than 20 percent greater than the cost of standard equipment).
- Limit truck and equipment idling time to five minutes or less.

Rely on the electricity infrastructure surrounding the construction sites rather than electrical generators powered by internal combustion engines to the extent feasible.

Monitoring Phase: Construction

Enforcement Agency: South Coast Air Quality Management District

Monitoring Agency: Department of Building and Safety

C-2 The Applicant shall implement fugitive dust control measures in accordance with SCAQMD Rule 403. The Applicant shall include in construction contracts the control measures required and recommended by the SCAQMD at the time of development. Examples of the types of measures currently required and recommended include the following:

- Use watering to control dust generation during demolition of structures or break-up of pavement.
- Water active grading/excavation sites and unpaved surfaces at least three times daily.
- Cover stockpiles with tarps or apply non-toxic chemical soil binders.
- Sweep daily (with water sweepers) all paved parking areas and

staging areas.

- Provide daily clean-up of mud and dirt carried onto paved streets from the site.
- Install wheel washers for all exiting trucks, or wash off the tires or tracks of all trucks and equipment leaving the site.
- Install wind breaks at the windward sides of construction areas.
- Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 miles per hour over a 30-minute period or more.

An information sign shall be posted at the entrance to each construction site that identifies the permitted construction hours and provides a telephone number to call and receive information about the construction project or to report complaints regarding excessive fugitive dust generation.

Monitoring Phase: Construction

Enforcement Agency: South Coast Air Quality Management District

Monitoring Agency: Department of Building and Safety

C-3 The Applicant shall include in construction contracts the following requirements or measures shown to be equally effective:

- Use solar or low-emission water heaters in the residential buildings.
- Provide energy-efficient natural gas heating and cooking equipment.
- Install ozone destruction catalyst on air conditioning systems, in consultation with the SCAQMD.

Require that commercial landscapers providing services at the common areas of the Project Site use electric or battery-powered equipment, or other internal combustion equipment that is either certified by the California Air Resources Board or is three years old or less at the time of use, to the extent that such equipment is reasonably available and competitively priced in Los Angeles County (meaning that the equipment can be easily purchased at stores in Los Angeles County and the cost of the equipment is not more than 20 percent greater than the cost of standard equipment).

Monitoring Phase: Prior to building permits

Enforcement Agency: South Coast Air Quality Management District

Monitoring Agency: Department of Building and Safety

CULTURAL RESOURCES

D-1 If an archaeological resource is encountered, construction must be diverted and a qualified archaeologist must be consulted. An archaeologist must assess significance of the exposed archaeological discovery in accordance with California Register criteria. If a significant resource is identified during construction, the State Historic Preservation Office must be consulted regarding treatment options.

Monitoring Phase: During grading/excavation

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

D-2 Pursuant to California Health and Safety Code Section 7050.5, in the event of the discovery of a burial, human bone, or suspected human bone, construction in the area of the find shall be temporarily halted, and the Los Angeles County Coroner shall be contacted immediately. Proper legal procedures shall be followed to determine the disposition of the remains pursuant to Public Resources Code Section 5097.98. If the remains are found to be prehistoric, the Coroner will consult and coordinate with the California Native Heritage Commission as required by State law.

Monitoring Phase: During grading/excavation

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

D-3 The Project Applicant shall identify a qualified paleontologist prior to any excavation, grading, or construction. The City of Los Angeles Planning Department shall approve the selected paleontologist prior to issuance of the grading permit. The Project paleontologist shall attend the pre-grading meeting to discuss how to recognize paleontological resources in the soil during grading activities. The prime construction contractor and any subcontractor(s) shall be cautioned on the legal and/or regulatory implications of knowingly destroying paleontological resources or removing paleontological resources from the Project Site.

Monitoring Phase: Prior to issuance of grading permit

Enforcement Agency: Department of Building and Safety/Department of City Planning

Monitoring Agency: Department of Building and Safety/Department of City Planning

D-4 If paleontological resources are encountered during the course of site development activities, work in that area shall be halted and the Project paleontologist shall be notified of the find. The Project paleontologist shall have the authority to temporarily divert or redirect grading to allow time to evaluate any exposed fossil material. "Temporarily" shall be two working days for the evaluation process.

Monitoring Phase: During grading/excavation

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

D-5 If the Project paleontologist determines that the resource is significant, then any scientifically-significant specimens shall be properly collected by the Project paleontologist. During collecting activities, contextual stratigraphic data shall also be collected. The data will include lithologic descriptions, photographs, measured stratigraphic sections, and field notes.

Monitoring Phase: During grading/excavation

Enforcement Agency: Department of Building and Safety/Department of City Planning

Monitoring Agency: Department of Building and Safety/Department of City Planning

D-6 Scientifically-significant specimens shall be prepared to the point of identification (not exhibition), stabilized, identified, and offered for curation to a suitable repository that has a retrievable storage system.

Monitoring Phase: During grading/excavation

Enforcement Agency: Department of Building and Safety/Department of

City Planning

Monitoring Agency: Department of Building and Safety/Department of City Planning

D-7 The Project paleontologist shall prepare a final report at the end of the earthmoving activities; the report shall include an itemized inventory of recovered fossils and appropriate stratigraphic and locality data. The Project paleontologist shall send one copy of the report to the City of Los Angeles Planning Department; another copy should accompany any fossils, along with field logs and photographs, to the designated repository.

Monitoring Phase: During grading/excavation

Enforcement Agency: Department of City Planning

Monitoring Agency: Department of City Planning

GEOLOGY AND SOILS

E-1 The Project shall be designed in accordance with the requirements of the latest edition of the City of Los Angeles Uniform Building Code.

Monitoring Phase: Prior to issuance of grading and building permits

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

E-2 The Project shall comply with the recommendations listed on pages 8 through 25 in the Report of Geotechnical Investigation for the Paseo Plaza Mixed-Use Development, 5601 Santa Monica Boulevard, Los Angeles, California, (which is incorporated by reference) prepared by GEOCON Inland Empire, Inc., dated April 22, 2005.

Monitoring Phase: During grading and construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

HAZARDS AND HAZARDOUS MATERIALS

F-1 Prior to the issuance of the demolition permits, the Applicant shall have all USTs and associated piping/equipment identified at the Sears Automotive Service Center and removed under a proper Los Angeles City Fire Department Permit. The soils underlying the USTs and associated piping/equipment shall be assessed for the presence of hydrocarbons to determine whether soil contamination has occurred. If soil contamination is identified, proper abatement procedures shall be conducted according to Los Angeles Fire Department, federal, State and other local regulations to remove or remediate the contaminated soils.

Monitoring Phase: Prior to issuance of demolition permits

Enforcement Agency: Fire Department/Department of Building and Safety

Monitoring Agency: Fire Department/Department of Building and Safety

F-2 Prior to the issuance of the demolition permits, the Applicant shall have soils under heavily stained asphalt pavement at the Sears Automotive Service Center and under the sink area in the medical facility located at 5661 Santa Monica Boulevard shall be assessed to determine whether soil contamination exists. If soil contamination is identified, the Applicant shall have the soils properly removed or abated according to the Los Angeles Fire Department and applicable federal, State and other local regulations.

Monitoring Phase: Prior to issuance of demolition permits

Enforcement Agency: Fire Department/Department of Building and Safety

Monitoring Agency: Fire Department/Department of Building and Safety

F-3 Prior to the issuance of demolition permits, the Applicant shall have the ASTs located at the Sears Automotive Service Center properly removed for disposal at an appropriately licensed facility. The ASTs shall be cleaned, degassed and removed. Soils located underneath the ASTs shall be assessed to determine whether any soil contamination has occurred. If soil contamination is identified, proper abatement procedures shall be conducted to remove the contaminated soils according to the Los Angeles Fire Department and applicable federal, State and other local regulations.

Monitoring Phase: Prior to issuance of demolition permits

Enforcement Agency: Fire Department/Department of Building and Safety

Monitoring Agency: Fire Department/Department of Building and Safety

F-4 Prior to the issuance of demolition permits, the Applicant shall have the soils located adjacent to or near the multi-stage wastewater clarifier, and under any areas of oil/chemical-stained pavement at the Sears Automotive Service Center, inspected for staining, collected and analyzed for the presence of hydrocarbons. If soil contamination is identified, proper abatement procedures shall be conducted to remove the contaminated soils according to the Los Angeles Fire Department and applicable federal, State and other local regulations.

Monitoring Phase: Prior to issuance of demolition permits

Enforcement Agency: Fire Department/Department of Building and Safety

Monitoring Agency: Fire Department/Department of Building and Safety

F-5 Prior to the issuance of demolition permits, the Applicant shall have the small transformers observed behind the 5637 Santa Monica Boulevard property tested for the presence of PCB-containing dielectric fluids. If PCBs are identified, the dielectric fluid shall be collected and properly disposed of as hazardous waste at an appropriate disposal facility in accordance with applicable federal, state and local regulations. The transformers shall also be disposed of as hazardous waste in accordance with applicable federal, state and local regulations.

Monitoring Phase: Prior to issuance of demolition permits

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

F-6 Prior to the issuance of demolition permits, the Applicant shall have the pole-mounted transformers located along the alley transecting the Project Site tested for the presence of PCB-containing dielectric fluids. If PCBs are identified, the dielectric fluid shall be collected and properly disposed of as hazardous waste at an appropriate disposal facility in accordance with applicable federal, state and local regulations. The transformers shall also be disposed of as hazardous waste in accordance with applicable federal, state and local regulations.

Monitoring Phase: Prior to issuance of demolition permits

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

F-7 Prior to the issuance of demolition permits, the Applicant shall identify PCB-containing light ballasts in each building throughout the Project Site. These ballasts shall be recycled through a reputable company to prevent environmental contamination upon renovation, demolition or change-out.

Monitoring Phase: Prior to issuance of demolition permits

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

F-8 Prior to the issuance of demolition permits, the Applicant shall identify all mercury-containing fluorescent bulbs used in light fixtures throughout the buildings on the Project Site. These bulbs shall be recycled through a reputable company to prevent environmental contamination upon renovation, demolition or change-out.

Monitoring Phase: Prior to issuance of demolition permits

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

F-9 Prior to the issuance of the demolition/renovation permits, the Applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant that no ACMs are present in the buildings. If ACMs are found to be present, they shall be abated in compliance with the South Coast Air Quality Management District's Rule 1403, as well as other state and federal regulations. Specific requirements of Rule 1403 include:

- Implementation of a thorough survey of the affected facility prior to issuance of permits for any demolition or renovation activity, including inspection, identification, and quantification of all friable and certain non-friable asbestos-containing materials.

- Surveys which include collection and analyses of representative asbestos building material samples, and quantification of these materials for asbestos abatement purposes prior to or during

demolition/renovation.

- Notification of the SCAQMD of the intent to demolish or renovate any facility at least ten days prior to commencing with the activity.
- Removal of all asbestos-containing materials prior to any demolition or renovation activity that would break up, dislodge, or similarly disturb the material.
- Use of legally required procedures when removing asbestos-containing materials.
- Placement of all collected asbestos-containing materials in leak-tight containers or wrapping.
- Disposal of asbestos-containing materials as required by applicable regulations.

Monitoring Phase: Prior to issuance of demolition/renovation permits

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

F-10 Prior to the issuance of permits for any demolition/renovation activity involving a particular structure, a lead-based paint assessment of each existing apartment structure shall be conducted. Lead-based paint found in any buildings shall be removed and disposed of as a hazardous waste in accordance with all applicable regulations. Such regulations that would be followed during demolition include Construction Safety Orders 1532.1 (pertaining to lead) from Title 8 of the California Code of Regulations, and lead exposure guidelines provided by the U.S. Department of Housing and Urban Development (HUD).

Monitoring Phase: Prior to issuance of demolition/renovation permits

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Hydrology and Water Quality

G-1 During Project construction, the Project developer shall remove the concentrations of metals exceeding the "municipal and domestic supply and/or groundwater recharge beneficial use" screening levels for dewatering activities prior to discharge to a storm drain. The treatment of the groundwater shall be conducted in accordance with the regulations and guidelines set forth by the California Regional Water Quality Control Board, Los Angeles Region (LARWQCB).

Monitoring Phase: Construction

Enforcement Agency: Regional Water Quality Control Board, Los Angeles Region

Monitoring Agency: Department of Water and Power

Noise

I-1 The Project developer shall implement measures to reduce the noise levels generated by construction equipment operating at the Project Site during Project grading and construction phases. The developer shall include in construction contracts the following requirements or measures shown to be equally effective:

- All construction equipment shall be equipped with improved noise muffling, and have the manufacturers' recommended noise abatement measures, such as mufflers, engine covers, and engine isolators in good working condition.
- Stationary construction equipment that generates noise levels in excess of 65 dBA L_{eq} shall be located as far away from existing occupied buildings as possible. If required to minimize potential noise conflicts, the equipment shall be shielded from noise sensitive receptors by using temporary walls, sound curtains, or other similar devices.
- All equipment shall be turned off if not in use for more than five minutes.

An information sign shall be posted at the entrance to each construction site that identifies the permitted construction hours and provides a telephone number to call and receive information about the construction project or to report complaints regarding excessive noise levels

Monitoring Phase: Pre-Construction, Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

I-2 Concrete, not metal, shall be used for construction of parking ramps.

Monitoring Phase: Prior to issuance of building permits

Enforcement Agency: Department of Building and Safety/Department of City Planning

Monitoring Agency: Department of Building and Safety/Department of City Planning

I-3 The interior ramps shall be textured to prevent tire squeal at turning areas.

Monitoring Phase: Prior to issuance of building permits

Enforcement Agency: Department of Building and Safety/Department of City Planning

Monitoring Agency: Department of Building and Safety/Department of City Planning

I-4 Parking lots located adjacent to residential buildings shall have a solid decorative wall adjacent to the residential uses.

Monitoring Phase: Prior to issuance of building permits

Enforcement Agency: Department of Building and Safety/Department of City Planning

Monitoring Agency: Department of Building and Safety/Department of City Planning

PUBLIC SERVICES

Fire

K.1-1 In accordance with L.A.M.C Section 57.09.07, the Applicant shall equip the proposed structure with automatic sprinkler systems.

Monitoring Phase: Prior to issuance of a certificate of occupancy

Enforcement Agency: Fire Department

Monitoring Agency: Fire Department

K.1-2 The Applicant shall submit the plot plan for review and approval by the Fire Department prior to recordation of a final map or the approval of a building permit.

Monitoring Phase: Prior to issuance of building permits

Enforcement Agency: Fire Department

Monitoring Agency: Fire Department

K.1-3 Fire lane width shall not be less than 20 feet. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width.

Monitoring Phase: Prior to issuance of building permits

Enforcement Agency: Fire Department

Monitoring Agency: Fire Department

K.1-4 No building or portion of a building shall be constructed more than 300 feet from an approved fire hydrant.

Monitoring Phase: Prior to issuance of a building permit

Enforcement Agency: Fire Department

Monitoring Agency: Fire Department

K.1-5 No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.

Monitoring Phase: Prior to issuance of a building permit

Enforcement Agency: Fire Department

Monitoring Agency: Fire Department

K.1-6 Access for Fire Department apparatus and personnel to and into all structures, including the subterranean parking structures, shall be required.

Monitoring Phase: Prior to issuance of a building permit

Enforcement Agency: Fire Department

Monitoring Agency: Fire Department

K.1-7 The Proposed Project shall comply with all applicable State and local codes and ordinances, and guidelines found in the Fire Protection and Fire Prevention Plan, as well as the Safety Plan, both of which are elements of the General Plan for the City of Los Angeles C.P.C. 19708.

Monitoring Phase: Prior to issuance of a building permit

Enforcement Agency: Fire Department

Monitoring Agency: Fire Department

Police

K.2-1 During construction activities, the Project developer shall ensure that all onsite areas of active development, material and equipment storage, and vehicle staging, that are adjacent to existing public roadways, be secured to prevent trespass.

Monitoring Phase: Construction

Enforcement Agency: Police Department

Monitoring Agency: Police Department

K.2-2 The building and layout design of the Proposed Project shall include crime prevention features, such as nighttime security lighting, full-time onsite professional security, building security systems, and secure parking facilities.

Monitoring Phase: Prior to issuance of a building permit

Enforcement Agency: Police Department

Monitoring Agency: Police Department

Schools

K.3-1 The Project Applicant shall pay all applicable school fees to the Los Angeles Unified School District to offset the impact of additional student enrollment at schools serving the Project area.

Monitoring Phase: Prior to certificate of occupancy

Enforcement Agency: Los Angeles Unified School District

Monitoring Agency: Los Angeles Unified School District

Parks

K.4-1 The Applicant shall pay the required $200 per dwelling unit fee paid to the Department of Building and Safety in accordance to the Dwelling Unit Construction Tax required by the Los Angeles Municipal Code Section 21.10.3(b).

Monitoring Phase: Prior to issuance of a certificate of occupancy

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

K.4-2 The following recreational facilities shall be provided as part of the Proposed Project:

i. A public pedestrian plaza opening onto Santa Monica Boulevard on Site I;

ii. A landscaped open space area along Virginia Avenue shall be provided on Site I, connected to the Santa Monica Boulevard plaza by a landscaped pedestrian walkway (paseo);

iii. The roof-top of the existing 3-story (above grade) retail department store building shall be converted to a landscaped open space area for use by residents and the general public for leisure activities; and,

Approximately 50,033 sq. ft. on Site I shall be left as common open space for use

by all the residents at grade (or 1st story), at the 2nd story, and at the 4th story.

Monitoring Phase: Prior to issuance of building permits

Enforcement Agency: Department of City Planning

Monitoring Agency: Department of City Planning

K.5-1 The Project Applicant shall pay all applicable library fees to the Los Angeles Public Library to offset the impact of additional library facility demand in the project area.

Monitoring Phase: Prior to issuance of building permits

Enforcement Agency: Los Angeles Public Library

Monitoring Agency: Los Angeles Public Library

TRANSPORTATION/TRAFFIC

L-1 Construction excavation trucks shall be limited to travel outside of the AM and PM peak hours to reduce truck traffic impacts.

Monitoring Phase: Construction

Enforcement Agency: Department of Transportation/Department of Public Works

Monitoring Agency: Department of Transportation/Department of Public Works

L-2 Construction workers shall be encouraged to carpool or vanpool to the Project Site during construction of the Proposed Project to reduce vehicle trips.

Monitoring Phase: Pre-Construction, Construction

Enforcement Agency: Department of Transportation

Monitoring Agency: Department of Transportation

L-3 Projects involving the import/export of 20,000 cubic yards of more of dirt shall obtain haul route approval by the Department of Building and Safety.

Monitoring Phase: Prior to issuance of a haul route

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

L-4 The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.

Monitoring Phase: Pre-Construction, Construction

Enforcement Agency: Department of Transportation

Monitoring Agency: Department of Transportation

L-5 Fences shall be constructed around the site to minimize trespassing, vandalism, short-cut attractions and attractive nuisances.

Monitoring Phase: Pre-Construction

Enforcement Agency: Department of Transportation/Department of City Planning

Monitoring Agency: Department of Transportation/Department of City Planning

L-6 A new traffic signal is proposed to be installed at the Hollywood Freeway northbound on-ramp and Western Avenue intersection. However, LADOT has rejected this proposal due to high congestion on the freeway on-ramp. No other feasible mitigation is available for this intersection.

No monitoring as this measure has been rejected by LADOT

L-7 The northbound approach of Gower Street, south of Santa Monica Boulevard, shall be restriped, and on-street parking restrictions shall be implemented, to provide one left-turn only lane, one through lane, and one right-turn only lane. This improvement would result in the loss of approximately three parking spaces on Gower Street in order to accommodate the northbound right-turn only lane.

Monitoring Phase: Prior to issuance of certificate of occupancy

Enforcement Agency: Department of Transportation

Monitoring Agency: Department of Transportation

L-8 The north side of Santa Monica Boulevard shall be dedicated and widened along the Project frontage to install a new right-turn only lane in addition to one left-turn only lane and two through lanes in the westbound direction. Additionally, the east side of Wilton Place shall be widened within the existing right-of-way south of Santa Monica Boulevard, to provide one-left through shared land, one through lane, and one right-turn only lane in the northbound direction.

Roadway improvements along Santa Monica Boulevard require coordination and concurrence of Caltrans.

Monitoring Phase: Prior to issuance of certificate of occupancy

Enforcement Agency: Department of Transportation/Caltrans

Monitoring Agency: Department of Transportation/Caltrans

L-9 The north and south sides of Santa Monica Boulevard shall each be widened by one foot within the existing right-of-way east of Western Avenue to install a new westbound right-turn only lane, in addition to one left-turn only lane and two through lanes. The eastbound approach of Santa Monica Boulevard shall be restriped to appropriately align the travel lanes.

Roadway improvements along Santa Monica Boulevard require coordination and concurrence of Caltrans.

In addition to the measure recommended above, which is designed to address the specific traffic impacts of the Proposed Project, there are other issues at this location involving pedestrian and vehicular conflicts. The existing locations and schedules for public transit buses result in pedestrians crossing both Santa Monica Boulevard and Western Avenue to transfer buses, sometimes crossing against the "Don't Walk" indications or not utilizing the crosswalks in an attempt to catch available buses without having to wait for subsequent vehicles. This condition is exacerbated by existing vehicular congestion, which results in driver frustration and potential lack of awareness of the pedestrian traffic, especially outside the crosswalks or outside the indicated crossing times. Therefore, although not specifically a Project-related impact, it is recommended that, as part of the Project's mitigation for this location, the developer work with the Metropolitan Transportation Authority (MTA), LADOT, and Community Redevelopment Agency (CRA) to identify potential strategies and/or improvements to address this issue. These improvements could include relocation of some or all of the bus stops to minimize pedestrian needs to cross streets to accommodate the most popular route transfers, upgrading of the pedestrian crosswalk indicators to include "count down" timers for remaining crossing time, installation of physical barriers to direct and encourage pedestrians to use the crosswalks, or a combination of these and other measures to reduce existing and future pedestrian/vehicular conflicts at this intersection.

Monitoring Phase: Prior to issuance of certificate of occupancy

Enforcement Agency: Department of Transportation/Caltrans

Monitoring Agency: Department of Transportation/Caltrans

L-10 Melrose Avenue, south of Western Avenue shall be restriped to install a new northbound right-turn only lane, in addition to one left-turn only lane and two through lanes.

Monitoring Phase: Prior to issuance of certificate of occupancy

Enforcement Agency: Department of Transportation

Monitoring Agency: Department of Transportation

L-11 The Proposed Project could also create significant impacts along several of the residential streets surrounding the Project Site. In order to address this impact, it is recommended that the developers provide funding for development and implementation a neighborhood traffic management program, to minimize or mitigate the impacts of additional daily traffic in the Project vicinity. This program would be developed jointly by LADOT and representatives of the homeowners associations surrounding the project site to could include, but not be limited to, installation of additional STOP signs or speed humps to reduce travel speeds on these local streets, chokers or diverters to channel traffic, turn restrictions, or even cul-de-sacs. Other measures, including funding of the design for a new traffic signal at the project-adjacent intersection of Wilton Place and Virginia Avenue, for City installation should it meet the appropriate warrants, could also be included. The amount of the fund will be determined by LADOT.

Monitoring Phase: Prior to issuance of certificate of occupancy

Enforcement Agency: Department of Transportation

Monitoring Agency: Department of Transportation

L-12 The Project Applicant shall provide gated entry into all Project Site subterranean parking facilities on all three properties (Sites I, II and III), with room for 2 cars to queue.

Monitoring Phase: Prior to issuance of building permits

Enforcement Agency: Department of City Planning

Monitoring Agency: Department of City Planning

UTILITIES

Water

M.2-1 The Project developer shall ensure that the landscape irrigation system be designed, installed and tested to provide uniform irrigation coverage. Sprinkler head patterns shall be adjusted to minimize over spray onto walkways and streets.

Monitoring Phase: Prior to issuance of certificate of occupancy

Enforcement Agency: Department of Public Works/ Department of City Planning

Monitoring Agency: Department of Public Works/ Department of City Planning

M.2-2 The Project developer shall install either a "smart sprinkler" system to provide irrigation for the landscaped areas or, at a minimum, set automatic irrigation timers to water landscaping during early morning or late evening hours to reduce water losses from evaporation. Irrigation run times for all zones shall be adjusted seasonally, reducing water times and frequency in the cooler months (fall, winter, spring). Sprinkler timer run times shall be adjusted to avoid water runoff, especially when irrigating sloped property.

Monitoring Phase: Prior to issuance of certificate of occupancy

Enforcement Agency: Department of Public Works/ Department of City Planning

Monitoring Agency: Department of Public Works/ Department of City Planning

M.2-3 The Project developer shall select and use drought-tolerant, low-water-consuming plant varieties to reduce irrigation water consumption.

Monitoring Phase: Prior to issuance of certificate of occupancy

Enforcement Agency: Department of City Planning

Monitoring Agency: Department of City Planning

M.2-4 The Project developer shall install low-flush water toilets and water-saving showerheads in new construction. Low-flow faucet aerators should be installed on all sink faucets.

Monitoring Phase: Prior to issuance of building permits

Enforcement Agency: Department of City Planning

Monitoring Agency: Department of City Planning

Solid Waste

M.3-1 In compliance with AB 939, the construction contractor shall only contract for waste disposal services with a company that recycles construction-related wastes.

Monitoring Phase: Prior to issuance of certificate of occupancy

Enforcement Agency: Bureau of Sanitation

Monitoring Agency: Bureau of Sanitation

M.3-2 In compliance with AB 939, to facilitate the onsite separation and recycling of construction-related wastes, the construction contractor should provide temporary waste separation bins onsite during construction.

Monitoring Phase: Construction

Enforcement Agency: Bureau of Sanitation

Monitoring Agency: Bureau of Sanitation

M.3-3 In compliance with Los Angeles City Ordinance 171.687, to support recycling of operational wastes, the Proposed Project would include required minimum space for recycling containers.

Monitoring Phase: Prior to issuance of building permits

Enforcement Agency: Department of City Planning

Monitoring Agency: Department of City Planning

Electricity

M.4-1 The Project Applicant shall comply with Title 24 of the California Administrative Code with regard to potential energy conservation measures for the Project. Examples of such energy conservation measures include:

- Install windows (i.e., tinting, double pane glass, etc.) to reduce thermal gain and loss, thus cooling loads during warm weather and heating loads during cool weather.
- Install thermal insulation in walls and ceilings.
- Install time control exterior lighting. These systems should be programmed to account for variations in seasonal daylight times.
- Limit outdoor lighting while still maintaining minimum security and safety standards.
- Install built-in appliances, refrigerators, and space-conditioning equipment.
- Use natural ventilation wherever possible.

Monitoring Phase: Prior to issuance of a certificate of occupancy

Enforcement Agency: Department of Water and Power

Monitoring Agency: Department of Water and Power

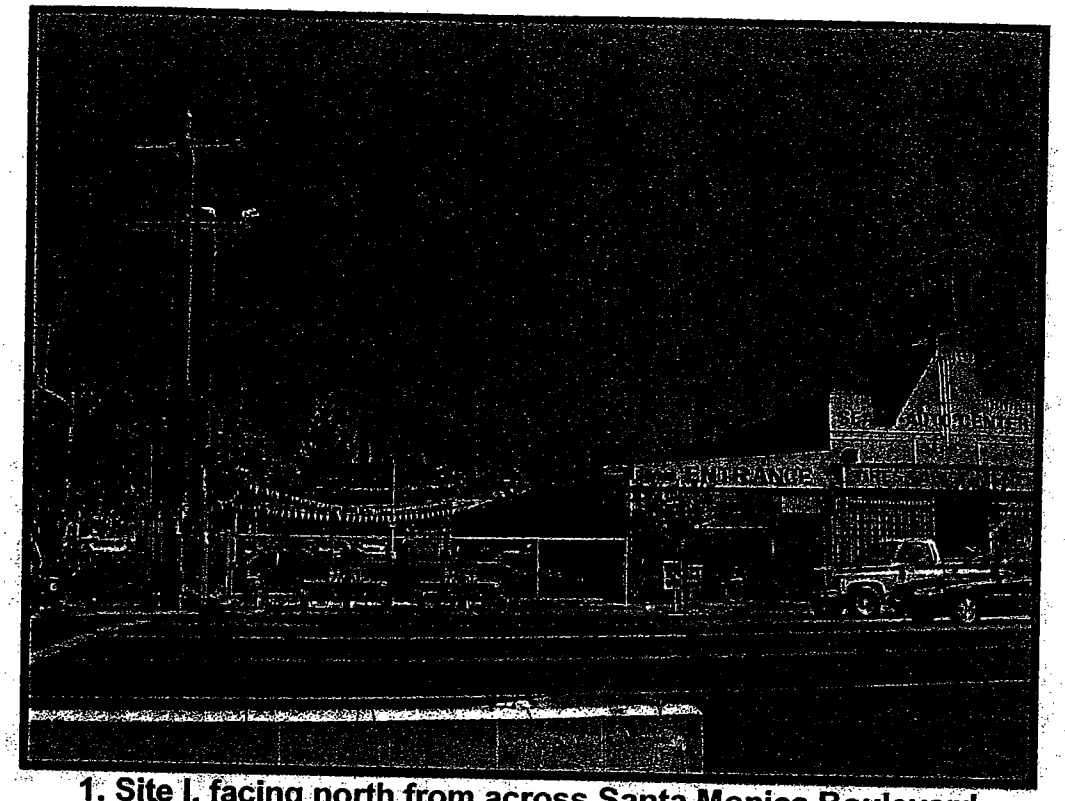
PHOTO EXHIBIT: ALTERNATIVE PROJECT

Site Address: 5601 West Santa Monica Boulevard, Los Angeles, CA 90038
APPLICANT: St. Andrews – Santa Monica, LLC
Case Numbers: VTTM 66814 and ENV-2005-7720 EIR

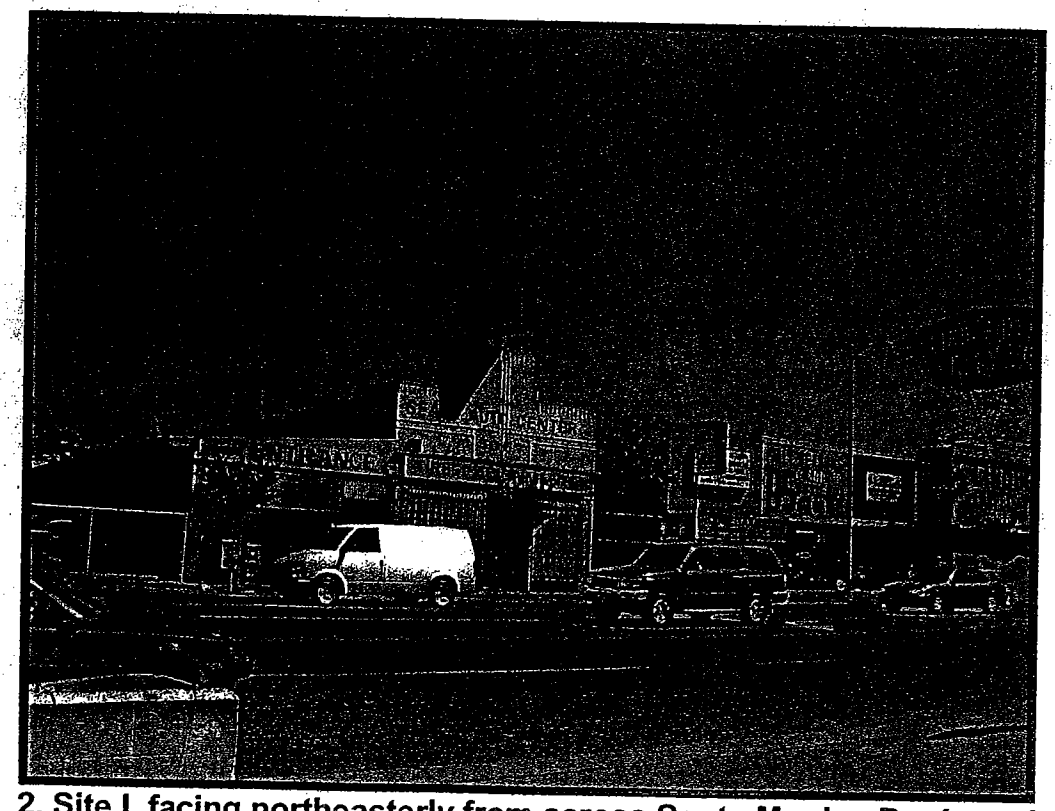


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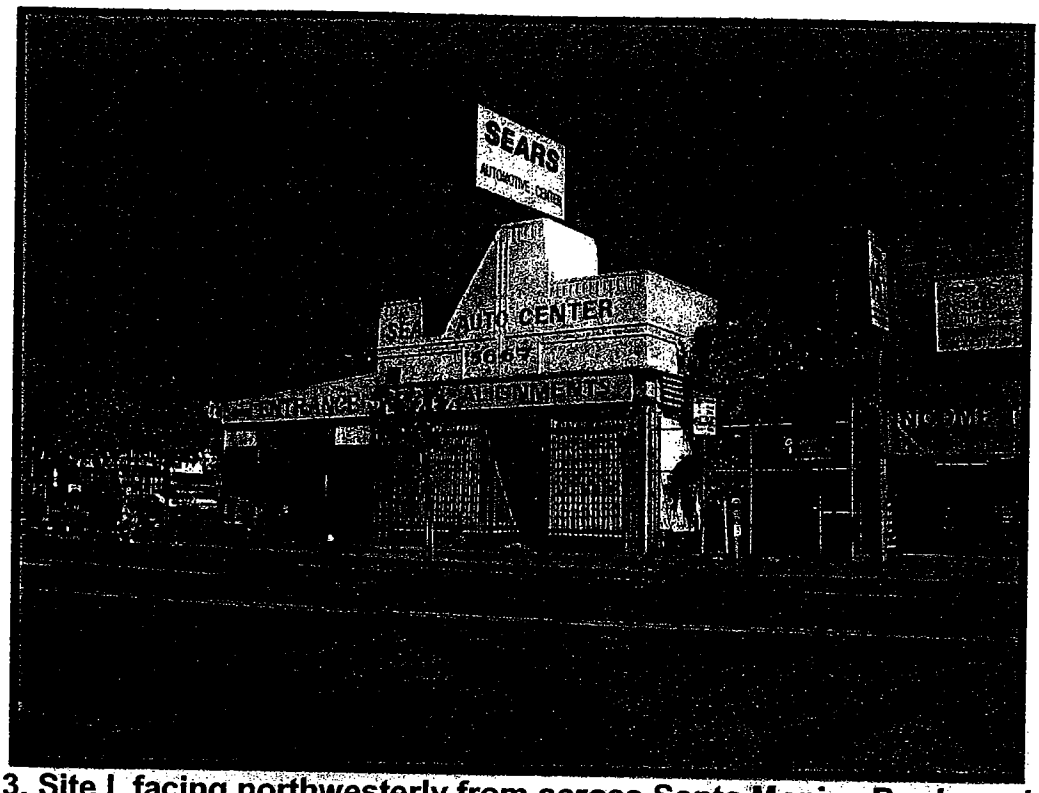
Exhibit D



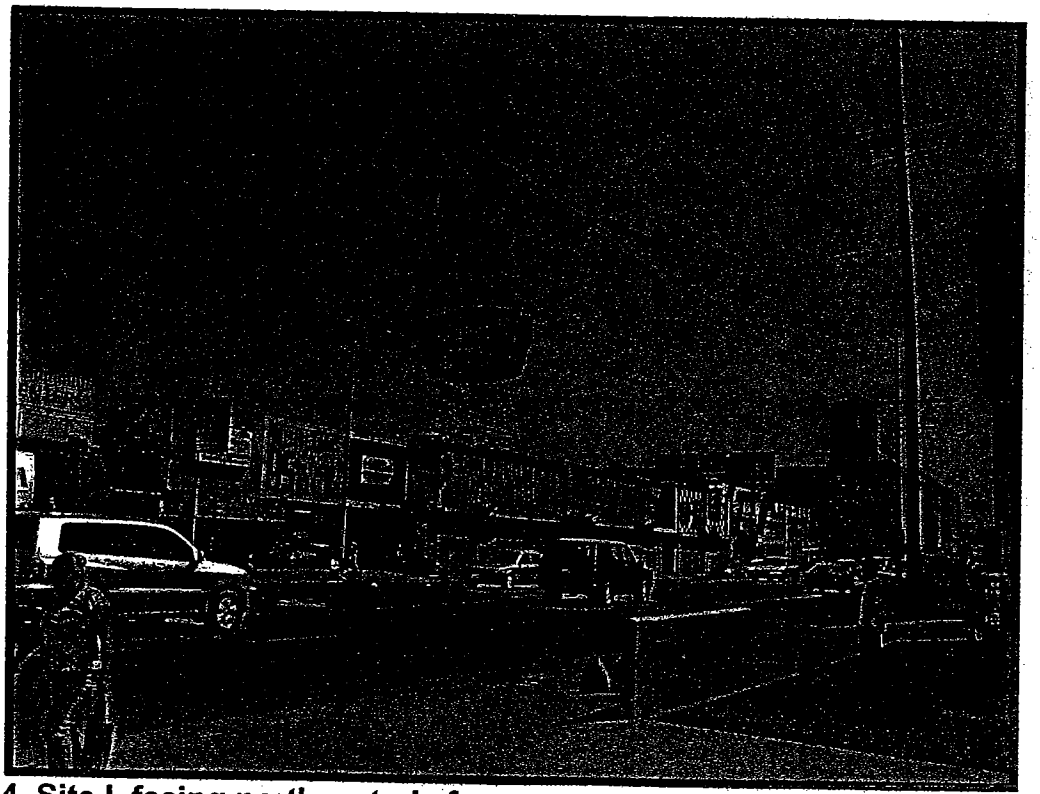
1. Site I, facing north from across Santa Monica Boulevard



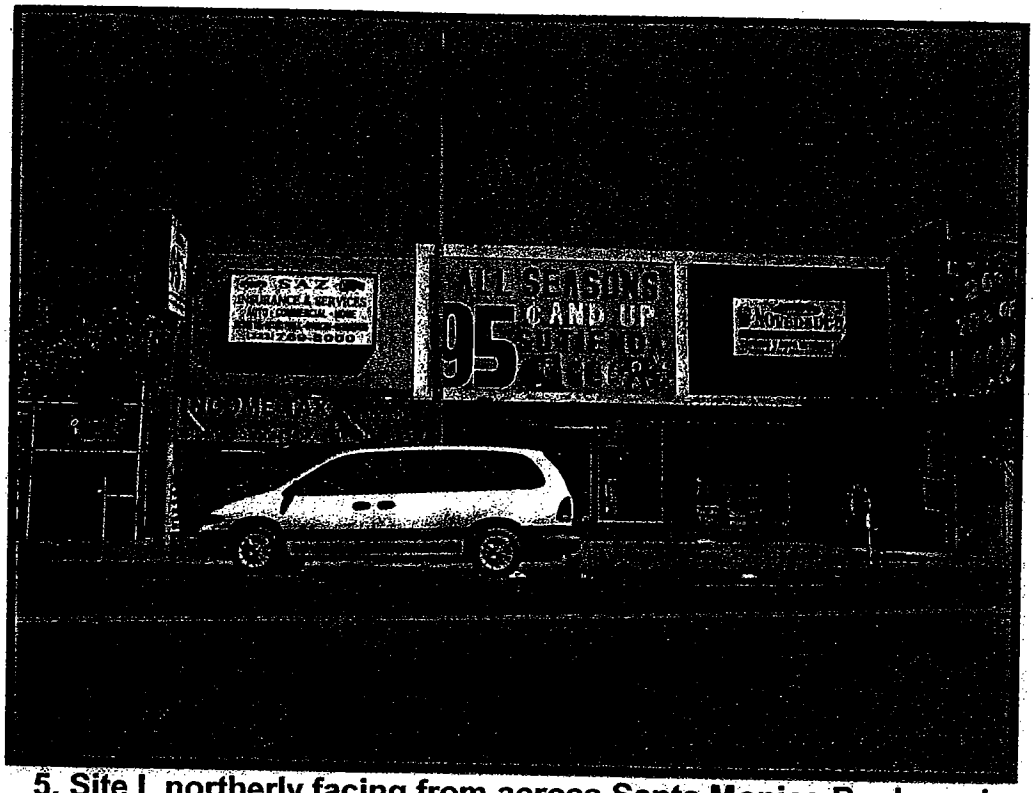
2. Site I, facing northeasterly from across Santa Monica Boulevard



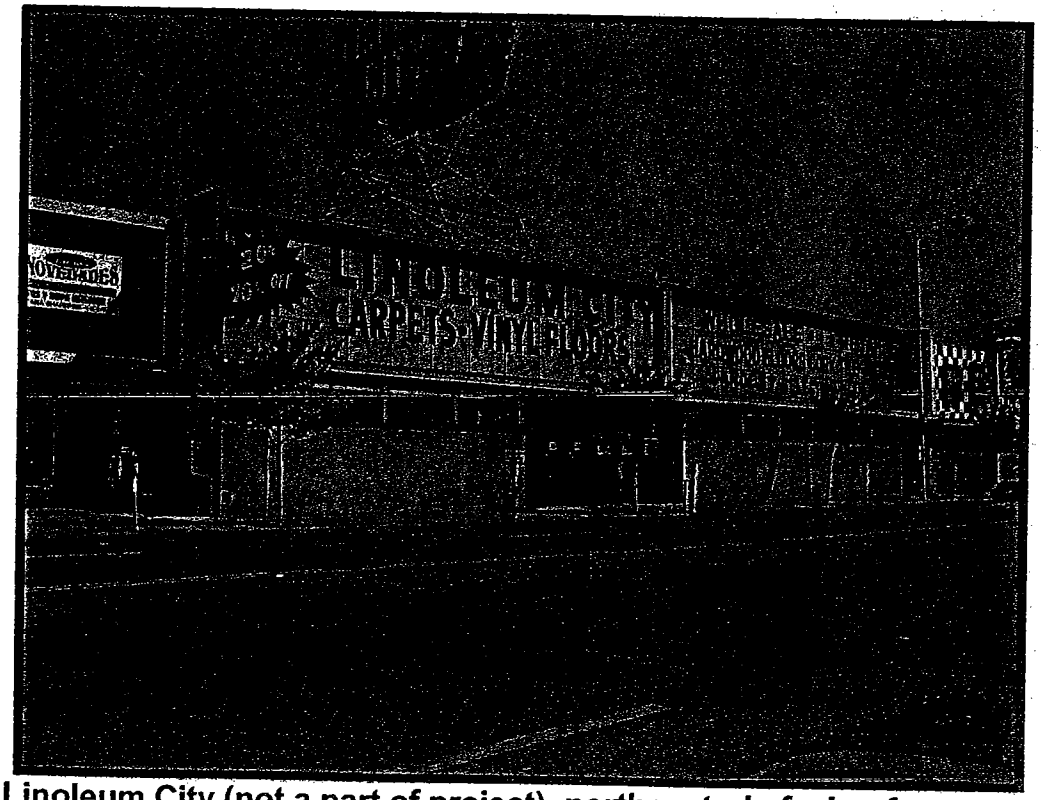
3. Site I, facing northwesterly from across Santa Monica Boulevard



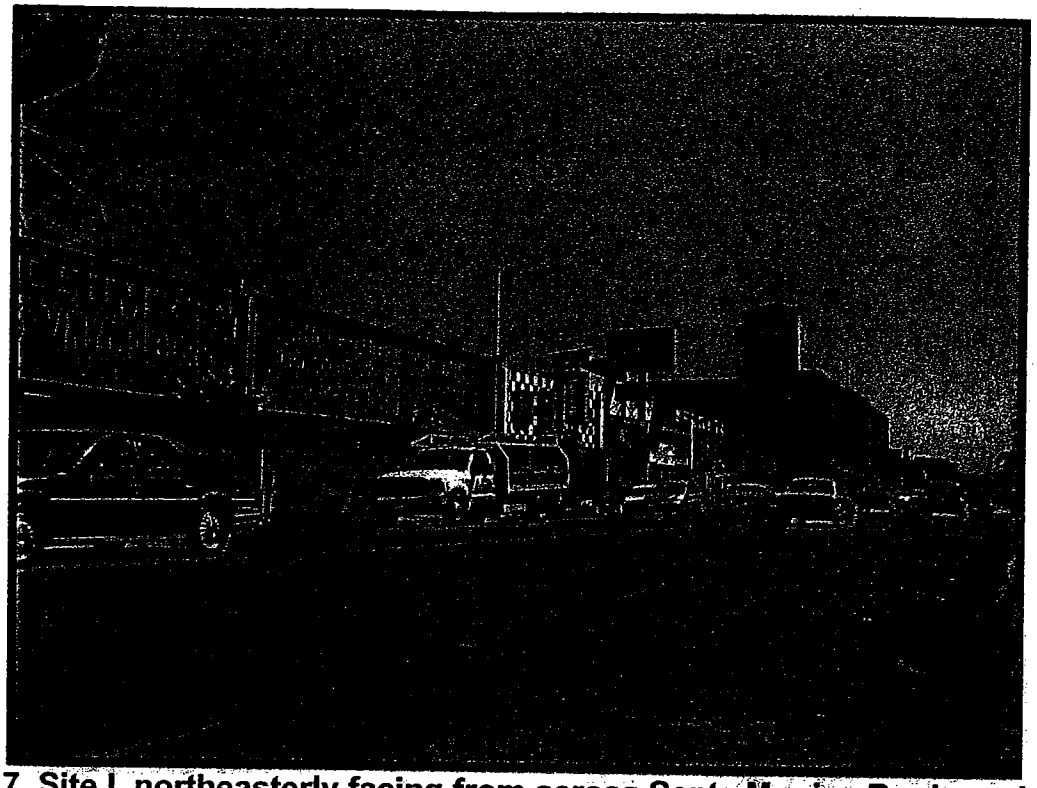
4. Site I, facing northeasterly from across Santa Monica Boulevard (Linoleum City not a part)



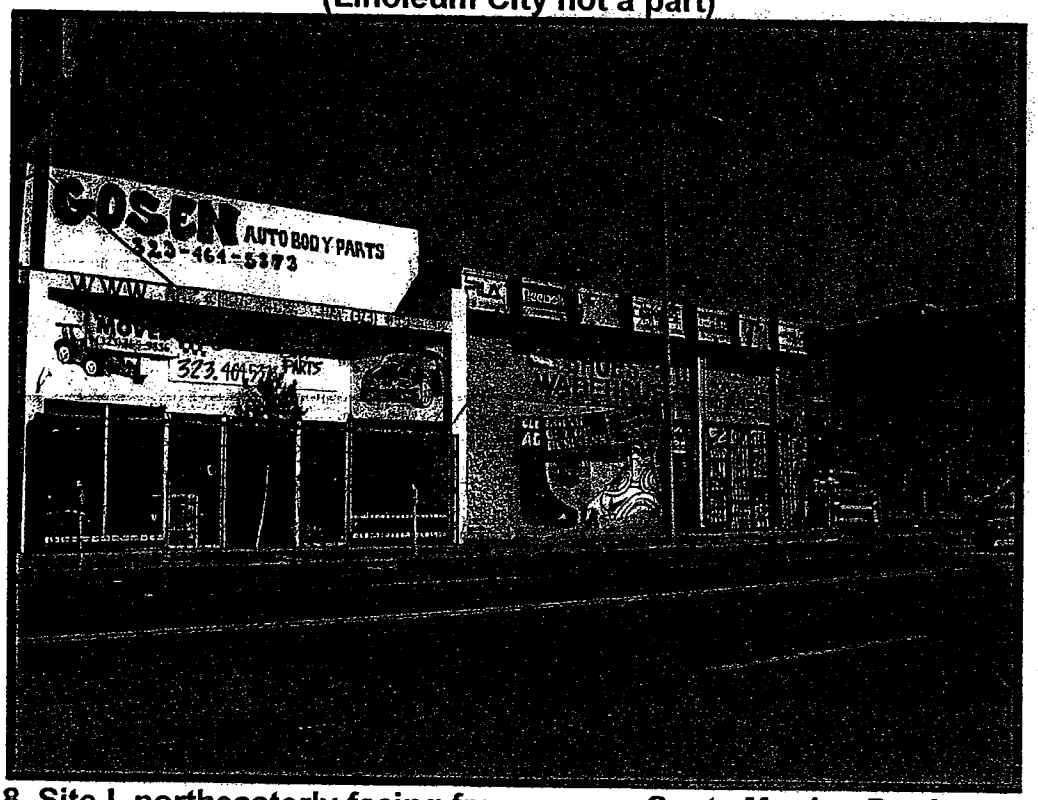
5. Site I, northerly facing from across Santa Monica Boulevard



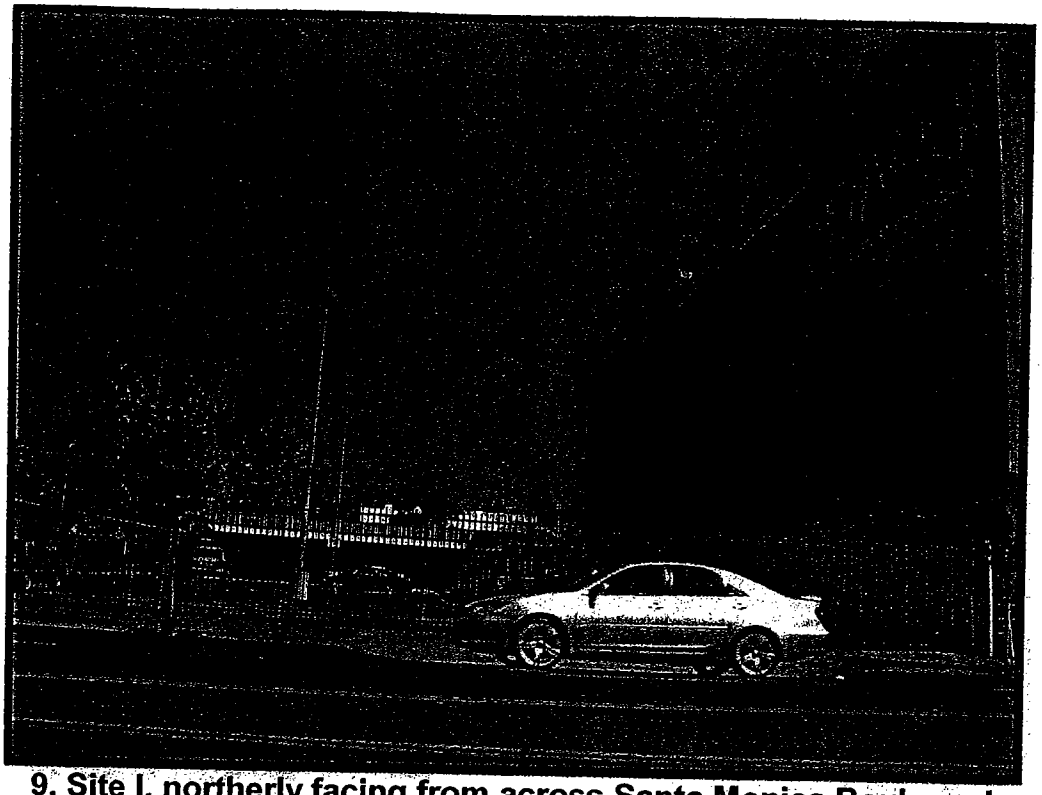
6. Linoleum City (not a part of project), northeasterly facing from across Santa Monica Boulevard



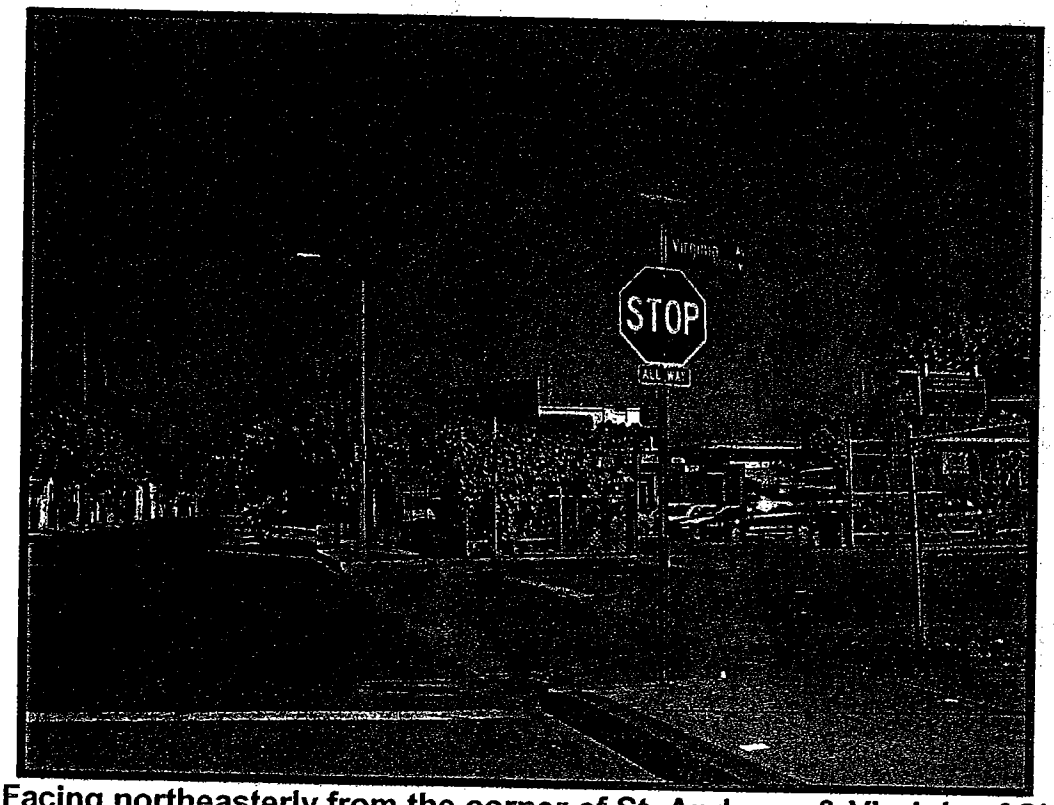
7. Site I, northeasterly facing from across Santa Monica Boulevard (Linoleum City not a part)



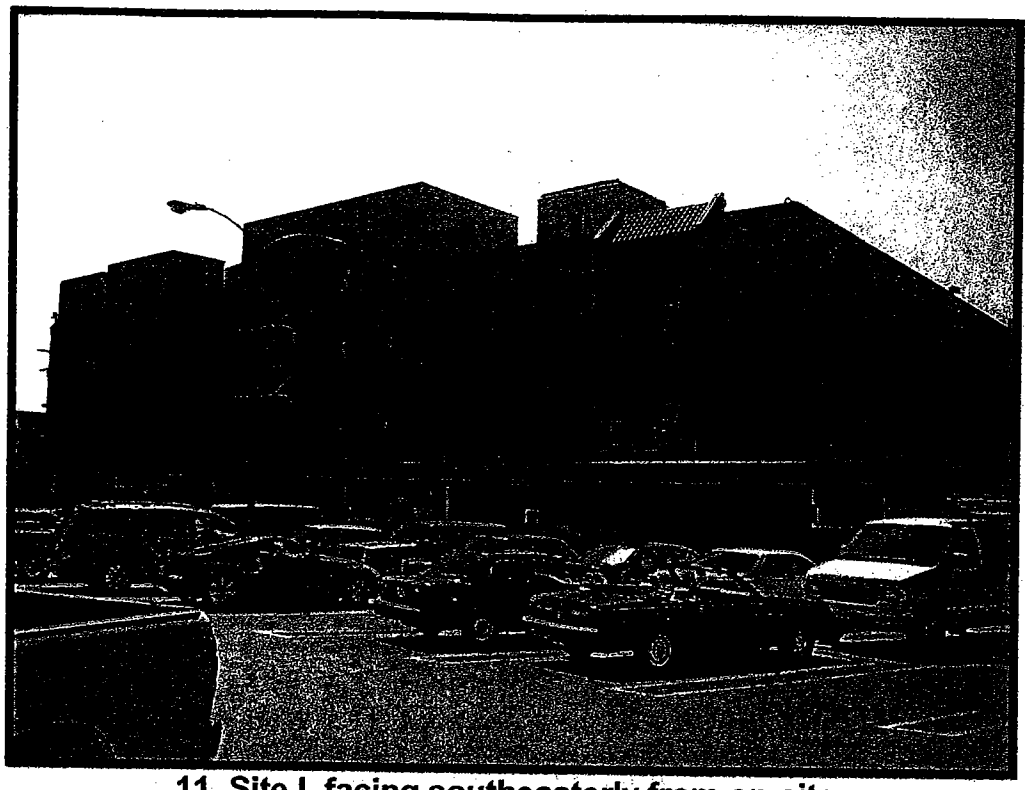
8. Site I, northeasterly facing from across Santa Monica Boulevard



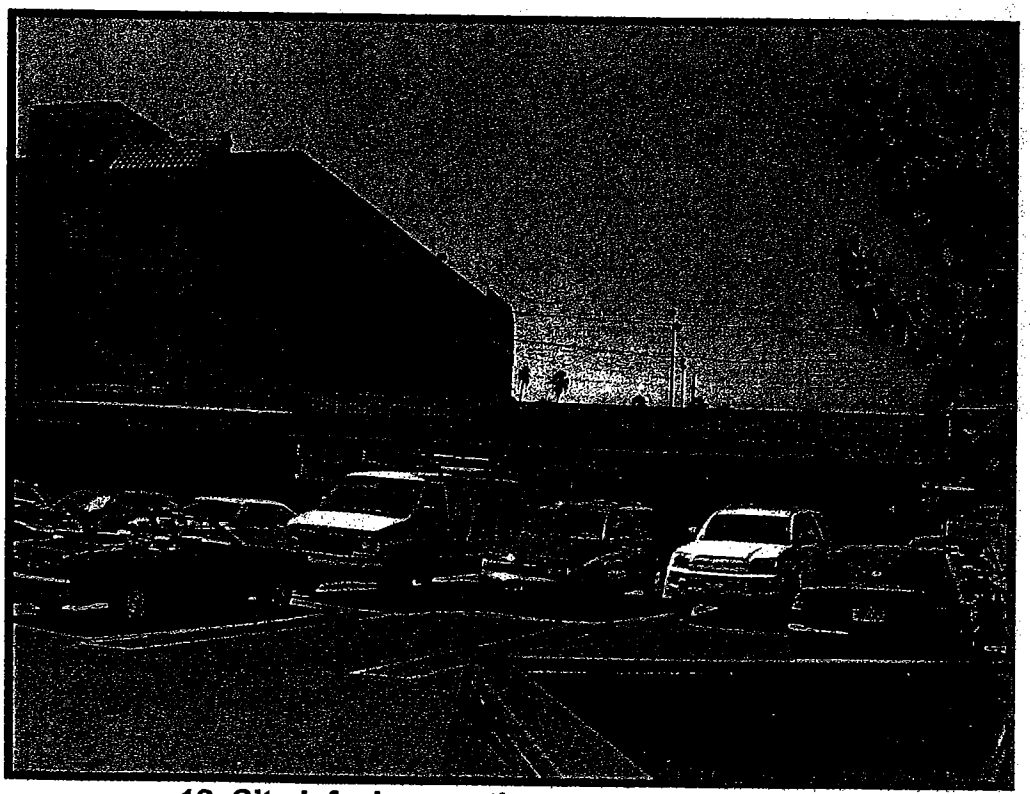
9. Site I, northerly facing from across Santa Monica Boulevard



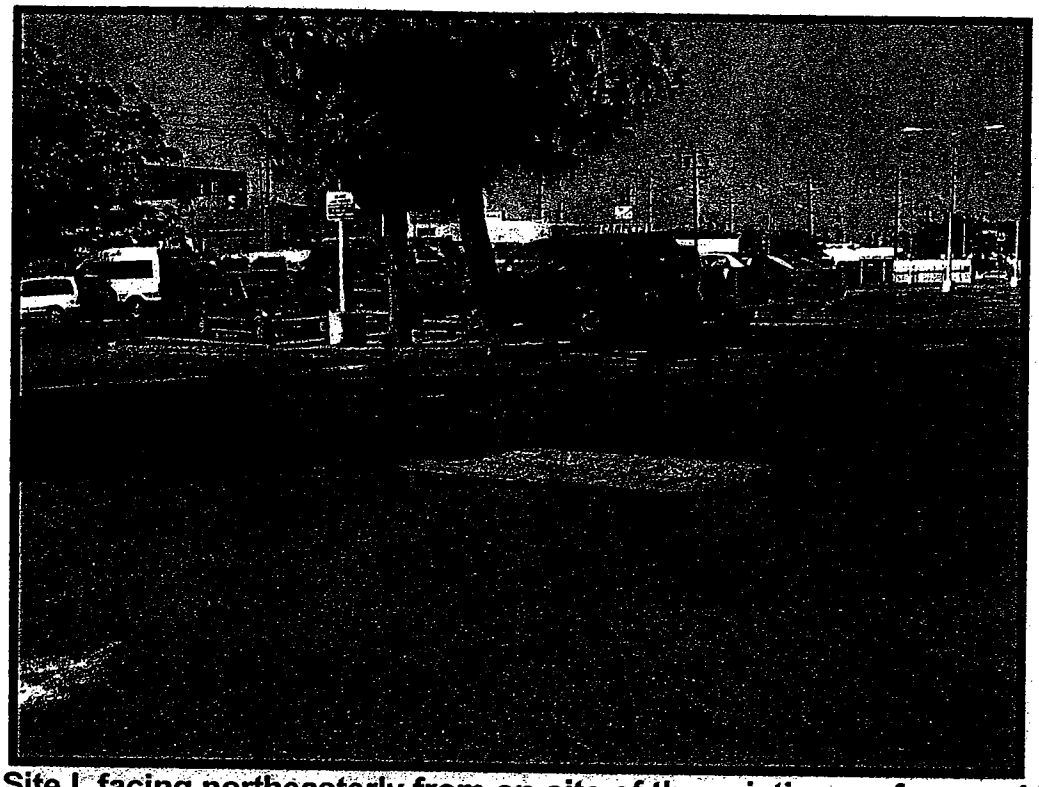
10. Facing northeasterly from the corner of St. Andrews & Virginia of Site II & Site III



11. Site I, facing southeasterly from on-site



12. Site I, facing southeasterly from on-site



13. Site I, facing northeasterly from on-site of the existing surface parking



14. From Site I, facing westerly towards corner of Wilton Place and Virginia Avenue

Craig Lawson & Co., LLC
Land Use Consultants

Exhibit D

November 9, 2006

Mr. Mike Young
Deputy Advisory Agency
Department of City Planning
City of Los Angeles
200 North Spring Street, Room 721
Los Angeles, CA 90012

Regarding: **Follow up Letter to October 26, 2006 Public Hearing**
VTT 66044 (Master), VTT 66814 (Alternative),
CPC-2006-4392-ZC-ZV-HD-ZAA-ZAI-SPR (Master)
CPC-2006-4401-ZC-ZV-HD-ZAA-ZAI-SPR (Alternative)
ENV-2005-7720-EIR
Address: 5661 Santa Monica Boulevard

Dear Mr. Young:

I am writing on behalf of St. Andrews – Santa Monica, LLC, ("Applicant"), the applicant in the above referenced matter. Thank you for providing the project team the opportunity to present the project to the Advisory Agency and the City Planning Commission Hearing Officer during the public hearing on October 26, 2006.

As you recall, the Applicant is proposing to construct a mixed use project including 437 condominium units and a total of 377,900 square feet of neighborhood retail for the Master Project and 353,300 square feet of neighborhood retail for the Alternative Project. The Proposed Projects consist of three sites and involves the construction of a mixed-use development project including 375 residential units and 377,900 sf of neighborhood retail on Site I (353,300 sf of neighborhood retail for the Alternative Project), a 24-unit multi-family residential project on Site II, and a 38-unit multi-family residential project on Site III.

At the end of the public hearing, you requested that we provide additional information to clarify the following issues (which primarily relate to Site I, located at 5661 Santa Monica Boulevard:

1. FLOOR AREA RATIO
2. AFFORDABLE HOUSING
3. PROPOSED PARKING FOR THE RESIDENTIAL USES AND COMMERCIAL USES
4. INCLUSION OF THE EXISTING DEPARTMENT STORE AND THE GOAL OF PROVIDING A ROOF-TOP LANDSCAPED OPEN SPACE AREA
5. OPEN SPACE
6. REVISE VESTING TENTATIVE TRACT MAP
7. SIDEWALK WIDENING

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CITY PLANNING
COMMUNITY PLANNING BUREAU

8758 Venice Boulevard, #200 Los Angeles, CA 90034 ◆ Phone (310) 838-2400 ◆ FAX (310) 838-2424

Below you will find a detailed explanation of each issue, and following you will find a list of proposed voluntary Conditions of Approval (See Exhibit A) which the applicant suggests be included in the Letter of Determination in order to mitigate any potential concerns you may have regarding the above issues.

1. FLOOR AREA RATIO

On Site I, the Applicant is proposing to construct a mixed use project including 375 condominium units and a total of 377,900 square feet of neighborhood retail for the Master Project and 353,300 square feet of neighborhood retail for the Alternative Project.

Floor Area Ratio

On Site I, the Applicant is requesting a Zone Change from C4-1VL and R4-1VL to the RAS4-2D Zone. The RAS4-2 Zone would permit an unlimited height and a maximum floor area ratio (FAR) of 6:1. The Applicant is proposing for your consideration a "D" Limitation on Site I which would impose a height limit of 94 feet for occupied architectural features and an additional 19 feet (up to 113 feet) for unoccupied architectural features. Also, the proposed "D" Limitation would place an FAR limit of 3.84 to1 on Site I for the Master Project and 4:04 to1 on Site I for the Alternative Project.

The existing C4-1VL and R4-1VL zones permit a FAR of 3:1 on Site I. However, there is a footnote in the General Plan which limits the FAR of the portion of the site zoned C4-1VL to 1.5:1. A Director's Interpretation (RAS Interpretation to Community Plan Footnotes) exists, which discusses that the RAS Zones can exceed a Community Plan Footnote when that footnote is general in nature and generally refers to all parcels under that plan category (See Exhibit B). The footnote in the General Plan which limits the subject site's C4-1VL zone's FAR to 1.5:1 is general in nature and generally refers to all parcels under that plan category. Therefore, the footnote which limits FAR to 1.5:1 on the C4-1VL zoned portion of the site does not apply if the requested Zone Change to an RAS4 zone is approved.

Assumes a Zone Change from C4-1VL and R4-1VL to RAS4-2D on Site I:

TABLE 1 - MASTER PROJECT

	Permitted FAR	Proposed FAR	Permitted Floor Area (s.f.)	Proposed Floor Area (s.f.)
Site I Proposed RAS4-2D (self-imposed "D" Limitations)	6:1	3.84:1	1,212,396	775,770 377900 COMM 397 800 RES
Site II (R4-1VL)	3:1	3:1	16,512	16,512
Site III (R4-1VL)	3:1	3:1	30,717	30,717
Total			1,259,625	822,999

TABLE 2 - ALTERNATIVE PROJECT

	Permitted FAR	Proposed FAR	Permitted Floor Area (s.f.)	Proposed Floor Area (s.f.)
Site I Proposed RAS4-2D (self-imposed "D" Limitations)	6:1	4.04:1	1,094,448	736,240 353300 COM 382940 RES
Site II (R4-1VL)	3:1	3:1	16,512	16,512

Site III (R4-1VL)	3:1	3:1	30,717	30,717
Total			1,141,677	783,469

Site II and Site III are currently zoned R4-1VL and the Applicant is not requesting a Zone Change on this portion of the subject site. Therefore, the zone will remain R4-1VL and a 3:1 FAR is permitted on these portions of the subject site. The Applicant proposes to maintain the permitted FAR of 3:1 on Sites II and III.

2. AFFORDABLE HOUSING

A topic discussed during the public hearing was the Applicant's ability to provide affordable housing opportunities within the Proposed Project. Upon further evaluation, it was determined that the Applicant can propose to incorporate low- to moderate-income affordable housing units within the Proposed Project.

In the Master Project and the Alternative Project, the Applicant is proposing to provide up to a maximum of 437 residential units on Sites I, II, and III, where up to a maximum of 375 units are proposed on Site I, 24 units on Site II, and 38 units on Site III.

The Applicant proposes to provide 10% of the total units constructed on Site I to be located on Site III as low-income affordable housing units. For example, if the total proposed units are constructed on Site I (375 units), the Applicant would provide a total of 38 low-income affordable housing units to be located on Site III which is located at 5542 West Virginia Avenue on the southeast corner of Virginia Avenue and St. Andrews Place.

In addition, the developer proposes to provide residential units that can accommodate families to encourage families to reside in the low-income units proposed on Site III.

- 10% of the total units constructed on Site I to be located on Site III – i.e. 10% of 375 units = 37.5 or 38 units.

3. PROPOSED PARKING FOR THE RESIDENTIAL AND COMMERCIAL USES

RESIDENTIAL PARKING

One of the key issues discussed at the hearing was the proposed parking ratio for the condominium units. The Applicant has proposed a ratio of 2.25 spaces per unit, which is less than the Advisory Agency policy of 2.5 spaces per unit for a new building located in a parking congested area.

The proposed project is a well-designed mixed-use project located within walking distance of thousands of jobs and within one of the region's communities that offers the most comprehensive transit options. The proposed project facilitates the City's planning goals as those goals have been expressed by the Hollywood Community Plan and the Hollywood Redevelopment Plan, which is to promote a densely-populated, pedestrian-friendly environment near transit and jobs. As discussed in a letter to Mr. Quinn dated October 5, 2006 from Craig Lawson & Co., LLC, there are a number of metro bus lines and the Metro Rapid line with bus stops located less than 1,500 square feet from the subject site and which operate more frequently than every 15 minutes during peak commute travel times.

Also, please see the attached list for your reference (See Exhibit C). Upon review of the attached list, you will see that there are various residential and mixed-use projects that provide (or are proposing to provide) parking ratios ranging from 1 to 2.5 parking spaces per unit within the Hollywood area. For example, a project located in a parking congested area at 1427 Cole Place was approved to provide 1 parking space per one-bedroom unit and 2 parking spaces for two-bedroom units (VTTM 63383) for overall parking ratio of approximately 2 parking spaces per unit. Furthermore, the Cole Place project is not located to nearly as many public transportation opportunities as that of the subject site. Additionally, many of the adaptive reuse projects on the attached list are providing 1 space per unit. While converted units are approved based on a different standard (Adaptive Reuse), they are all being sold (and occupied) in the same market. Based on the success of these Adaptive Reuse projects, it does not appear that one parking space per unit is an impediment to urban living.

The Applicant proposes to build up to 437 new condominium units for the proposed project. The table below (Table 3) demonstrates the allocation of the unit types within each Site and for the Master Project and the Alternative Project. As shown below, while there is a diverse housing type being offered in the proposed project, a significant percentage of the units that are being proposed are 1- and 2-bedroom units.

Table 3 - NUMBER OF DWELLING UNITS

	SITE I MASTER (%)	SITE I ALTERNATIVE (%)	SITE II (%)	SITE III (%)
STUDIO	42 (11%)	49 (13%)	4 (17%)	3 (8%)
1 BED RM	250 (66%)	216 (58%)	16 (66%)	27 (71%)
2 BED RM	60 (16%)	71 (19%)	4 (17%)	8 (21%)
3 BED RM	23 (6%)	39 (10%)		
TOTAL	**375**	**375**	**24**	**38**

The Applicant proposes to provide 295 parking spaces over the Code required for residential parking and only 109 parking spaces less than the Advisory Agency's parking policy in a parking congested area. The Applicant proposes to provide the following parking ratios which correspond to the number of parking spaces proposed in the parking request:

- **2 parking spaces per unit.**
- **0.25 guest parking per unit.**

Table 4 - RESIDENTIAL PARKING

		REQUIRED		PROPOSED
	No. of units	Code	Advisory Agency's Policy (2.5 per unit)	@ 2.25 per unit
Site I	375	593	938	844
Site II	24	36	60	54
Site III	38	60	95	86
TOTAL	**437**	**689**	**1,093**	**984**

As was presented at the public hearing, we believe that 984 residential parking spaces will be adequate for the proposed project, given the site's unit type proposed in the project, it's proximity to major bus and rail lines, the unit mix, the location of the project site near a number of employment centers, and the profile of typical condominium buyers in the area. This site has many similarities to sites in the South Park area of downtown Los Angeles, an area in which the Deputy Advisory Agency has approved new condominium projects with parking ratios as low as 1.4 spaces per unit.

COMMERCIAL PARKING

The Applicant is proposing to provide the Code required parking spaces for the retail portion of the subject site. Pursuant to Section 12.21 A.4.(x)(3) of the L.A.M.C., neighborhood retail requires 2.0 parking spaces per 1,000 square feet of retail space. The Applicant is also required to provide an additional 75 parking spaces currently provided on-site for the existing department store occupied by Sears required per a Certificate of Occupancy (See Exhibit D), to be replaced in the proposed subterranean garage. The Applicant also proposes to provide an additional 224 non-required parking spaces for the Master Project and 102 non-required parking spaces for the Alterative Project.

During a significant number of community meetings, a repeated concern discussed by the community was the lack of available parking in the area. While the Zoning Code permits a significant reduction for retail parking in this area (per 12.21 A.4.(x)(3)), the parking required for retail uses is typically 4 parking spaces per 1,000 square feet of retail uses. The Applicant has determined that the proposed 224 additional non-required parking spaces for the Master Project and the additional 102 non-required parking spaces for the Alternative Project is adequate to meet the retail parking demand in the area (See Table 5 below).

TABLE 5 – RETAIL PARKING

	MASTER PROJECT	ALTERNATIVE PROJECT
Square Feet of new retail	263,780 s.f	239,180 s.f.
Required (2 spaces per 1,000 s.f.) – Section 12.21 A.4.(x)(3) of the L.A.M.C	528 (263,780 x2 /1000)	479 (239,180 x 2 /1000)
Existing parking to be replaced in subterranean garage	75	75
PARKING REQUIRED AND SUBTOTAL PROVIDED	603 (528 + 75)	554 (479 + 75)
Additional non-required (not to be required in this subdivision)	224	102
TOTAL PROVIDED	827	656

The existing department store, which is 114,120 square feet of floor area, currently occupied by Sears requires 75 parking spaces which are required through a Certificate of Occupancy. While Sears currently occupies the building, their lease will expire in a minimum of 5 years and it is possible that a different retail use(s) will occupy the existing building. Pursuant to the Zoning Code, if a new use were proposed in the existing department store, a total of 228 parking spaces would be required for the new use. Therefore, the Applicant is theoretically providing 4 parking spaces less for the Master Project and 126 parking space less for the Alternative Project than what would be required if the total existing floor area of the

department store (114,120 sf) were new retail. Therefore, while the proposed non-required parking spaces that are being proposed for Site I for the Master Project and the Alternative Project may appear to be well over the required parking, it is likely that this availability of parking will be an added benefit to the project.

Due to the significant community demand for additional retail parking and the likelihood that a different retail use than Sears will occupy the existing department store in the future, the Applicant has proposed additional non-required parking for the retail portion of the subject site. This additional non-required retail parking will be open for use by the general public who visit the retail stores. Therefore, the Applicant satisfies the expressed needs of the community by providing additional non-required retail parking spaces and also meets the needs of the Council Office who, during the public hearing, expressed a desire not to see this neighborhood become over-parked.

4. INCLUSION OF EXISTING DEPARTMENT STORE (SEARS) AND THE ROOF-TOP LANDSCAPED OPEN SPACE AREA IN THE PROPOSED PROJECT

During the public hearing, the inclusion of the existing department store currently occupied by Sears in the project and the Applicant's ability to provide a landscaped open space area on top of the existing "Sears " building became confusing. To clarify, Site I is currently occupied by 6 single-story retail buildings and a 4-story retail building (1 subterranean level and 3 levels above grade) currently occupied by Sears. The 6 single-story retail stores are currently vacant or will be vacated prior to demolition. The existing department store on Site I will remain on the subject site. The existing 4-story (3-levels above ground) department store is included as part of the proposed project.

The department store has existed on the subject site for 70 years and is currently leased by Sears. This lease does not expire for a minimum of 5 (five) years. The Applicant cannot accomplish a significant remodel to the building until the lease expires. Providing a roof-top landscaped open space area on the top of the existing department store for use by residents and the general public is a committed goal of the applicant. However, the roof-top landscaped open space area may require a substantial remodel of the existing department store in order to provide access (stairs and possibly an elevator) to the roof by the residents and the general public. Since such remodel cannot be accomplished until Sears' lease expires, it is not viable for the applicant to be required to provide such a roof-top landscaped open space area prior to the lease expiring and prior to obtaining a building permit and certificate of occupancy. While the roof-top open space area is a project objective, any improvements to the existing building or the roof-top landscaped area are not proposed as part of this application, even though the existing department store is included as part of the project application. So, while the Sears building is included as part of the application, any remodels to the existing building can not be accomplished until after the lease expires. Therefore, obtaining the building permit and certificate of occupancy for the proposed project should not be hindered by the above conditions.

Additionally, necessary research has not yet been conducted in order to determine if the roof-top of the existing 3-story (above-grade) retail department store is structurally sound and able to accommodate a landscaped open space area for use by residents and the general public for leisure activities. If it is discovered that the roof-top is not structurally capable of supporting landscaping, residents and general public, it will be infeasible for the

applicant to provide the roof-top landscaped open space area (see open space discussion No. 5 below). The subject roof-top landscaped open space area should not be a requirement imposed on the project as it would require far more open space than required by the Zoning Code. The roof-top landscaped open space is a voluntary design goal and is not necessary to meet the Zoning or Building Codes. Consequently, the issuance of the building permit or certificate of occupancy should not be contingent upon the above conditions.

Again, while the roof-top landscaped open space area for the residents and the general public is a target of the applicant, it is unreasonable for the applicant to provide the roof-top landscaped open space area prior to the lease expiring and prior to having adequate time to study the structural capacity of the existing building. Being required to provide the roof-top landscaped area on the roof-top of the existing Sears building would hinder the applicant's ability to obtain a building permit and certificate of occupancy and would substantially delay the project or make the project completely infeasible to build. While the department store is included as part of the site area, it has existed on the site for 70 years and will remain as is until further detailed analysis can be conducted after the Sears lease expires. While the roof-top park is a goal, any improvements to the department store building are not proposed as part of this application.

5. OPEN SPACE REGARDING PROPOSED PRIVATE VERSUS PUBLIC OPEN SPACE, WHERE THE OPEN SPACE IS PROPOSED TO BE LOCATED ON THE SUBJECT SITE

Open space is a large component of the Proposed Project. Each Project Site proposes to include more open space than is required by the Zoning Code. The required open space on the Master Project for Site I is 49,975, and the Project propose to include 52,633 square feet of open space (2,658 square feet over what is required). The required open space on the Alternative Project for Site I is 51,150, and the Project propose to include 52,326 square feet of open space (1,176 square feet over what is required). Site I also proposes to provide a pedestrian plaza fronting on Santa Monica Boulevard which connects Virginia Avenue and Santa Monica providing a friendly walk-way through the site. Site II proposes to provide 690 square feet over what is required for the Master and Alternative Project, and Site III proposes to provide 535 square feet over what is required. (See Tables 6 and 7 below.)

TABLE 6 - MASTER PROJECT - OPEN SPACE

	Required Open Space (SF)	Provided Open Space (SF)		Difference Over Code Required (SF)
Site I	49,975	0 52,633	Private Open Space Total Open Space	2,658
Site II	3,100	0 3,790	Private Open Space Common Open Space	690
Site III	5,075	0 5,610	Private Open Space Common Open Space	535
Total	**58,150**	**62,033**		**3,883**

TABLE 7 - ALTERNATIVE PROJECT - OPEN SPACE

	Required Open Space (SF))	Provided Open Space (SF)		Difference Over Code Required (SF)
Site I	51,150	18,750 33,576 52,326	Private Open Space Common Open Space Total Open Space	1,176
Site II	3,100	0 3,790	Private Open Space Common Open Space	690
Site III	5,075	0 5,610	Private Open Space Common Open Space	535
Total	**59,325**	**61,726**		**2,401**

During the public hearing on October 26, 2006, you asked the Applicant to provide a detailed table demonstrating specifically where the open space is proposed on Site I (see Table below).

TABLE 8 - OPEN SPACE / MASTER PROJECT (SITE I)

	PUBLIC OPEN SPACE NOTE: – This area is not included in the open space calculation for the proposed project.	RESIDENTIAL USE		
		COMMON OPEN SPACE (SF)	PRIVATE OPEN SPACE (SF)	REQUIRED OPEN SPACE (SF)
GROUND	10,140	7,830		
2ND FLOOR		16,970		
4TH FLOOR		27,833		
ROOF (OVER EXISING SEARS BLDG)	28,000			
TOTAL	**38,140**	**52,633**	**0**	**49,975**

TABLE 9 - OPEN SPACE / ALTERNATIVE PROJECT (SITE I)

	PUBLIC OPEN SPACE NOTE: – This area is not included in the open space calculation for the proposed project.	RESIDENTIAL USE		
		COMMON OPEN SPACE (SF)	PRIVATE OPEN SPACE (SF)	REQUIRED OPEN SPACE (SF)
GROUND	9,250	4,492	50 SF X 375 UNITS =18,750 SF	
2ND FLOOR		20,539		
4TH FLOOR		6,043		
5TH FLOOR		2,502		
ROOF (OVER EXISING SEARS BLDG	28,000			
TOTAL	**37,250**	**33,576**	**18,750**	**51,150**

TABLE 10 - OPEN SPACE / SITE II

	RESIDENTIAL USE		
	COMMON OPEN SPACE	PRIVATE OPEN SPACE	REQUIRED OPEN SPACE
GROUND	1,290	-	
ROOF TOP	2,500		
TOTAL	3,790	-	3,100

TABLE 11 - OPEN SPACE / SITE III

	RESIDENTIAL USE		
	COMMON OPEN SPACE	PRIVATE OPEN SPACE	REQUIRED OPEN SPACE
GROUND	2,110	-	
ROOF TOP	3,500		
TOTAL	5,610	-	5,075

The 28,000 square feet of open space that would be provided for within the landscaped open space area on the roof-top of the existing department store building and the proposed public open space (10,140 s.f. on the Master Project and 9,250 s.f. on the Alternative Project) on the ground floor for the proposed Paseo Plaza was not included in the open space calculations. The open space area on the roof-top of the department store and the proposed paseo/plaza is not necessary in order for the Applicant to meet the open space requirements of the Zoning Code. The Applicant is providing well over the required open space on all three sites for the Master Project and the Alternative Project without calculating in the open space area on the roof-top of the department store building or the public space on the ground floor plaza. Additionally, the Applicant proposes to provide a substantial amount of public open space on the ground floor plaza in an area of the City of Los Angeles that is particularly deficient in public open space. Therefore, while the landscaped open space on the roof-top of the existing department store has consistently been a goal of the Applicant, it should not be a requirement imposed through the Conditions of Approval. As discussed in question no. 4 above, it is not viable for the applicant to be required to provide the landscaped open space area on the roof top of the existing department store.

6. REVISED VESTING TENTATIVE TRACT MAP TO ADDRESS THE AIRSPACE LOT ISSUES RAISED BY THE DEPARTMENT OF BUILDING AND SAFETY

The Department of Building and Safety submitted an inter-departmental correspondence dated September 23, 2006 regarding the Alternative Project. I met with Mr. John Pourhassan from LADBS on October 20, 2006 to discuss the list of items that was included in their inter-departmental correspondence.

Item "a." was discussed, which states:

> a. Obtain permit for the demolition or removal of all existing structures on the site....

Since the existing department store use will remain on the subject site and is not proposed to be demolished, Mr. Pourhassan agreed to revise the above item as follows (the text in bold is text to be added to the item):

> a. Obtain permit for the demolition or removal of all existing structures on the site **as shown on the map**....

Item "e." was discussed, which states:

> e. Show zone boundaries on the map. No required yard or other open space around a building shall be located in a more restrictive zone than that of the property on which such building is located. Revise the map to show compliance with the above requirement or obtain approval from the Department of City Planning.

The applicant is requesting a Zone Change from C4-1VL and R4-1VL to RAS4-2D on the entire portion of Site I of the subject site. If the Zone Change is approved, Site I will be re-zoned to one zone; the RAS4-2D zone. Therefore the above item will not apply as no required yard or open space will be provided on a more restrictive zone than that of the property on which such building is located.

Mr. Pourhassan explained during the meeting on October 20, 2006, that if the Vesting Tentative Tract Map is revised to clearly show that the applicant is proposing a Master Lot 1 which spans the entire block bounded by Santa Monica Boulevard, St. Andrews Place, Wilton Place, and Virginia Avenue and also illustrates a separate drawing showing that the proposed airspace lot (Lot 4) is located within the Master Lot 1, then the above item would not apply. Therefore, Mr. Pourhassan said that if the Vesting Tentative Tract Map is revised per his requirements, the above condition would not apply. Therefore, the applicant will submit a revised Vesting Tentative Tract Map which will meet Mr. Pourhassan's requirements.

Item "f." was discussed, which states:

> f. Proposed Lot 4 does not comply with the minimum front yard (five ft.) and rear yard (five ft.) requirement of the proposed RAS4 Zone. Revise the map to show compliance with the above requirements or obtain approval from the Department of City Planning.

The applicant is requesting a Zone Change from C4-1VL and R4-1VL to RAS4-2D across the entire portion of Site I of the subject site. If the Zone Change request is approved, Site I will be re-zoned to one zone; the RAS4-2D zone. Additionally, the applicant requested a zero-foot front yard setback along the street frontage along Santa Monica Boulevard, Wilton Place and St. Andrews Place in lieu of the 5-foot required front yard setback in the RAS4-2D Zone and a zero-foot side yard setbacks for commercial uses on the second floor in the proposed RAS4-2D Zone as part of the entitlement application.

Mr. Pourhassan also explained during the meeting on October 20, 2006, that if the Vesting Tentative Tract Map is revised per his requirements discussed above, the reference to the requirement for a five-foot rear yard would not apply. Therefore, the applicant will submit a revised Vesting Tentative Tract Map which will meet Mr. Pourhassan's requirements and therefore, the reference to a 5-foot rear yard requirement in the above item will no longer apply.

7. **SIDEWALK WIDENING - WIDENING THE SIDEWALK AS A MITIGATION**

While we recognize the desire of the public agencies (i.e. CRA, MTA) for wider sidewalks, particularly where bus stops and/or high pedestrian volumes are evident, these desires must be balanced against the critical needs in the project area to effectively manage the vehicular traffic congestion in the project vicinity. To that end, the originally proposed mitigation measure to implement a much-needed westbound right-turn-only lane at Santa Monica Boulevard and Western Avenue through a two-foot widening of the north side of Santa Monica Boulevard (resulting in a two-foot reduction in sidewalk width) was revised through discussion with LADOT to utilize a one-foot reduction along both the north and south sides of Santa Monica Boulevard in order to achieve the required roadway widths for implementation of the traffic capacity improvement mitigation measure. This revised measure has been accepted by LADOT, and is the most effective mechanism for installing a much-needed roadway improvement while minimizing impacts to pedestrian traffic.

Thank you for your consideration of these comments, and please incorporate the suggested conditions (Exhibit "A") into the final Conditions of Approval.

Sincerely,

Chaska Berger
Project Manager

c.c. Kevin Jones, City Planning Commission
Alison Becker, Planning Deputy - Council District 13
James Quinn, Associate City Planner
John Pourhassan, Los Angeles Department of Building and Safety
Juri Ripinsky, St. Andrews – Santa Monica, LLC

EXHIBIT "A"

Proposed Voluntary Conditions of Approval:

1. No building permit shall be issued for renovation of any work on the existing Sears building located at 5601 Santa Monica Blvd., unless the proposed renovation plans include the creation of a roof-top garden. (This restriction shall not apply to the issuance of any demolition or excavation permits in and around the lot upon which the Sears building is located.)

2. The developer shall work with the CRA on identifying potential pedestrian improvements to reduce interface between high-traffic vehicular areas and pedestrian paths, especially around traffic stops such as the Western and Santa Monica intersection.

EXHIBIT B

DEPARTMENT OF
CITY PLANNING
200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801
CITY PLANNING COMMISSION

MABEL CHANG
PRESIDENT
DAVID L. BURG
VICE-PRESIDENT
JOY ATKINSON
ERNESTO CARDENAS
SUSAN CLINE
MARY GEORGE
MICHAEL MAHDESIAN
BRADLEY MINDLIN
THOMAS E. SCHIFF

GABRIELE WILLIAMS
COMMISSION EXECUTIVE ASSISTANT
(213) 978-1300

CITY OF LOS ANGELES
CALIFORNIA

JAMES K. HAHN
MAYOR

EXECUTIVE OFFICES

CON HOWE
DIRECTOR
(213) 978-1271
FRANKLIN P. EBERHARD
DEPUTY DIRECTOR
(213) 978-1273
GORDON B. HAMILTON
DEPUTY DIRECTOR
(213) 978-1272
ROBERT H. SUTTON
DEPUTY DIRECTOR
(213) 978-1274
FAX: (213) 978-1275
INFORMATION
(213) 978-1270
www.lacity.org/PLN

April 21, 2005

All Interested Parties:

RAS INTERPRETATION TO COMMUNITY PLAN FOOTNOTES
DIRECTOR'S INTERPRETATION

Attached is a copy of the Department of City Planning's interpretation of Ordinance 174,999, effective January 15, 2003, which established the RAS Zones. This published interpretation becomes final and effective 20-days from the date of this communication unless an appeal to the City Planning Commission is filed within this time period. Appeals shall be filed in duplicate on forms provided at any of the following public offices of the Department of City Planning, along with the required filing fee:

Planning Department – Public Counter
201 North Figueroa Street, 3rd Floor
Los Angeles, CA 90012
Phone: (213) 482-7077

San Fernando Valley Office
6262 Van Nuys Boulevard
Van Nuys, CA 91401
Phone: (818) 374-5050

If you have any questions regarding this case, please contact Jane Blumenfeld at (213) 978-1372 of myself at (213) 978-1274.

Sincerely,

CON HOWE
Director of Planning

ROBERT H. SUTTON
Deputy Director

CH/RHS:hkt

Attachment

cc: Council Planning Deputies
Ray Chan, Building and Safety Department
David Kabashima, Department of City Planning
Jane Blumenfeld, Department of City Planning

EXHIBIT B

CITY OF LOS ANGELES
CALIFORNIA

DEPARTMENT OF
CITY PLANNING
200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801
CITY PLANNING COMMISSION

MABEL CHANG
PRESIDENT
DAVID L. BURG
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April 21, 2005

All Interested Parties:

RAS INTERPRETATION TO COMMUNITY PLAN FOOTNOTES
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Sincerely,

CON HOWE
Director of Planning

ROBERT H. SUTTON
Deputy Director

CH/RHS:hkt

Attachment

cc: Council Planning Deputies
Ray Chan, Building and Safety Department
David Kabashima, Department of City Planning
Jane Blumenfeld, Department of City Planning

Recyclable and made from recycled waste.

April 21, 2005

RAS RELATIONSHIP TO COMMUNITY PLAN FOOTNOTES
DIRECTOR'S INTERPRETATION

All Interested Parties:

SUBJECT:

Inquiries have been made regarding potential conflicts between Footnotes on the Community Plans and the RAS 3 and RAS 4 (hereafter referred to as RAS) Zones.

BACKGROUND:

The Residential/Accessory Services Zones (RAS) allow a greater floor area than commercial zones and greater height than otherwise allowed in height district 1VL.

> "An example is:
> Where a traditional C2-1VL with a Commercial plan designation is limited to a 1.5:1 FAR and a 45 height limit, the RAS 3-1VL and RAS 4-1VL shall not exceed a 3:1 FAR and 50 feet in height in accordance with the LAMC 12.10.5, 12.11.5 and 12.21.1."

The Community Plans as recommend by the City Planning Commission and adopted by City Council are a general guide to development for the community and city as a whole. Rarely do the Community Plans specify special planning rights or restrictions for particular parcels.

Some community plan maps contain footnotes regarding height and floor area. Footnotes appear on the map legend next to the commercial land use categories or in some cases on specific properties or areas. The footnotes that are attached to the commercial land use categories generally relate in a broad-brushed manner to all areas of the plan designated for that particular use. Typically such footnotes are not site specific, and as such, do not relate to specific locations, blocks, or parcels within the community plan area.

> "An example of such a footnote which appears in most Community Plans reads:
> Footnote 1: 'Height District 1VL'
> This means all properties within the commercial land use category that have this footnote are limited to an FAR of 1.5:1 with a 45-foot height limit."

DISCUSSION:

When the City Council adopted the RAS Zones in 2002, their purpose was to promote mixed use development in the city's commercial zones, particularly in the commercial corridors which provide the greatest access to transit. In their adoption of the RAS Zones, the City Council recognized that

the additional floor area and height allowed by the RAS zones are necessary to make such primarily residential projects viable. However to protect the integrity of the Community Plans, the Council limited the residential density permitted in the RAS 3 and RAS 4 Zones to correspond to the residential densities permitted in the R3 and R4 Zones, respectively. Thus, they permitted RAS 3 and RAS 4 Zones in Plans that permit R4 and higher zoning but only permitted the RAS 3 Zone (and not RAS 4) in Plans that previously had R3 as the highest zoning category.

In one particular plan, the Plan Footnote on a Neighborhood Commercial area states:

"Floor Area Ratio 1:1."

In this specific situation it cannot be the intent of Council to allow a 3:1 FAR since they knowingly restricted the property to a 1:1 FAR.

INTERPRETATION:

It is hereby interpreted that the RAS Zones can exceed a Community Plan Footnote when that footnote is general in nature and generally refers to all parcels under that plan category. Where there is a specific footnote that refers to (a) specific parcel(s) that is more restrictive, the RAS Zone would not be permitted without a corresponding Plan Amendment.

EXHIBIT C

RATIO OF PARKING SPACES PER RESIDENTIAL UNIT

Wilshire and Virgil ZA 2005-8211-ZV-ZAA-ZAI-SPR	3033-3037 Wilshire Boulevard	Condominiums/Pending	190 joint live/ work 2 commercial	285	1.5:1	Wilshire Investor, LLC
Cole and Wilcox Decision Date: February 22, 2006 VTTM 63383	1427 Cole Place	Condominiums/Pending	48	96	1.5:1 for 1-bedroom and 2:1 for two- bedrooms	Wilcox Hollywood LLC
Elleven and Luma Decision Date: July 29, 2004 ZA-2003-9146-ZV-ZAA VTT-60746 - ZA-2005-1867-ZV-CU-YV-ZAA-SPR VTT-62799	11th and Grand (south side of 11th between Grand and Hope)	Condominiums/ Elleven is completed Luma is under construction	412 in two towers (condominiums) (A total of 417 units approved)	578	1.4: 1 (Phase I: 1.37 Phase II: 1.43)	South Park RPO, LLC (Williams & Dame Development, Gerding Edlen Development Company)
Evo Decision Date: **October 17, 2005** **Vtt-62799-1A**	1155 South Grand	Condominiums/	311 Joint Living and Working Quarters and 7,294 square feet of retail		1.366:1	Lot 114 Investors, LLC
Grand Avenue Lofts Decision Date: September 11, 2003 TT-54309 ZA-2003-2656-ZV-ZAA-ZAD	1100 South Grand Avenue	Condominiums/ Completed	66 live work condominiums	66 assigned parking spaces on an adjacent parking lot	1:1	11th and Grand, LLC
Market Lofts	8th and Hope, Southwest corner	Condominiums/Under construction	267	319 residential spaces	1.19:1 (residential spaces only)	CIM Group
9th and Figueroa Decision Date: July 5, 2005 ZA-2005-1673-ZV-ZAA-SPR VTT-62367	900 South Figueroa	Condominiums/Under construction	629 joint live/work units	957 residential, 20 retail	1.52:1 not including retail spaces 1.55:1 including retail spaces	GTS 900 F, LLC
Figueroa/Olympic Apartments Decision Date: June 21, 2005 ZA-2004-7070-ZV-YV-ZAA-SPR VTT-62006	950 S. Figueroa, 717 W. Olympic	To be rented as apartments, approved as Condominiums/Under construction	156 units	228 total parking spaces	1.46:1	Hanover R.S. Limited Partnership
Fig South DIR-2005-5518-SPP-SPA	624 W. 12th St.	Condominiums/Pending	648 units & 15,000 s.f. ground floor retail, 33,000 s.f. retail in 2-stories	858 total parking spaces	1.25:1	Figueroa South Land, LLC
Fig Central DIR-2005-7453-SPP-SPA	1101 S. Flower St.	Condominiums/Pending	700 units and 250,000 sf retail	1,125 total parking spaces	1.25:1	L.A. Arena Land Company, Flower Holdings, LLC
Fuller Lofts Decision Date: August 12, 2003 VTT-54263	238 N. San Fernando Road	Adaptive reuse and new construction – condominiums/Under Construction	105 live work condominiums 6 commercial units	146 parking spaces	1.39:1 residential 1.31:1 w/ commercial units	Livable Places, Inc.
Flower Street Lofts Decision Date: April 4, 2002 ZA-2001-4689-ZV-ZAD VTT-53644	1140 South Flower Street	Adaptive reuse and new construction – Condominiums/Completed	91 lofts	91 parking spaces (off site parking)	1:1	The Lee Group/CIM Group
Industrial, Mills, Biscuit Lofts Proposed 2004 ZA-2004-3332-ZV-ZAD-SPR-PA1 VTT-61360	673 Mateo	(Adaptive reuse and new construction)/Under construction	229 artist-in-residence lofts	312 parking spaces	1:1 for the Adaptive Reuse and 1.63:1 for the new construction	Linear City LLC

Address of Building: 5601 Santa Monica Boulevard

CITY OF LOS ANGELES

CERTIFICATE OF OCCUPANCY

NOTE: Any change of use or occupancy must be approved by the Department of Building and Safety.

This certifies that, so far as ascertained by or made known to the undersigned, the building at the above address complies with the applicable requirements of the Municipal Code, as follows: Ch. I, as to permitted uses; Ch. 9, Arts. 1, 3, 4, and 5; and with applicable requirements of State Housing Law—for following occupancies:

Issued: 2/28/73

Permit No. and Year: LA 49108/72

1 story, type I, 274' x 40' addition to an existing 1 story, type I, 198' x 154' retail store. Maximum occupants in coffee house 61, 6 parking spaces required, 75 spaces provided. G-1, G-2, B-2 occupancy.

Owner: Sears, Roebuck & Co.

Owner's Address: 900 So. Fremont Ave.
Alhambra, Calif. 91802

D. MCNICHOLS: jt

Form B-95b—200 Sets—1-72 (C-10)

Craig Lawson & Co., LLC
Land Use Consultants

February 1, 2007 By Fax and Hand Delivery

Ms. Jane Usher, President
City Planning Commission
City of Los Angeles
200 North Spring Street, Room 532
Los Angeles, CA 90012

Re: CPC Hearing – Request for Continuance
5661 Santa Monica Boulevard
CPC-2006-4392-ZC-HD-ZV-ZAA-ZAI-SPR (Master),
CPC-2006-4401-ZC-HD-ZV-ZAA-ZAI-SPR (Alternative)
ENV-2005-7720-EIR

Dear President Usher and Members of the City Planning Commission:

I am writing on behalf of the Applicant, Santa Monica-St. Andrews LLC (Juri Ripinsky), regarding the above-referenced applications for discretionary approval.

It has come to our attention that there are issues relating to these applications that require an additional Public Notice, and that the Public Notice period will not be completed prior to the February 8, 2007 City Planning Commission hearing date. Thus, we request that the City Planning Commission hearing on these matters be continued until March 8, 2007.

The Applicant hereby waives any time deadlines relating to the City Planning Commission consideration of these matters, however the Applicant does not waive any statutory deadlines with regard to the release of the Determination Letters after an action is taken by the City Planning Commission at its March 8, 2007 meeting.

Please let me know if you need further information.

Sincerely,

Craig Lawson
President

c.c. Gabriele Williams, Executive Assistant to the City Planning Commission
Kevin Jones, Hearing Officer, City Planning Department
Juri Ripinsky, St. Andrews-Santa Monica, LLC
Jerrold Neuman, Esq., Allen Matkins Leck Mallory & Gamble

Craig Lawson & Co., LLC
Land Use Consultants

February 6, 2007

Kevin Jones, City Planner
City Hall, Room 621
200 North Spring Street
Los Angeles, CA 90012

Re: 5661 Santa Monica Boulevard
VTT 66044 (Master), VTT 66814 (Alternative),
CPC-2006-4392-ZC-ZV-HD-ZAA-ZAI-SPR (Master)
CPC-2006-4401-ZC-ZV-HD-ZAA-ZAI-SPR (Alternative)
ENV-2005-7720-EIR

Dear Kevin,

I am writing on behalf of the applicant, St. Andrews-Santa Monica, LLC, regarding the above mentioned project. A topic discussed during the October 26, 2006 Advisory Agency and Hearing Officer dual public hearing was the Applicant's proposal to volunteer affordable housing opportunities within the Proposed Project. Upon a detailed evaluation, it was determined that the Applicant can propose to incorporate low-income affordable housing units within Site III of the Proposed Project.

The Applicant is proposing to provide up to a combined maximum of 437 residential units on Sites I, II, and III, where up to a maximum of 375 units are proposed on Site I, 24 units on Site II, and 38 units on Site III. The Applicant has proposed to provide 10% of the total units constructed on Site I to be located on Site III as low-income affordable housing units. For example, if the total units proposed on Site I are constructed (375 units), the Applicant would provide a total of 38 low-income affordable housing units to be located on Site III.

Voluntary Condition:

- 10% of the total units constructed on Site I shall be low-income affordable housing units and shall be located on Site III.

The Applicant has proposed to voluntarily provide affordable housing units on Site III. The percentage and the location of the affordable housing units within the proposed project were determined through an agreement with the Community Redevelopment Agency (CRA) and Council District 13. Providing the affordable units solely on Site III provides the opportunity to potentially work with a local affordable housing developer on both the development and management of the project, providing greater access to special needs in the community. It is important to note that the Applicant is not required to provide said affordable units. Providing affordable housing opportunities is a proposal the Applicant would like to volunteer as a community benefit.

If you have any questions or require additional information, please do not hesitate to contact me.

Regards,

Chaska Berger
Project Manager

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CITY OF LOS ANGELES
FEB 12 2007
CITY PLANNING
COMMUNITY PLANNING BUREAU

Craig Lawson & Co., LLC
Land Use Consultants

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FEB 20 2007
CITY PLANNING
COMMUNITY PLANNING BUREAU

February 20, 2007

Kevin Jones, City Planner
City Hall, Room 621
200 North Spring Street
Los Angeles, CA 90012

Re: 5661 Santa Monica Boulevard
VTT 66044 (Master), VTT 66814 (Alternative),
CPC-2006-4392-GPA-ZC-HD-ZV-ZAA-ZAI-SPR (Master)
CPC-2006-4401- GPA-ZC-HD-ZV-ZAA-ZAI-SPR (Alternative)
ENV-2005-7720-EIR

Dear Kevin,

I am writing on behalf of the Applicant, St. Andrews-Santa Monica, LLC, regarding the above mentioned project. There is an existing department store ("Sears Building") on the subject site, which will remain and is located on the southeast corner of Site I. The Applicant has committed to the goal of providing a roof-top garden on top of the Sears Building. However, while the roof-top garden is a goal, it is unreasonable for the Applicant to provide the roof-top garden prior to the expiration of the Sears lease and prior to having adequate time to study the structural capacity of the existing building. Therefore, the Applicant previously provided a voluntary condition in a letter to Mr. Mike Young dated November 9, 2006 and also provided a revised voluntary condition in an email to you sent on January 26, 2007 (see attached). The Applicant has slightly revised the language again to allow the opportunity to demolish the existing annex located to the north and northwest of the Sears Building. The demolition of the annex has always been part of the proposed project and was noted on the architectural drawings submitted to the City in May, 2006. Below you will find the proposed revised Voluntary Condition (the text is blue is the revised language):

> "No building permit shall be issued for any renovation of the existing Sears building located at 5601 Santa Monica Blvd., (with the exception of the 1 story portion of the Sears building located to the north and northwest of the main Sears Building as noted on the Plot Plan dated May 16, 2006 and reviewed by the Planning Commission on March 8, 2007) unless the proposed renovation plans include the creation of a roof top garden. This restriction shall not apply to: i) the issuance of any demolition permit (except as it relates to demolition of the Sears building) or excavation permit ii) the issuance of any building permits or certificates of occupancy for any portion of the project other than the Sears building; or iii) any work involving the Sears building which is necessary for the development of any portion of the project other than the Sears building."

If you have any questions or require additional information, please do not hesitate to contact me.

Regards,

Chaska Berger
Project Manager

8758 Venice Boulevard, Suite 200 Los Angeles, CA 90034 ◆ Phone (310) 838-2400 ◆ FAX (310) 838-2424

H/LABT
HOLLYWOOD/LOS ANGELES BEAUTIFICATION TEAM
SERVING LOS ANGELES COUNTY

August 3, 2006

RECEIVED
AUG 16 2006
CITY PLANNING
DIVISION OF LAND

Emily Gabel-Luddy
Associate Zoning Administrator
City of Los Angeles,
City Planning Department
Zoning Administrator's Office
200 N. Spring St., 7th Floor,
Los Angeles, CA 90012

Re: **PASEO PLAZA**
5661 W. Santa Monica Boulevard; Hollywood, California 90038

MASTER PROJECT
VTTM-66044
CPC-2006-4392-ZC-ZV-HD-ZAA-ZAI-SPR
ENV-2005-7720-EAF

ALTERNATIVE PROJECT
VTTM-66814
CPC-2006-4401-ZC-ZV-HD-ZAA-ZAI-SPR
ENV-2005-7720-EAF

Dear Ms. Gabel-Luddy:

On behalf of the Hollywood Beautification Team (HBT), we appreciate the opportunity to comment on our support for Paseo Plaza.

The Hollywood Beautification Team (HBT) met with representatives of St. Andrews - Santa Monica, LLC who presented Paseo Plaza, the proposed mixed-use project which includes commercial uses below ground, at grade, and on the second floor as well as residential units above the retail. HBT supports the Paseo Plaza project, and has awarded this project our community "2006 Business Environmental Award."

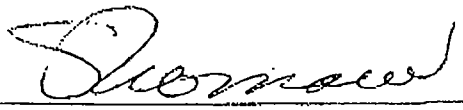
Discussions included the entitlement application for Paseo Plaza which involves a Zone Change to the RAS4-2D Zone, along with a Height District Change, Variances, Zoning Administrator's Adjustments, and Site Plan Review. The additional retail and residential opportunities are much needed and welcomed in this neighborhood. The Master Project plans to incorporate a plaza which connects Santa Monica Boulevard to Virginia Avenue. Additionally, HBT is enthusiastic about the proposed project's pedestrian friendly

1718 North Cherokee, Suite C, Hollywood CA 90028 Ph. 323-962-2163 Fax 323-957-1495
HBTeam@earthlink.net Web Site: www.hbteam.org
A California Non-Profit Corporation 501(C)3 Fed. Tax ID 95-4358515

development. This type of smart growth project that integrates residential and commercial uses near public transit and promotes pedestrian activity is greatly needed in the Hollywood Studio District. We believe this project is appropriate for the subject site and results in a healthy housing and retail mix in this area.

HBT strongly supports the Paseo Plaza project as it is currently designed. We request that you approve the proposed project and expedite the processing of the discretionary planning approvals. Thank you for the opportunity to comment on the above mentioned project.

Sincerely,



Sharyn Romano
Hollywood Beautification Team (HBT)

Exhibit E - 5

DEPARTMENT OF
CITY PLANNING
200 N. SPRING STREET, ROOM 532
LOS ANGELES, CA 90012-4801

CULTURAL HERITAGE COMMISSION

MARY KLAUS-MARTIN
PRESIDENT
RICHARD BARRON
ALMA M. CARLISLE
CARLOS SINGER
STANLEY STALFORD, JR.

COMMISSION OFFICE
(213) 978-1300

CITY OF LOS ANGELES
CALIFORNIA

ANTONIO R. VILLARAIGOSA
MAYOR

EXECUTIVE OFFICES

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DIRECTOR
(213) 978-1271

GORDON B. HAMILTON
DEPUTY DIRECTOR
(213) 978-1272

FAX: (213) 978-1275

INFORMATION
(213) 978-1270
www.lacity.org/PLN

February 15, 2007

To: Michael Young / Decision Makers

From: David Somers, Environmental Review Coordinator

Subject: ENV-2005-7720-EIR, VTT-66044 and VTT-66814

The project description of case number ENV-2005-7720-EIR has been revised to include an additional entitlement, a General Plan Amendment. The former project description is as stated below:

PROJECT DESCRIPTION: Vesting Tentative Tract Map, Zone Change (C4-1VL and R4-1VL to RAS4-1), Zone Variances (height, Floor Area Ratio, commercial uses below ground floor), Site Plan Review Findings, demolition permit and other applicable administrative and discretionary permits such as haul route, grading and building permits to allow the construction of a 664,440 square foot mixed use project consisting of neighborhood retail and residential components. The Project Site consists of three properties (Site I, II and III). Site I consists of 13 tax parcels that total approximately 212,669 square feet (4.9 acres). The Proposed Project would involve the development of a mixed-use development with approximately 437 residential units, and 377,900 square feet of commercial space (including, but not limited to, retail, restaurant and commercial office uses) on site. Total parking proposed would be 1,811 spaces in three below grade structures.

The revised project description is:

REVISED PROJECT DESCRIPTION: Vesting Tentative Tract Map, **General Plan Amendment**, Zone Change (C4-1VL and R4-1VL to RAS4-1), Zone Variances (height, Floor Area Ratio, commercial uses below ground floor), Site Plan Review Findings, demolition permit and other applicable administrative and discretionary permits such as haul route, grading and building permits to allow the construction of a 664,440 square foot mixed use project consisting of neighborhood retail and residential components. The Project Site consists of three properties (Site I, II and III). Site I consists of 13 tax parcels that total approximately 212,669 square feet (4.9 acres). The Proposed Project would involve the development of a mixed-use development with approximately 437 residential units, and 377,900 square feet of commercial space (including, but not limited to, retail, restaurant and commercial office uses) on site. Total parking proposed would be 1,811 spaces in three below grade structures.

The added entitlement would not change the findings of the Final Environmental Impact Report revised October 2, 2006 or require the inclusion of any additional mitigation measures.

David Somers
Environmental Review Coordinator

DEPARTMENT OF
CITY PLANNING
200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801

CITY PLANNING COMMISSION
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MICHAEL K. WOO

GABRIELE WILLIAMS
COMMISSION EXECUTIVE ASSISTANT
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CITY OF LOS ANGELES
CALIFORNIA

ANTONIO R. VILLARAIGOSA
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EVA YUAN-MCDANIEL
ACTING DEPUTY DIRECTOR
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FAX: (213) 978-1275

INFORMATION
(213) 978-1270

www.lacity.org/PLN

Date: MAY 31 2007

City Plan Case No. 2006-4392 GPA-ZC-ZV-HD-ZAA-ZAI-SPR
Council District No. 13

Honorable City Council
City of Los Angeles
City Hall, Room 395
Los Angeles, CA 90012

Dear Councilmembers:

A PROPOSED GENERAL PLAN AMENDMENT AND ZONE CHANGE ON PROPERTY LOCATED AT 5661 W SANTA MONICA BOULEVARD WITHIN THE HOLLYWOOD COMMUNITY PLAN

Pursuant to the provisions of Section 551, 555 and 558 of the City Charter, transmitted herewith is the March 8, 2007 action of the City Planning Commission approving a proposed General Plan Amendment to the Hollywood Community Plan adding a footnote increasing the maximum floor area ratio (FAR) permitted in the Neighborhood Commercial designation over the entire site for the property bounded by Virginia Avenue, St. Andrews Place, Santa Monica Boulevard and Wilton Place. The City Planning Commission also approved concurrent zone changes and a height district change from R4-1VL and C4-1VL to (T)(Q)RAS4-2D to permit construction of a mixed-use project consisting of up to 375 residential condominium units and 377,900 square feet of commercial space.

The City Planning Commission, as evidenced by the attached Findings, has determined that the proposed land use designations, zone changes, and height district change will conform to the City's General Plan, will be compatible with adjacent land uses, and is appropriate for the site.

The proposed General Plan Amendment was submitted to the Mayor whose recommendation will be forwarded to you as specified by Section 11.5.6 of the Los Angeles Municipal Code.

RECOMMENDATION

That the City Council:

1. Concur in the attached action of the City Planning Commission relative to its approval of the proposed General Plan Amendment for the subject property; and

2. Adopt the attached Findings of the City Planning Commission as the Findings of the City Council;

3. Adopt, by Resolution, the proposed Plan Amendment as set forth in the attached exhibit; and

4. Adopt the Ordinance for the change of zone and height district to (T)(Q)RAS4-2D subject to the (T) Tentative Classification and (Q) Qualified Classification conditions as set forth in the attached exhibit; and

5. Direct staff to revise the Community Plan Map and update the appropriate zoning maps in accordance with this action; and

6. Adopt Environmental Impact Report ENV 2005-7720 EIR.

Very truly yours,

S. GAIL GOLDBERG, AICP
Director of Planning

Charles J. Rausch; Jr.
Senior City Planner

Attachments:
1. City Plan Case File
2. City Planning Commission action, including Findings and Conditions
3. Resolution Amending the Community Plan
4. General Plan Amendment Map
5. General Plan Footnote number 21
5. Zone Change Ordinance Map

Los Angeles City Planning Commission

200 North Spring Street, Room 532, City Hall, Los Angeles, CA 90012
www.cityofla.org/PLN/index.htm

Determination Mailing Date: MAY 10 2007

CITY COUNCIL
Room 395, City Hall

Department of Building and Safety
201 N. Figueroa Street
Counter B, Fourth Floor

Applicant: St. Andrews- Santa Monica, LLC – Juri Ripinsky

CASE NO. CPC 2006-4392-GPA-ZC-ZV-HD-ZAA-ZAI-SPR & CPC2006-4401-GPA-ZC-ZV-ZAI-SPR

Location: 5661 W. Santa Monica Boulevard 5539-5545 W. Virginia Avenue, and 5536-5542 W Virginia Avenue
Council District: No. 13
Plan Area: Hollywood
Request(s): General Plan Amendment, Zone and Height District Change, Zone Variance, Zone Adjustment, Determination and Site Plan Review

At the City Planning Commission meeting on March 8, 2007, the Applicant submitted a written request to Withdraw Case No. CPC-2006-4401-GPA-ZC-ZV-ZAI-SPR and the records shall be received and filed with no CPC action. The following action was taken by the City Planning Commission on CPC 2006-4392-GPA-ZC-ZV-HD-ZAA-ZAI-SPR:

1. **Approved** a General Plan amendment to the Hollywood Community Plan to increase the maximum floor area ratio (FAR) permitted in the Neighborhood commercial designation on Site I (see attached maps) from the current 1.5:1 to 3.84:1, subject to Conditions and Limitations.
2. **Denied** the requested Zone Change from R4 and C4 to RAS4 on Site I as filed.
3. **Approved** and **Recommended** that the City Council Adopt a Zone and Height District Change from R4-1VL and C4-1VL to (T)(Q)RAS4-2D on Site I (see attached maps) subject to the attached Conditions of Approval.
4. **Approved** the requested Variance to allow commercial uses below and above the ground floor in lieu of only being permitted on the ground floor on Site I.
5. **Approved** the requested Variance to permit 11,373 square feet of alleys to be vacated to be added to the buildable area used to calculate floor area on Site I prior to completion of the alley vacation.
6. **Denied** the requested Variance to permit "early start" construction of the mixed-use project on Site I in the existing R4-1VL and C4-1VL Zones. Such denial shall not preclude a finding or condition in the tract map allowing for the issuance of a building permit prior to the recordation of a final map.
7. **Approved** a Variance per Section 12.27 to permit early issuance of demolition, grading, and excavation permits prior to the effectuation of the zone change ordinance.
8. **Approved** the requested Adjustment to permit zero-foot yard setbacks along the street frontages of Santa Monica Boulevard, Wilton Place and St. Andrews Place in lieu of the minimum 5 foot required yard setbacks otherwise required on Site I.
9. **Approved** the requested Determination to permit a department store use or several retail uses below ground on Site I and the continued department store use on the southeast corner of Site I in the RAS4 Zone.
10. **Approved** the requested Site Plan Review findings.

11. **Certified** that it has reviewed and considered the information contained in the Draft and Final Environmental Impact Report (EIR) ENV-2005-7720-EIR, SCH No. 2005111018, and **Adopted** the Statement of Overriding Considerations.
12. **Adopted** the attached Findings.
13. **Recommended** that the applicant be advised that time limits for effectuation of a zone in the "T" Tentative classification 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 pages.
14. **Advised** the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that the mitigation conditions, identified as "(MM)" on the condition pages, are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.
15. **Advised** the applicant that, pursuant to State Fish and Game Code Section 711.4, a Fish and Game fee and / or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination (NOD) filing.

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:	Hughes
Seconded:	Kay
Ayes:	Freer, Kezios, Usher, Woo
Absent:	Cardoso, Roschen
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 Zone Variance, Adjustment or 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/ Conditions / Ordinance / Map

FINAL DATE TO APPEAL: MAY 30 2007

cc: Notification
Kevin Jones, Hearing Officer

CONDITIONS FOR EFFECTUATING (T) TENTATIVE CLASSIFICATION REMOVAL

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

Dedication(s) and Improvement(s): Prior to the issuance of any building permits, except demolition, excavation, or foundation permits, public improvements and dedications for streets and other rights of way adjoining the subject property shall be guaranteed to the satisfaction of the Department of Public Works, Bureau of Engineering Fire Department (and other responsible City, regional, and Federal government agencies, as may be necessary).

1. Responsibilities/Guarantees.

   a. 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.

   b. 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.**

2. Transportation Dedications and Improvements. The applicant shall consult with the Bureau of Engineering and the Department of Transportation (DOT) for any dedications or street widening requirements. These requirements must be guaranteed before the issuance of any building permit through the B-permit process of the Bureau of Engineering, department of Public Works. They must be constructed and completed prior to issuance of any Certificate of Occupancy to the satisfaction of DOT and the Bureau of Engineering.

   The dedications and improvements shall include, but not be limited to, the following:

   a. The northbound approach of Gower Street, south of Santa Monica Boulevard, shall be re-striped, and on-street parking restrictions shall be implemented, to provide one left-turn only lane, one through lane, and one right-turn only lane. This improvement would result in the loss of approximately three parking spaces on Gower Street in order to accommodate the northbound right-turn only lane. (MM)
   b. The north side of Santa Monica Boulevard shall be dedicated and widened along the Project frontage to install a new right-turn only lane in addition to one left-turn only lane and two through lanes in the westbound direction. Additionally, the east side of Wilton Place shall be widened within the existing right-of-way south of Santa Monica Boulevard, to provide one-left through shared land, one through lane, and one right-turn only lane in the northbound direction. Roadway improvements along Santa Monica Boulevard require coordination and concurrence of Caltrans. (MM)
   c. The north and south sides of Santa Monica Boulevard shall each be widened by one foot within the existing right-of-way east of Western Avenue to install a new westbound right-turn only lane, in addition to one left-turn only lane and two through

lanes. The eastbound approach of Santa Monica Boulevard shall be restriped to appropriately align the travel lanes. (MM)

d. Western Avenue, south of Melrose Avenue shall be restriped to install a new northbound right turn only lane, in addition to one left-turn only lane and two through lanes. (MM)

3. Street Lighting. To the satisfaction of the Bureau of Street Lighting. If street widening is required on any of the streets adjoining the project site the following improvement shall be required: Five (5) impacted existing street lights on Virginia Avenue, two (2) on St Andrews Place, eight (8) on Santa Monica Boulevard and three (3) on Wilton Place shall be relocated and upgraded.

4. Street Trees. If determined necessary, construct tree wells and plant street trees satisfactory to the City Engineer and the Street Tree Division (213) 847-0833 of the Bureau of Street Services.

5. Sewers. If determined necessary, construct sewers to the satisfaction of the City Engineer.

6. Parking Area and Driveway Plans Parking area and driveway plans shall be submitted to the Citywide Planning Coordination Section of the Department of Transportation, Construction Services Counter (201 North Figueroa Street, Suite 400, Station 3) and the Bureau of Engineering, prior to the issuance of a building permit. A parking area and driveway plan may be submitted to the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Final DOT approval should be accomplished by submitting detailed site/driveway plans at a scale of 1"=40' and proper documentation verifying the existing or previous use, square footage and shall include following minimum design features:

   a. A minimum of 60-foot and 40-foot reservoir space(s) be provided between any ingress and security gate(s) and the property line of Lot 1 when the driveway is serving more than 300 and 100 parking spaces respectively.
   b. Residential vehicular access to Lot 1 shall be limited to St. Andrews Place and Virginia Avenue.
   c. Parking stalls shall be designed so that a vehicle is not required to back into or out of any public street or sidewalk.

7. Fire Department. 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. In accordance with L.A.M.C Section 57.09.07, the Applicant shall equip the proposed structures with automatic sprinkler systems. (MM)
   b. Fire lane width shall not be less than 20 feet. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width. (MM)
   c. No building or portion of a building shall be constructed more than 300 feet from an approved fire hydrant. (MM)
   d. No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane unless approved by the Los Angeles Fire Department. (MM)
   e. Access for Fire Department apparatus and personnel to and into all structures, including the subterranean parking structures, shall be required. (MM)

f. The Proposed Project shall comply with all applicable State and local codes and ordinances, and guidelines found in the Fire Protection and Fire Prevention Plan, as well as the Safety Plan, both of which are elements of the General Plan for the City of Los Angeles C.P.C. 19708. (MM)

8. Police Department. The requirements of the Police Department relative to the security of semi-public and private spaces shall be incorporated into the building plans. The Project developer shall submit a plot plan for the proposed development to the LAPD's Crime Prevention Section for review and comment. Security features subsequently recommended by the LAPD shall be implemented, to the extent feasible. (MM). The building plans shall incorporate the following minimum design features:
   - The building and layout design of the Proposed Project shall include crime prevention features, such as nighttime security lighting, full-time onsite professional security, building security systems, and secure parking facilities. (MM)

9. Cable Television. The applicant shall make any necessary arrangements with the appropriate cable television franchise holder to assure that cable televisions 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 Information Technology Agency (ITA).

10. Recreation and Parks. Per Section 12.33 of the Municipal Code, the applicant shall dedicate land for park or recreational purposes and/or pay the applicable Quimby fees for the construction of condominiums, or Recreation and Park fees for construction of apartment buildings. (MM)

11. School District Fees. The Project Applicant shall pay all applicable school fees to the Los Angeles Unified School District to offset the impact of additional student enrollment at schools serving the Project area. (MM)

12. Covenant: Prior to the issuance of any permits relative to this matter, an agreement concerning off the information contained in these conditions shall be recorded by the property owner in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent owners, heir, or assigns. Further, the agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a Certified Copy bearing the Recorder's number and date must be given to the City Planning Department for attachment to the subject file.

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

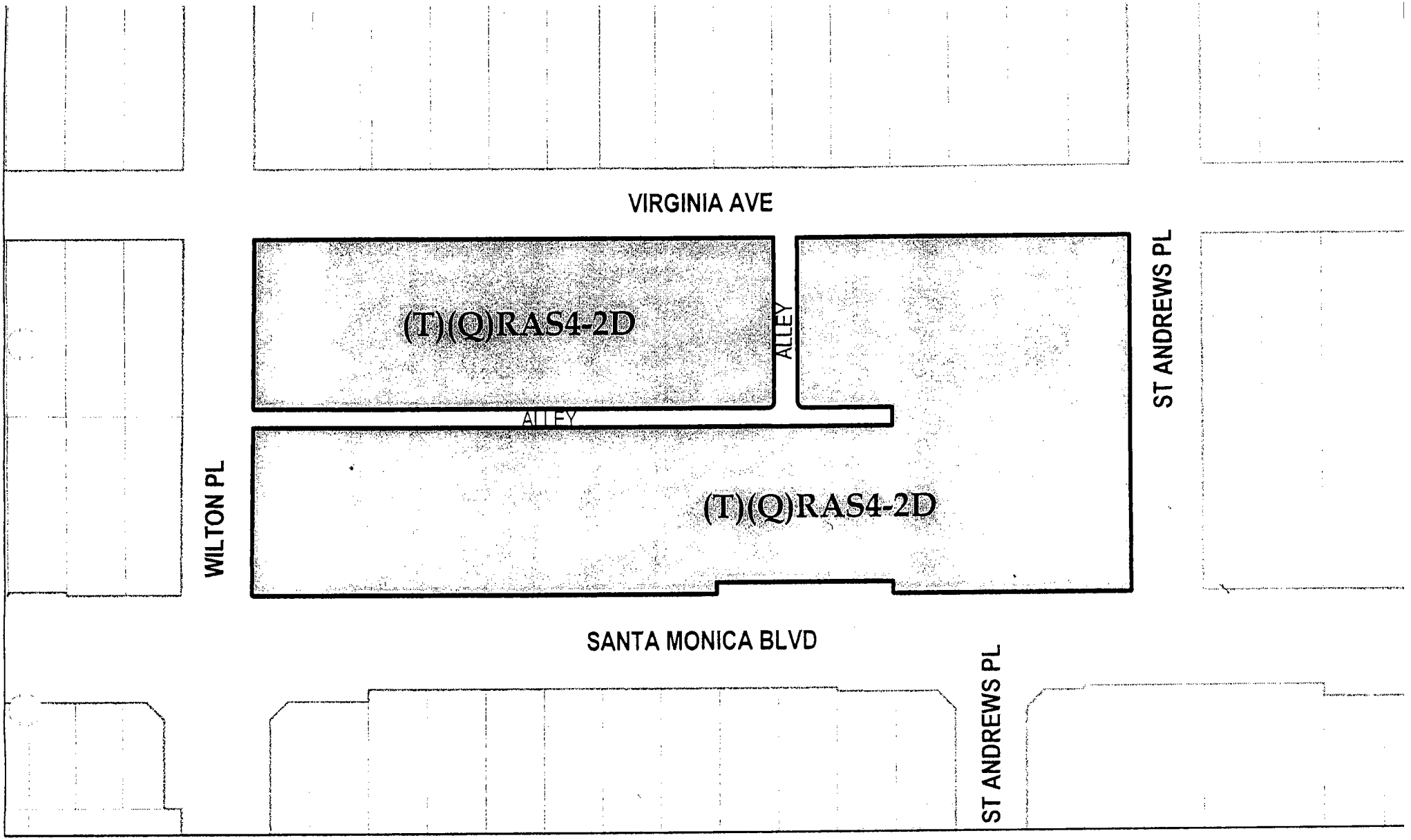
Notice: Certificates of Occupancies for the subject properties will not be issued by the City until the construction of all the public improvements (streets, sewers, storm drains, etc.), as required herein, are completed to the satisfaction of the City Engineer.

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:



CM 144B189 & 144B193	CPC 2006 - 4392 GPA ZC ZV HD ZAA ZAI SPR

DAG / AE

03/28/07

DATA SOURCE : DEPARTMENT OF CITY PLANNING / DEPARTMENT OF BUILDING & SAFETY / BUREAU OF ENGINEERING

(Q) QUALIFIED CONDITIONS OF APPROVAL

Section 2. 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.

A. Entitlement Conditions

1. **Use**. Use of the subject property shall be limited to the use and area provisions of the RAS4-2D zone as defined in Section 12.11.5 of the Municipal Code.

2. **Site Plan.** Prior to the issuance of any building permits for the subject project, detailed development site and elevation plans including complete landscape and irrigation plan by a licensed landscape architect or architect, shall be submitted for review and approval by the Department of City Planning for verification of compliance with the imposed conditions. The plans shall be in substantial conformance with the site plans labeled as Exhibit "A" stamped and dated February 8, 2007, or as modified by the city Planning Commission attached to the subject case file. Minor deviations may be allowed in order to comply with provisions of the Municipal Code, the subject conditions, and the intent of the subject permit authorization.

3. **Density.** Not more than 375 dwelling units are allowed on Site I.

4. **Parking.** Parking shall comply with Commercial and Residential Parking provisions as defined in Section 12.21 of the Municipal Code. (See also Condition B.13).

B. Environmental Impact Report Conditions (MM)

5. **Aesthetics**

   a. 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.

   b. Prior to the issuance of a grading permit or building permit, a plot plan prepared by a reputable tree expert, indicating the location, size, type, and condition of all existing trees on the site shall be submitted to the City of Los Angeles Department of Planning and the Street Tree Division of the Bureau of Street Services. The plan shall contain measures recommended by the tree expert for the preservation of as many trees as possible. (MM)

   c. Any trees removed during project implementation shall be replaced by a minimum of 24-inch box trees in the parkway and on the site, on a 1:1 basis, to the satisfaction of the Street Tree Division of the Bureau of Street Services and the decision maker. (MM)

   d. Removal of trees in the public right-of-way shall first require approval from the Board of Public Works. All trees in the public right-of-way shall be provided per the current Street Tree Division standards. (MM)

   e. The genus or genera of the tree(s) shall provide a minimum crown of 30 – 50 feet. (MM)

f. 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. (MM)

g. The exterior of all buildings and fences shall be free from graffiti when such graffiti is visible from a public street, public walk way or alley, pursuant to Municipal Code Section 91.8104.15. (MM)

h. The subject property including associated parking facilities, sidewalks, and landscaped planters adjacent to the exterior walls along the all property lines shall be maintained in an attractive condition and shall be kept free of trash and debris. Trash receptacles shall be located throughout the site.

i. Wall (Trash and Storage). Solid masonry block walls, a minimum of 6-feet in height, shall enclose trash and other storage areas. There shall be no openings except for gates. The areas shall be buffered so as not to result in noise, odor or debris impacts on any adjacent uses. The area shall not be adjacent to any single-family use. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. Trash pick up shall take place only between 7:00 AM and 8:00 PM Monday through Friday, and 10:00 AM to 4:00 PM on Saturday. There shall be no pick up on Sunday or legal holidays.

6. Illumination and Glare

a. The Proposed Project (and related projects) are subject to the City of Los Angeles Zoning Code, Lighting Regulations, Chapter 9, Article 3, Section 93.0117, and will follow regulations which limit reflective surface areas and the reflectivity of architectural materials used. (MM)

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

7. Air Quality (Construction)

a. The Applicant shall implement measures to reduce the emissions of pollutants generated by heavy-duty diesel-powered equipment operating at the Project Site throughout the Project construction phases. The Applicant shall include in construction contracts the control measures required and recommended by the SCAQMD at the time of development. Examples of the types of measures currently required and recommended include the following: (MM)

- Keep all construction equipment in proper tune in accordance with manufacturer's specifications.
- Use late model heavy-duty diesel-powered equipment at the project site to the extent that it is readily available in the South Coast Air Basin (meaning that it does not have to be imported from another air basin and that the procurement of the equipment would not cause a delay in construction activities of more than two weeks).
- Use diesel-powered equipment that has been retrofitted with after-treatment products (e.g., engine catalysts or cooled exhaust gas recirculation technology) to the extent that it is readily available in the South Coast Air Basin (meaning that it does not have to be imported from another air basin and that the procurement of the equipment would not cause a delay in construction

activities of more than two weeks).
- Use low-emission diesel fuel for all heavy-duty diesel-powered equipment operating and refueling at the project site to the extent that it is readily available and cost effective in the South Coast Air Basin (meaning that it does not have to be imported from another air basin, that the procurement of the equipment would not cause a delay in construction activities of more than two weeks, that the cost of the equipment use is not more than 20 percent greater than the cost of standard equipment). (This measure does not apply to diesel-powered trucks traveling to and from the site.)
- Utilize alternative fuel construction equipment (i.e., compressed natural gas, liquid petroleum gas, and unleaded gasoline) to the extent that the equipment is readily available and cost effective in the South Coast Air Basin (meaning that it does not have to be imported from another air basin, that the procurement of the equipment would not cause a delay in construction activities of more than two weeks, that the cost of the equipment use is not more than 20 percent greater than the cost of standard equipment).
- Limit truck and equipment idling time to five minutes or less.
- Rely on the electricity infrastructure surrounding the construction sites rather than electrical generators powered by internal combustion engines to the extent feasible.

b. The Applicant shall implement fugitive dust control measures in accordance with SCAQMD Rule 403. The Applicant shall include in construction contracts the control measures required and recommended by the SCAQMD at the time of development. Examples of the types of measures currently required and recommended include the following: (MM)

- Use watering to control dust generation during demolition of structures or break-up of pavement.
- Water active grading/excavation sites and unpaved surfaces at least three times daily.
- Cover stockpiles with tarps or apply non-toxic chemical soil binders.
- Sweep daily (with water sweepers) all paved parking areas and staging areas.
- Provide daily clean-up of mud and dirt carried onto paved streets from the site.
- Install wheel washers for all exiting trucks, or wash off the tires or tracks of all trucks and equipment leaving the site.
- Install wind breaks at the windward sides of construction areas.
- Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 miles per hour over a 30-minute period or more.
- An information sign shall be posted at the entrance to each construction site that identifies the permitted construction hours and provides a telephone number to call and receive information about the construction project or to report complaints regarding excessive fugitive dust generation.

c. The Applicant shall include in construction contracts the following requirements or measures shown to be equally effective: (MM)

- Use solar or low-emission water heaters in the residential buildings.
- Provide energy-efficient natural gas heating and cooking equipment.
- Install ozone destruction catalyst on air conditioning systems, in consultation with the SCAQMD.
- Require that commercial landscapers providing services at the common areas of the Project Site use electric or battery-powered equipment, or other internal combustion equipment that is either certified by the California Air Resources

Board or is three years old or less at the time of use, to the extent that such equipment is reasonably available and competitively priced in Los Angeles County (meaning that the equipment can be easily purchased at stores in Los Angeles County and the cost of the equipment is not more than 20 percent greater than the cost of standard equipment)..

8. Cultural Resources (Archaeological and Paleontological)

a. If an archaeological resource is encountered, construction must be diverted and a qualified archaeologist must be consulted. An archaeologist must assess significance of the exposed archaeological discovery in accordance with California Register criteria. If a significant resource is identified during construction, the State Historic Preservation Office must be consulted regarding treatment options. (MM)

b. Pursuant to California Health and Safety Code Section 7050.5, in the event of the discovery of a burial, human bone, or suspected human bone, construction in the area of the find shall be temporarily halted, and the Los Angeles County Coroner shall be contacted immediately. Proper legal procedures shall be followed to determine the disposition of the remains pursuant to Public Resources Code Section 5097.98. If the remains are found to be prehistoric, the Coroner will consult and coordinate with the California Native Heritage Commission as required by State law. (MM)

c. The Project Applicant shall identify a qualified paleontologist prior to any excavation, grading, or construction. The City of Los Angeles Planning Department shall approve the selected paleontologist prior to issuance of the grading permit. The Project paleontologist shall attend the pre-grading meeting to discuss how to recognize paleontological resources in the soil during grading activities. The prime construction contractor and any subcontractor(s) shall be cautioned on the legal and/or regulatory implications of knowingly destroying paleontological resources or removing paleontological resources from the Project Site. (MM)

d. If paleontological resources are encountered during the course of site development activities, work in that area shall be halted and the Project paleontologist shall be notified of the find. The Project paleontologist shall have the authority to temporarily divert or redirect grading to allow time to evaluate any exposed fossil material. "Temporarily" shall be two working days for the evaluation process. (MM)

e. If the Project paleontologist determines that the resource is significant, then any scientifically significant specimens shall be properly collected by the Project paleontologist. During collecting activities, contextual stratigraphic data shall also be collected. The data will include lithologic descriptions, photographs, measured stratigraphic sections, and field notes. (MM)

f. Scientifically-significant specimens shall be prepared to the point of identification (not exhibition), stabilized, identified, and offered for curation to a suitable repository that has a retrievable storage system. (MM)

g. The Project paleontologist shall prepare a final report at the end of the earthmoving activities; the report shall include an itemized inventory of recovered fossils and appropriate stratigraphic and locality data. The Project paleontologist shall send one copy of the report to the City of Los Angeles Planning Department; another copy should accompany any fossils, along with field logs and photographs, to the designated repository. (MM)

9. Geology and Soils

a. The Project shall be designed in accordance with the requirements of the latest edition of the City of Los Angeles Uniform Building Code. (MM)

b. The Project shall comply with the recommendations listed on pages 8 through 25 in the Report of Geotechnical Investigation for the Paseo Plaza Mixed-Use Development, 5601 Santa Monica Boulevard, Los Angeles, California, (which is incorporated by reference) prepared by GEOCON Inland Empire, Inc., dated April 22, 2005. (MM)

10. Hazards and Hazardous Materials

a. Prior to the issuance of the demolition permits, the Applicant shall have all USTs and associated piping/equipment identified at the Sears Automotive Service Center and removed under a proper Los Angeles City Fire Department Permit. The soils underlying the USTs and associated piping/equipment shall be assessed for the presence of hydrocarbons to determine whether soil contamination has occurred. If soil contamination is identified, proper abatement procedures shall be conducted according to Los Angeles Fire Department, federal, State and other local regulations to remove or remediate the contaminated soils. (MM)

b. Prior to the issuance of the demolition permits, the Applicant shall have soils under heavily stained asphalt pavement at the Sears Automotive Service Center and under the sink area in the medical facility located at 5661 Santa Monica Boulevard shall be assessed to determine whether soil contamination exists. If soil contamination is identified, the Applicant shall have the soils properly removed or abated according to the Los Angeles Fire Department and applicable federal, State and other local regulations. (MM)

c. Prior to the issuance of demolition permits, the Applicant shall have the ASTs located at the Sears Automotive Service Center properly removed for disposal at an appropriately licensed facility. The ASTs shall be cleaned, degassed and removed. Soils located underneath the ASTs shall be assessed to determine whether any soil contamination has occurred. If soil contamination is identified, proper abatement procedures shall be conducted to remove the contaminated soils according to the Los Angeles Fire Department and applicable federal, State and other local regulations. (MM)

d. Prior to the issuance of demolition permits, the Applicant shall have the soils located adjacent to or near the multi-stage wastewater clarifier, and under any areas of oil/chemical-stained pavement at the Sears Automotive Service Center, inspected for staining, collected and analyzed for the presence of hydrocarbons. If soil contamination is identified, proper abatement procedures shall be conducted to remove the contaminated soils according to the Los Angeles Fire Department and applicable federal, State and other local regulations. (MM)

e. Prior to the issuance of demolition permits, the Applicant shall have the small transformers observed behind the 5637 Santa Monica Boulevard property tested for the presence of PCB containing dielectric fluids. If PCBs are identified, the dielectric fluid shall be collected and properly disposed of as hazardous waste at an appropriate disposal facility in accordance with applicable federal, state and local regulations. The transformers shall also be disposed of as hazardous waste in

accordance with applicable federal, state and local regulations. (MM)

f. Prior to the issuance of demolition permits, the Applicant shall have the pole-mounted transformers located along the alley transecting the Project Site tested for the presence of PCB containing dielectric fluids. If PCBs are identified, the dielectric fluid shall be collected and properly disposed of as hazardous waste at an appropriate disposal facility in accordance with applicable federal, state and local regulations. The transformers shall also be disposed of as hazardous waste in accordance with applicable federal, state and local regulations. (MM)

g. Prior to the issuance of demolition permits, the Applicant shall identify PCB-containing light ballasts in each building throughout the Project Site. These ballasts shall be recycled through a reputable company to prevent environmental contamination upon renovation, demolition or change-out. (MM)

h. Prior to the issuance of demolition permits, the Applicant shall identify all mercury-containing fluorescent bulbs used in light fixtures throughout the buildings on the Project Site. These bulbs shall be recycled through a reputable company to prevent environmental contamination upon renovation, demolition or change-out. (MM)

i. Prior to the issuance of the demolition/renovation permits, the Applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant that no ACMs are present in the buildings. If ACMs are found to be present, they shall be abated in compliance with the South Coast Air Quality Management District's Rule 1403, as well as other state and federal regulations. Specific requirements of Rule 1403 include: (MM)

   - Implementation of a thorough survey of the affected facility prior to issuance of permits for any demolition or renovation activity, including inspection, identification, and quantification of all friable and certain non-friable asbestos-containing materials.
   - Surveys which include collection and analyses of representative asbestos building material samples, and quantification of these materials for asbestos abatement purposes prior to or during demolition/renovation.
   - Notification of the SCAQMD of the intent to demolish or renovate any facility at least ten days prior to commencing with the activity.
   - Removal of all asbestos-containing materials prior to any demolition or renovation activity that would break up, dislodge, or similarly disturb the material.
   - Use of legally required procedures when removing asbestos-containing materials.
   - Placement of all collected asbestos-containing materials in leak-tight containers or wrapping.
   - Disposal of asbestos-containing materials as required by applicable regulations

j. Prior to the issuance of permits for any demolition/renovation activity involving a particular structure, a lead-based paint assessment of each existing apartment structure shall be conducted. Lead-based paint found in any buildings shall be removed and disposed of as a hazardous waste in accordance with all applicable regulations. Such regulations that would be followed during demolition include Construction Safety Orders 1532.1 (pertaining to lead) from Title 8 of the California Code of Regulations, and lead exposure guidelines provided by the U.S. Department of Housing and Urban Development (HUD). (MM)

11. **Hydrology and Water Quality** During Project construction, the Project developer shall remove the concentrations of metals exceeding the "municipal and domestic supply and/or groundwater recharge beneficial use" screening levels for dewatering activities prior to discharge to a storm drain. The treatment of the groundwater shall be conducted in accordance with the regulations and guidelines set forth by the California Regional Water Quality Control Board, Los Angeles Region (LARWQCB). (MM)

12. **Noise (Construction)** The Project developer shall implement measures to reduce the noise levels generated by construction equipment operating at the Project Site during Project grading and construction phases. The developer shall include in construction contracts the following requirements or measures shown to be equally effective: (MM)

- All construction equipment shall be equipped with improved noise muffling, and have the manufacturers' recommended noise abatement measures, such as mufflers, engine covers, and engine isolators in good working condition.
- Stationary construction equipment that generates noise levels in excess of 65 dBA Leq shall be located as far away from existing occupied buildings as possible. If required to minimize potential noise conflicts, the equipment shall be shielded from noise sensitive receptors by using temporary walls, sound curtains, or other similar devices.
- All equipment shall be turned off if not in use for more than five minutes.
- An information sign shall be posted at the entrance to each construction site that identifies the permitted construction hours and provides a telephone number to call and receive information about the construction project or to report complaints regarding excessive noise levels

13. **Parking**

a. Commercial Parking shall be provided pursuant to the Los Angeles Municipal code Sections 12.21 A. 4, and as follows:

1). The property owner shall require, in all lease or rental agreements with non-residential tenants that free on-site parking be offered to all employees.
2). A plan or procedure shall be prepared and implemented for use of parking facilities by tenants, customers, employees and guests, such as a parking pass or validated parking plan. The plan procedures shall be provided to the Department of City Planning prior to issuance of any Certificate of Occupancy and placed in the administrative case file.

b. Residential Parking shall be provided pursuant to the Los Angeles Municipal code Sections 12.21 A. 5 and as follows:

1). Access to the Residential parking shall be from Virginia Avenue only.
2). Guest parking signs shall be clearly posted at building entrances. The signs shall be in large, easy to read lettering and shall indicate the general location of guest parking. Sign wording shall be to the satisfaction of the Department of City Planning and shall indicate the number of reserved guest parking spaces.
3. If any guest parking is located behind security gates, the following shall apply:
   a). A remote electronic gate opening system shall be installed so that the security gate can be opened from each residential unit served by the secured guest parking.
   b). An electronic intercommunication system shall be installed. The system shall be readily accessible to the drivers of guest vehicles and to the units served

by the secured guest parking.

c). The security gate shall be set back at least 40-feet from the public right-of-way so as to provide a waiting area for guest vehicles and to prohibit blockage or interference with the public right-of way by waiting guest vehicles.

d). Alternatives to the provisions of this condition may be approved by the Department of City Planning provided that the intent of readily accessible guest parking facilities and no interference with the public right-of-way is assured.

e). No guest parking fees may be charged for guests of residential tenants.

c. Concrete, not metal, shall be used for construction of parking ramps. (MM)

d. Interior ramps shall be textured to prevent tire squeal at turning areas. (MM)

e. The Project Applicant shall provide gated entry into all Project Site subterranean parking facilities on all three properties (Sites I, II and III), with room for 2 cars to queue.

f. Parking lots located adjacent to residential buildings shall have a solid decorative wall adjacent to the residential uses. (MM)

g. During construction activities, the Project developer shall ensure that all onsite areas of active development, material and equipment storage, and vehicle staging, that are adjacent to existing public roadways, be secured to prevent trespass. While the Proposed Project would not have a significant impact on police protection services following its buildout, the following mitigation measure is recommended to ensure that the LAPD's recommendations for the Proposed Project are addressed: (MM)

14. Parks and Open Space The Applicant shall pay the required $200 per dwelling unit fee paid to the Department of Building and Safety in accordance to the Dwelling Unit Construction Tax required by the Los Angeles Municipal Code Section 21.10.3(b). In addition, the following recreational facilities shall be provided as part of the Proposed Project: (MM)

- A public pedestrian plaza opening onto Santa Monica Boulevard on Site I (MM);
- Surveys which include collection and analyses of representative asbestos building material samples, and quantification of these materials for asbestos abatement purposes prior to or during demolition/renovation (MM);
- A landscaped open space area along Virginia Avenue shall be provided on Site I, connected to the Santa Monica Boulevard plaza by a landscaped pedestrian walkway (Paseo) (MM) ;
- The roof-top of the existing 3-story (above grade) retail department store building shall be converted to a landscaped open space area for use by residents and the general public for leisure activities as per (Q) Condition number 25 of this Staff Report; (MM) and
- Approximately 52,633 sq. ft. on Site I shall be left as common open space for use by all the residents at grade (or 1st story), at the 2nd story, and at the 4th story. (MM)

15. Construction

a. Construction-related Parking. Off-street parking shall be provided for all construction-related employees generated by the proposed project. No employees

or subcontractor shall be allowed to park on the surrounding streets for the duration of all construction activities. There shall be no staging or parking of construction vehicles, including vehicles to transport workers on any street in the immediate area. All construction vehicles shall be stored on site unless returned to their owner's base of operations.

b. Truck Traffic Restricted Hours. Truck traffic directed to the project site for the purpose of delivering construction materials or construction-machinery shall be limited to the hours beginning at 9:00 AM and ending at 3:00 PM, Monday through Friday. No construction truck deliveries shall occur outside of that time period. No truck queuing related to such construction deliveries to the project site shall occur on any local or collector street within the project vicinity outside of that time period.

c. Construction excavation trucks shall be limited to travel outside of the AM and PM peak hours to reduce truck traffic impacts. (MM)

d. Construction workers shall be encouraged to carpool or vanpool to the Project Site during construction of the Proposed Project to reduce vehicle trips. (MM)

e. Projects involving the import/export of 20,000 cubic yards of more of dirt shall obtain haul route approval by the Department of Building and Safety. (MM)

f. The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety. (MM)

g. Fences shall be constructed around the site to minimize trespassing, vandalism, short-cut attractions and attractive nuisances. (MM)

16. Traffic

a. The northbound approach of Gower Street, south of Santa Monica Boulevard, shall be re-striped, and on-street parking restrictions shall be implemented, to provide one left-turn only lane, one through lane, and one right-turn only lane. This improvement would result in the loss of approximately three parking spaces on Gower Street in order to accommodate the northbound right-turn only lane. (MM)

b. The north side of Santa Monica Boulevard shall be dedicated and widened along the project frontage to install a new right-turn only lane in addition to one left-turn only lane and two through lanes in the westbound direction. Additionally, the east side of Wilton Place shall be widened within the existing right-of-way south of Santa Monica Boulevard, to provide one-left through shared lane, one through lane, and one right-turn only lane in the northbound direction. Roadway improvements along Santa Monica Boulevard require coordination and concurrence of Caltrans. (MM)

c. The north and south sides of Santa Monica Boulevard shall each be widened by one foot within the existing right-of-way east of Western Avenue to install a new westbound right-turn only lane, in addition to one left-turn only lane and two through lanes. The eastbound approach of Santa Monica Boulevard shall be restriped to appropriately align the travel lanes.

d. As part of the Project's mitigation for pedestrian and transit access at this location, the developer shall work with the Metropolitan Transportation Authority (MTA), LADOT, and Community Redevelopment Agency (CRA) to identify potential strategies and/or improvements to address this issue. These improvements could

include relocation of some or all of the bus stops to minimize pedestrian needs to cross streets to accommodate the most popular route transfers, upgrading of the pedestrian crosswalk indicators to include "count down" timers for remaining crossing time, installation of physical barriers to direct and encourage pedestrians to use the crosswalks, or a combination of these and other measures to reduce existing and future pedestrian/vehicular conflicts at this intersection. (MM)

e. Melrose Avenue, south of Western Avenue shall be restriped to install a new northbound right turn only lane, in addition to one left-turn only lane and two through lanes. (MM)

f. The Proposed Project could also create significant impacts along several of the residential streets surrounding the Project Site. In order to address this impact, the developers shall provide funding for development and implementation of a neighborhood traffic management program, to minimize or mitigate the impacts of additional daily traffic in the Project vicinity. This program would be developed jointly by LADOT and representatives of the homeowners associations surrounding the project site to could include, but not be limited to, installation of additional STOP signs or speed humps to reduce travel speeds on these local streets, chokers or diverters to channel traffic, turn restrictions, or even cul-de-sacs. Other measures, including funding of the design for a new traffic signal at the project-adjacent intersection of Wilton Place and Virginia Avenue, for City installation should it meet the appropriate warrants, could also be included. The amount of the fund will be determined by LADOT. (MM)

g. The project applicant shall provide gated entry into all Project Site subterranean parking facilities on Sites I with room for at least 2 vehicles to queue. (MM)

h. Loading and unloading activities shall not interfere with traffic on any public street. Public sidewalks, alleys and/or other public ways shall not be used for the parking or loading or unloading of vehicles. The location of loading areas shall be clearly identified on the site plan to the satisfaction of the Department of City Planning.

17. Water

a. The Project developer shall ensure that the landscape irrigation system is designed, installed and tested to provide uniform irrigation coverage. Sprinkler head patterns shall be adjusted to minimize over spray onto walkways and streets. (MM)

b. The Project developer shall install either a "smart sprinkler" system to provide irrigation for the landscaped areas or, at a minimum, set automatic irrigation timers to water landscaping during early morning or late evening hours to reduce water losses from evaporation. Irrigation run times for all zones shall be adjusted seasonally, reducing water times and frequency in the cooler months (fall, winter, spring). Sprinkler timer run times shall be adjusted to avoid water runoff, especially when irrigating sloped property. (MM)

c. The Project developer shall select and use drought-tolerant, low-water-consuming plant varieties to reduce irrigation water consumption. (MM)

d. The Project developer shall install low-flush water toilets and water-saving showerheads in new construction. Low-flow faucet aerators shall be installed on all sink faucets. (MM)

18. Solid Waste

a. In compliance with AB 939, the construction contractor shall only contract for waste disposal services with a company that recycles construction-related wastes. (MM)

b. In compliance with AB 939, to facilitate the onsite separation and recycling of construction related wastes, the construction contractor shall provide temporary waste separation bins onsite during construction. (MM)

c. In compliance with Los Angeles City Ordinance 171.687, to support recycling of operational wastes, the Proposed Project shall include required minimum space for recycling containers. (MM)

19. Energy Conservation The Project Applicant shall comply with Title 24 of the California Administrative Code with regard to potential energy conservation measures for the Project. Examples of such energy conservation measures include: (MM)

- Install windows (i.e., tinting, double pane glass, etc.) to reduce thermal gain and loss, thus cooling loads during warm weather and heating loads during cool weather.
- Install thermal insulation in walls and ceilings.
- Install time control exterior lighting. These systems should be programmed to account for variations in seasonal daylight times.
- Limit outdoor lighting while still maintaining minimum security and safety standards.
- Install built-in appliances, refrigerators, and space-conditioning equipment.
- Use natural ventilation wherever possible.

C. <u>Other Conditions</u>

20. Rooftop Screening. Any structure on the roof, such as air conditioning units, antennae, and other equipment, except solar panels, shall be fully screened from view from any existing adjacent residential uses as seen from grade.

21. Noise (Residential). All exterior windows having a line of sight from Santa Monica Boulevard shall be constructed with double-pane glass and use exterior wall construction which provides a Sound Transmission Class of 50 or greater as defined in UBC No. 35-1, 1979 edition or any amendment thereto. As an alternative, the developer may retain an acoustical engineer to submit evidence, along with the application for a building permit, any alternative means of sound insulation sufficient to mitigate interior noise levels below a CNEL of 45 dBA in any habitable room.

22. Air Pollution (Stationary). The applicant shall install an air filtration system capable of removing 99.97% of all airborne contaminants at 0.3 microns in order to reduce the diminished air quality effects on occupants of the project.

23. Balconies. External facing balcony walls shall be constructed of opaque or solid materials so as to be enclosed from adjacent off-site residential uses and street traffic.

Internal Facing Balconies - No items shall be permitted to be placed or stored on balconies or balcony railings. The applicant shall ensure that appropriate restrictions are incorporated into the Declaration of Covenants, Conditions and Restrictions governing the use of the property, that each owner is aware of such restrictions, and that such restrictions are subject to appropriate enforcement measures.

24. **Roof Top Garden.** No building permit shall be issued for any renovation of the existing Sears building located at 5601 Santa Monica Boulevard., (with the exception of the 1 story portion of the Sears building located to the north and northwest of the main Sears Building as noted "to be demolished" on the Plot Plan dated May 16, 2006 and reviewed by the Planning Commission on March 8, 2007) unless the proposed renovation plans include the creation of a roof top garden. This restriction shall not apply to: i) the issuance of any demolition permit (except as it relates to demolition of the Sears building) or excavation permit ii) the issuance of any building permits or certificates of occupancy for any portion of the project other than the Sears building; iii) any work involving the Sears building which is necessary for the development of any portion of the project other than the Sears building and does not increase the floor area or height of the Sears building; or iv) Any work performed by the existing tenant in furtherance of their current operation pursuant to their existing lease without modification or extension..

25. **Pedestrian Improvement.** The project developer shall work in consultation with the Community Redevelopment Agency and the Department of City Planning Urban Design Studio on identifying potential pedestrian improvements to reduce interface between high-traffic vehicular areas and pedestrian paths, especially around traffic stops such as the Western Avenue and Santa Monica Boulevard intersection. In lieu of working in consultation with the Community Redevelopment Agency and the Department of City Planning Urban Design Studio, the developer may provide $10,000 to the Urban Planning Design Studio for the purpose of identifying potential pedestrian improvements in the project area.

D. **Administrative Conditions**

26. **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.

27. **Code Compliance.** Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions may vary.

28. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assigns. The agreement shall be submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.

29. **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.

30. **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.

31. **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.

32. **Project Plan Modifications**. Any correction and/or modifications to the Project plans made subsequent to this grant that are deemed necessary by the Department of Building and Safety, Housing Department, or other Agency for Code compliance, and which involve a change in site plan, floor area, parking, building height, yard or setbacks, building separations, or lot coverage, shall require a referral of the revised plans back to the Department of City Planning for additional review and final sign-off prior to the issuance of any building permit in connection with said plans. This process may require additional review and/or action by the appropriate decision making authority including the Director of Planning, City Planning Commission, Area Planning Commission or Board.

33. **Utilization of Concurrent Entitlement.** The subject Zone Change, Zone Variance, Height District Change, Area Adjustment, Project Determination and Site Plan Review requires completion of all applicable conditions of approval herein to the satisfaction of the Department of City Planning and the effective date of the Zone Change, Zone Variance, Height District Change, Area Adjustment, Project Determination and Site Plan Review shall coincide with that of the associated Zone Change on the property involved. The applicant/owner shall have a period of two years from the effective date of the subject Zone Change to effectuate the terms of for the Zone Variance 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 grant, the applicant files a written request, and is granted an extension to the termination period for up to one additional year pursuant to applicable provisions of the Municipal Code.

    The applicant/owner shall have a period of three years from the effective date of the subject grant for the Site Plan Review to effectuate the terms of this entitlement by securing a building permit.

    Thereafter, the entitlements shall be deemed terminated and the property owner shall be required to secure a new authorization for the use. If a building permit is obtained during this period, but subsequently expires, this determination shall expire with the building permit.

34. **Corrective Conditions.** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director of Planning, pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if in the decision makers opinion, such actions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.

35. **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.

"D" DEVELOPMENT CONDITIONS

Section 3. Pursuant to Section 12.32 H of the Municipal Code, the following limitations are hereby imposed upon the use of the subject property, subject to the "D" Development classification.

1. **Maximum Height** – The maximum height of the structures shall be as show on the elevations and plans dated March 8, 2007 but in no event be higher than 94 feet as defined per the Los Angeles Municipal Code (LAMC). An additional 19 feet of unoccupied space, to be used as an architectural feature (clock tower) for a total height of 113 feet, shall be permitted for a structure identified as structure "J" on the plot plans dated March 8, 2007 located approximately 385 feet east of the western property line and 147 feet south of the northern property line.

2. **Floor Area** – The total floor area of the non-residential uses shall not exceed the following:

   CPC-2006-4392-GPA-ZC-HD-ZV-ZAA-ZAI-SPR A Floor Area Ratio of 3:84:1 as defined by Section 12.03 and 12.21.1 of the Municipal Code. Commercial floor area shall be limited to a maximum of 377,900 square feet.

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

By _____

_____ 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.

Gabriele Williams
Commission Executive Assistant II

File No. _____

RESOLUTION

WHEREAS, the applicant has requested in its application a General Plan Amendment to add a footnote increasing the maximum floor area ratio (FAR) permitted in the Neighborhood Commercial designation over the entire site for the property bounded by Virginia Avenue, St. Andrews Place, Santa Monica Boulevard and Wilton Place, within the Hollywood Community Plan; and

WHEREAS, the City Planning Commission approved the applicant's General Plan Amendment request and recommended adoption by City Council of a General Plan Amendment to add a footnote increasing the maximum floor area ratio (FAR) permitted in the Neighborhood Commercial designation over the entire site; and

WHEREAS, a General Plan Amendment is necessary to achieve consistency between zoning and the adopted Community Plan as required by California State law; and

WHEREAS, pursuant to the provisions of the Los Angeles City Charter, the Mayor and the City Planning Commission have transmitted their recommendations; and

WHEREAS, the requested General Plan Amendment is consistent with the intent and purpose of the Hollywood Community Plan to designate land uses in an orderly and unified manner; and

WHEREAS, the subject request would provide for a more logical and uniform pattern of planned land use development that is compatible with surrounding land use designations on the General Plan; and

WHEREAS, the Neighborhood Commercial designation and the (T)(Q)RAS4-2D zone change and height district change will allow the development of a mixed-use project on the site and to be consistent with the Plan and zone and surrounding uses; and

WHEREAS, the subject project was issued a Environmental Impact Report ENV 2005-7720 EIR in accordance with the City's Guidelines for implementation of the California Environmental Quality Act (CEQA) by the Department of City Planning's Environmental Staff Advisory Committee.

NOW, THEREFORE, BE IT FURTHER RESOLVED that Footnote number 21 is added to the Hollywood Community Plan as shown on the attached page for the location shown on the attached General Plan Amendment map.

GENERAL PLAN AMENDMENT
TO ADD A FOOTNOTE

Pursuant to Section 11.5.6 of the Municipal Code the Hollywood Community Plan is amended to add the following Footnote.

Height District 2D with a maximum floor area ratio of 3.84:1 for the project described in CPC-2006-4392 the area bounded by Virginia Avenue on the north, St. Andrews Place on the east, Santa Monica Boulevard on the south, and Wilton Place on the west.

CONDITIONS OF APPROVAL

1. **Related Zone Variance and Site Plan Review.** The applicant or any successor in interest shall comply with all of the Site Plan Review requirements contained in Case No. CPC 2006-4392 GPA-ZC-HD-ZAA-ZAI-SPR being processed concurrently with this Zone Change and any subsequent modifications thereto, to the satisfaction of the Director of Planning.

2. **Related Tentative Tract.** The applicant or any successor in interest shall comply with all of the requirements contained in Vesting Tentative Tract No. VTT-66044 and any subsequent modifications thereto, to the satisfaction of the Advisory Agency of the Department of City Planning.

3. **Variance.** Site I of the project may be permitted have commercial uses below and above the ground floor in the RAS4 zone as condition herein.

4. **Variance.** The existing alley area of Site I of approximately 11,373 square feet may be added to the buildable area used to calculate the floor area of Site I prior to the completion of the alley vacation.

5. **Adjustment.** The project may observe a zero (0) foot yard setbacks along the street frontages of Santa Monica Boulevard, Wilton Place, and St. Andrews Place.

6. **Determination.** Site I of the project may be permitted to have a department store use or several retail uses below ground and the continued department store at the southeast corner of the site in the RAS4 Zone.

7. **Affordable Housing**. The applicant shall suitably guarantee to the satisfaction of the Housing Department that 10 percent of the dwelling units constructed on Site I of Vesting Tentative Tract (VTT) 66044 (10 percent of 375 units equals 38 units) shall be designated as affordable to low income households, as per Los Angeles Housing Department (LAHD) guidelines. The Applicant may provide these affordable units proportionately throughout the Tract (i.e. 32 units on Site I, 2 units on Site II, 4 units on Site III), or, as an alternative, the Applicant may provide all of the 38 low-income affordable units on Site III.

   The Applicant shall record a covenant, acceptable to LAHD, to provide 10% of the units constructed on Site I to be low income - affordable housing units to be located on Site I until a Building Permit is issued for Site III. Once the Building Permit is issued for Site III, the City Planning Department, LAHD, and Building and Safety Department shall, upon request, agree to terminate the covenant regarding the low income units on Site I. The affordable housing units shall be designed to accommodate families to the extent feasible.

8. **Site Plan.** The use and development of the subject property shall be in substantial conformance with the site plan, elevations, and floor plans labeled "Exhibit B," stamped and dated March 8, 2007 attached to the subject case file. Minor deviations may be allowed in order to comply with provisions of the Municipal Code, the subject conditions and the intent of the subject permit authorization.

   Note: This grant does not confer an approval of Project Plans as submitted. Detailed, revised plans and elevations indicating compliance with these conditions shall be submitted for review, to the satisfaction of the Director of Planning, prior to the issuance of any building permits, except demolition, excavation, or foundation permits.

   In accordance with the site plan, elevations, and section drawings labeled "Exhibit B," stamped and dated March 8, 2007 attached to the subject case file shall include, but not

limited to the following elements as shown in the exhibit:

a. Landscaping shall be provided to the satisfaction of the Planning Department. The final Landscape plans shall be subject to review by the Hollywood Studio District Neighborhood Council, and the Council Office.

b. Two swimming pools and a spa area shall be provided for use by residents and their guests.

c. Water fountain features shall be located on Site I near the pedestrian entrances on Santa Monica Boulevard and Virginia Avenue and on the second floor in the two garden/patio areas on the north side of the project.

d. The Paseo from Santa Monica Boulevard to Virginia Avenue shall be accessible by pedestrians at all times.

e. A five foot wide landscaped parkway for the entire length of Virginia Avenue, except for driveway cut outs, shall be provided and maintained.

9. **Site Plan Review for Site II and Site III**. The applicant shall provide updated architectural plans (including elevation detail, parking configuration, open space location, and landscape information) for Site II and Site III which show adequate detail shall be subject to review by the City Planning Department, Council Office and the Hollywood Studio District Neighborhood Council in order to obtain a Site Plan Review Approval for Site II and Site III of VTT-66044 prior to the issuance of any building permits for these two sites.

10. **Sustainable Development Practices.** The applicant shall submit a "green building" program prior to obtaining any building permit, to the satisfaction of the Department of City Planning. The program shall address the development's sensitivity to the environment, resources and energy consumption, the impact on people (quality and health of work environment), and financial impact (cost-effectiveness/savings in comparison to standard development practices). The program must include the following description of building materials and development techniques which shall be incorporated within the development project:

a. Recycled content products (i.e. Building materials, exterior deck material, lawn furniture, playground equipment, landscape edging and the like) features equivalent to those needed to earn one LEED 2.2 MR credit..
b. Utilize materials from renewable sources (Use rapidly renewable floor projects such as bamboo or linoleum to help reduce the amount of land and resources dedicated to producing construction materials features equivalent to those needed to earn one LEED 2.2 MR credit.
c. Roof systems (white roof/cool roof) - per relevant standards set forth in Title 24 of the California Code of Regulations.
d. Efficient modes of transportation - features equivalent to those needed to earn two LEED 2.2 SS 4.1 - 4.4 credits.
e. Energy efficient equipment and appliances (Energy Star certified appliances, photovoltaic applications, etc.) - energy star appliances and Mechanical equipment per Title 24 of the California Code of Regulations.
f. Water conserving devices (i.e. low flush toilets, shower heads, electronic plumbing sensors, waterless urinals, drip irrigation systems, landscape irrigation timers) – pursuant to the relevant requirements of the City of Los Angeles Municipal Code.
g. Landscaping plant materials (i.e. Native trees, shrubs and ground cover) - features equivalent to those needed to earn LEED 2.2 WE credit 1.1.

h. Use low Volatile Organic Compounds (VOC) emitting materials features equivalent to those needed to earn one LEED 2.2 EQ 4.1 – 4.4 credit.

As an alternative to the above green building program requirement, the applicant may submit documentation verifying certification by the Leadership in Energy and Environmental Design (LEED) rating system, with the minimum level of "LEED Certified". (Reference: www.usgbc.org/).

11. **Transportation Demand Management (TDM)/Ridesharing Plan.** The applicant shall prepare and implement a TDM/Ridesharing Plan for the development, to include, at minimum:
    - Dedicated parking spaces for use by a carsharing program;
    - Adequate bicycle parking facilities (number of racks to be determined by the Department of City Planning and the Department of Transportation);
    - Preferential parking for hybrid or alternative (non-gasoline) powered vehicles (developer to disclose the number and location of these parking spaces)
    - Metro pass promotional plan for new residents and employees.

    The TDM/Rideshare Plan should focus on alternative transportation options for the approximate 1,000 new jobs that will be created by the development. The plan shall be reviewed and approved by the Department of Transportation, in consultation with the Department. of City Planning and the Council Office.

12. **Hollywood Mobility Trust Fund.** Prior to the issuance of building permits, the applicant shall deposit $900,000 into the 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 East Hollywood residents (e.g. neighborhood traffic management plans; programs to support pedestrian connections to the Santa Monica Boulevard/Western Avenue transit node). This contribution can be used toward the satisfying conditions Q-16-d, Q16-f, and Q-26.

13. **Access to Recreational Facilities.** All recreational facilities on Site I shall be accessible for use by the residents of Site II and III. Access shall be provided in the same manner for all residents.

Administrative Conditions

14. **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.

15. **Code Compliance.** Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions may vary.

16. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assigns. The agreement shall be submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.

17. **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.

18. **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.

19. **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.

20. **Project Plan Modifications**. Any correction and/or modifications to the Project plans made subsequent to this grant that are deemed necessary by the Department of Building and Safety, Housing Department, or other Agency for Code compliance, and which involve a change in site plan, floor area, parking, building height, yard or setbacks, building separations, or lot coverage, shall require a referral of the revised plans back to the Department of City Planning for additional review and final sign-off prior to the issuance of any building permit in connection with said plans. This process may require additional review and/or action by the appropriate decision making authority including the Director of Planning, City Planning Commission, Area Planning Commission or Board.

21. **Utilization of Concurrent Entitlement.** The subject, Zone Variance, Area Adjustment, and Project Determination requires completion of all applicable conditions of approval herein to the satisfaction of the Department of City Planning and the effective date of the Zone Change, Zone Variance, Area Adjustment, and Project Determination shall coincide with that of the associated Zone Change on the property involved. The applicant/owner shall have a period of two years from the effective date of the subject Zone Change to effectuate the terms of for the Zone Variance, Zone Adjustment, and Zone Determination 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 grant, the applicant files a written request, and is granted an extension to the termination period for up to one additional year pursuant to applicable provisions of the Municipal Code.

    The applicant/owner shall have a period of three years from the effective date of the Zone Change for the Site Plan Review to effectuate the terms of this entitlement by securing a building permit.

    Thereafter, the entitlements shall be deemed terminated and the property owner shall be required to secure a new authorization for the use. If a building permit is obtained during this period, but subsequently expires, this determination shall expire with the building permit.

22. **Corrective Conditions.** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director of Planning, pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if in the decision makers opinion, such actions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.

23. **Indemnification.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from anyclaim, 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.

FINDINGS

General Plan Findings

1. **General Plan Land Use Designation.** The subject property is located within the Hollywood Community Plan area, which was adopted by the City Council on December 13, 1988 (pursuant to Council File 86-0695-S1. The Plan Map designates the subject property for Neighborhood Office Commercial land use with corresponding zones of C1, C4, C2, RAS3, RAS4, P, and PB. The City's Community Plans have been amended to include the RAS3 and RAS4 zones if the Plans contain residential density categories which correspond to the R3, R4 and/or R5 zones.

   Those Community Plans which only permit Medium Residential Density (R3 corresponding zone) are restricted to the RAS3 zone. Those Community Plans that include the High Medium and/or High Residential Density categories with the R4 and/or R5 corresponding zones are permitted to use the RAS3 and RAS4 zones. The recommended RAS4 zoning classification will therefore be consistent with the General Plan.

2. **General Plan Text.** The following Hollywood Community Plan's land use objectives are consistent with the proposed development:

   Objective 1: To coordinate the development of Hollywood with that of other parts of the City of Los Angeles and the metropolitan area.

   To further the development of Hollywood as a major center of population, employment, commercial services, and entertainment...

   Objective 2: To designate lands at appropriate locations for the various private uses and public facilities in the quantities and at densities required to accommodate population and activities projected to the year 2010.

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

   Approximately 5% of residents in the project site area's Census Tract are property owners and approximately 92% of residents are renters, compared to Los Angeles County, which has about half renters and half owners. There is also a significantly lower vacancy rate in this Census Tract than in the County and in California. This area, in particular, is in great need of newly constructed buildings that provide additional housing opportunities.

	Census Tract 190901 (Site)	**Los Angeles County**	**California State**
Renter	91.65%	49.96%	40.58%
Owner	5.24%	45.85%	53.59%
Vacant	3.11%	4.19%	5.83%

Source: US Census Data, 2000

3. The **Transportation Element** of the General Plan will be affected by the recommended action herein. However, any necessary dedication and/or improvements of Santa Monica Boulevard to designated Major Highway street standards will assure compliance with this Element of the

General Plan and with the City's street improvement standards pursuant to Municipal Code Section 17.05.

4. 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.

5. **Street Lights.** Any City required installation or upgrading of street lights is necessary to complete the City street improvement system so as to increase night safety along the street which adjoin the subject property.

6. **Charter Findings – City Charter Sections 556 and 558 (General Plan Amendment).** Section 556 of the City Charter requires the City Planning Commission make findings that the recommended action is in substantial conformance with the purposes, intent and provisions of the General Plan. Section 558 of the City Charter establishes the procedures for the adoption, amendment or repeal of ordinances, orders or resolution proposed by the City Council, City Planning Commission, or Director of Planning or by application of the owner of the affected property if authorized by ordinance.

   The General Plan land use designation for the subject site is "Neighborhood" commercial in the Hollywood Community Plan. The Applicant is requesting an amendment to add Footnote No. 22 to the Hollywood Community Plan to increase the maximum floor area ratio that is permitted for specific types of projects in the Neighborhood commercial designation to 3.84:1 for the Master Project, CPC-2006-4392.

   The current Footnotes 7 and 11 in the Hollywood Plan contain the following limitations:

   For properties limited to the 1XL and 1VL Height Districts, the recommended FAR is 1.5:1. This plan designation emphasizes pedestrian-oriented use and design.

   A maximum FAR of 3:1 may be permitted on sites located within designated centers with the application of the CSA 1 Height District.

   Further restriction of the Footnote amendment to just Site I is necessary because the Neighborhood Commercial designation covers a much broader area of the Hollywood Plan including other sections of Santa Monica Boulevard, Melrose Avenue, Sunset Boulevard and Vermont Avenue. A wholesale amendment to the cover the entire plan should not be considered by a single private application. The proposed EIR (ENV 2005-7720-EIR) restricts the General Plan Amendment to the one block. Further environmental impacts may occur if the footnote amendment goes beyond the scope of this application. The Hollywood Community Plan is currently in the process of being updated and any further revision of Footnote 7, 11 or the proposed footnote areas should be evaluated by the update of the Plan.

   The proposed General Plan amendment will provide a range of FAR's that allow for the development of residential and mixed use projects that are not subject to the FAR restrictions intended for purely commercial uses. Currently, because the property is designated Neighborhood commercial, a maximum FAR of 1.5:1 is imposed for all uses pursuant to the Community Plan Footnote 7 prohibiting the development of the project as proposed. The proposed General Plan Amendment is in conformity with public necessity and convenience because it will allow greater floor area for those projects that are mixed-use and pedestrian oriented. The proposed amendment to add a Footnote does not automatically make by-right the higher FAR in the Neighborhood commercial designation. In order to obtain the 3.84:1 or the 4.04:1 FAR an applicant must still go through a discretionary review process such as a RAS

Zone Change. By requiring that any increase in FAR go through a discretionary review, the city can insure that adequate mitigation measures are imposed that takes into consideration the individual location and neighborhood.

Public necessity and convenience is also served by utilizing the recently adopted RAS3 and RAS4 Zone to provide mixed-use projects consisting of commercial and residential uses on an underutilized property in the Hollywood Community Plan area. The RAS 3 and RAS4 Zones and the utilization of floor area averaging are intended to provide tools to accommodate projected population growth in mixed-use and residential projects that are compatible with existing residential neighborhoods. The additional FAR afforded to projects in the RAS Zone, and projects with affordable housing, would contribute to the expected growth and continued vitality of the community by providing additional opportunities for accessory services and additional residential units in projects in the Hollywood area.

The Framework Element of the General Plan states "Improvement of the jobs and housing relationships in sub-areas of the City may be accomplished through the re-use of commercially zoned corridors and development at transit stations which afford the opportunity for the development of a mix of uses, housing, local retail, and offices, and can improve localized jobs and housing relationships." Tracts of vacant properties are less available in urban areas and to accommodate the cumulative amount of population growth, much of new housing has turned to infill projects in the urban areas.

There is no detriment to the general welfare of the city, the surrounding community or the future residents of the Hollywood Community with the proposed General Plan amendment because the additional FAR can only be granted through a discretionary review of a zone change to the RAS Zone. Such cases are evaluated on a case-by-case basis to ensure mixed-use projects permitted by the RAS Zone are compatible with the surrounding area. This will also ensure the goals of the community plan are addressed.

The General Plan amendment fulfills the goal of the Redevelopment Plan by providing increased incentive for the development of projects which will provide neighborhood oriented goods and services, such as a restaurants and retail space, creative office space, mixed-use, and housing within an FAR compatible with that allowed for commercially zoned property. Not only will this promote community revitalization by replacing properties with more vibrant, active and unified mixed-use residential and commercial developments, but the project is also compatible with the adjacent residential uses and the adjacent residential neighborhoods. Additional residential development in Hollywood is appropriately located in close proximity to significant employment centers such as Hollywood, Universal City, Burbank studios and downtown Los Angeles, especially with connection via the MTA Red Line subway in Hollywood and the future Rapid-Bus service on Santa Monica Boulevard.

7. Zone Height District Change Findings

The proposed Zone/ Height District Change on Site I from C4-1VL and R4-1VL to RAS4-2D is in conformance with public necessity, convenience, general welfare and good zoning practices. The proposed Zone/ Height District Change on Site I will facilitate redevelopment of the subject property, permitting construction of a new mixed-use building comprised of a total of 375 residential units, approximately 263,780 square feet of new neighborhood commercial, and 1,447 parking spaces located in a subterranean garage in an area designated for such density and located near neighborhood commercial areas and major transit routes. The site is located on a General Plan Framework designated Mixed Use Boulevard.

The proposed Project represents good zoning practices, as the RAS Zone was designed to create more housing in areas best equipped to accommodate growth and revitalize commercial corridors. The City identifies the following areas as best suited for the RAS Zones:

(1) Under-performing commercial streets characterized by one-story, marginal development;
(2) Property that is already zoned commercial and designated "commercial" in the City's Community Plan and;
(3) Commercial corridors served by bus or rail.

The RAS4 Zone was created to provide a mechanism to increase housing opportunities, enhance neighborhoods, and revitalize older commercial corridors. The RAS4 Zone is also intended to provide a tool to accommodate projected population growth in mixed-use residential projects that is compatible with and preserves the existing residential neighborhoods. This project, with residential on top of neighborhood serving commercial situated in this high density community is designed to encourage pedestrian activity and minimize traffic impacts, and creates residential and job opportunities and provides neighborhood services all within the same project site.

The proposed mixed-use Project is appropriate for the RAS Zone, as the physical environment can and should permit this type of development. The current zoning on Site I is zoned C4-1VL and R4-1VL. Both the C4 Zone and the R4 Zone are designated for Neighborhood Commercial uses in the Hollywood Community Plan, corresponding to the C1, C4, C2, and P Zones. The Subject Site is currently underdeveloped in an area that is characterized by neighborhood commercial uses, multi-family residences, and some remaining single-family homes. Additionally, the Subject Site is located along a commercial corridor and is currently served by multiple public transportation opportunities along routes on both Santa Monica Boulevard and Western Avenue. The proposed mixed-use development will enhance livability through its pedestrian and transit friendly design. This type of high-density residential, mixed-use Project near public transit promotes pedestrian activity in an area that is an optimal location for housing immediately adjacent to a jobs rich area.

Public Necessity. According to the adopted City of Los Angeles Housing Element, the City is in need of new dwelling units to serve both the current population and the projected population. In conjunction with housing demand, the cost of housing continues to rise. An objective of the Community Plan is to "provide a diversity of housing opportunities capable of accommodating all persons regardless of income, age or ethnic background."1 The proposed project will provide the Hollywood community with 437 new residential units (375 units on Site I, 24 on Site II, and 38 on Site III). Although pricing is not determined at this point, the Applicant plans to provide residential units ranging in prices in order to create a diverse residential community. In addition, the applicant volunteered and the Planning Department is requiring the inclusion of at least 10% affordable units for a portion of the project.

Convenience. One of the objectives of the Hollywood Community Plan is, "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." Changing the existing zone to an RAS4 Zone and allowing the height to the proposed 94 feet is consistent with the objectives of the Community Plan.

Through the development of mixed-use (residential and commercial), the project envisions a mix of compatible uses that will create a community center, complement the existing residential uses in the area and provide expanded modern retail opportunities to existing residents and users of the commercial corridor along Santa Monica Boulevard. The Community Plan encourages new

housing in proximity to goods, services, and facilities. The subject site is located on an existing commercial corridor near the junction of two major transit corridors and a variety of nearby employment centers. The site is also adjacent to many existing commercial establishments providing tenants the opportunity to walk to their shopping and dining destinations. By locating residential development close to major transit, job centers, and shopping areas, the proposed Project will facilitate residents' interaction with the community, bringing more people onto the street, without the need for their cars, and providing more customers for local businesses. It will create a public convenience by reducing reliance on the automobile; alleviating traffic congestion as a result.

There are multiple public transportation opportunities in the Subject Site's immediate area. The Metro Red Line Hollywood/ Western Metro Station is located approximately 1 mile away from the Project site while the Metro Rail Line Vermont/ Santa Monica Metro Station is located approximately 1.25 miles away from the project site.

Good Zoning Practices The Subject Site is planned for Neighborhood Commercial uses over the entire site, yet it is dual zoned, a commercial zone (C4-1VL) of approximately 129,680 square feet facing Santa Monica Boulevard and a residential zone (R4-1VL) of approximately 135,984 square feet facing Virginia Avenue. The site's current zoning has an allowable residential density of 400 square feet of lot area per unit, which would permit 539 units (215,495 sf/400 square feet). The Applicant is proposing to provide 375 units (164 units less than what is allowed). However, the Subject Site is limited by its current zoning which includes a limited height district and allowable floor area. These zoning guidelines make it difficult to develop the proposed mixed use project with much needed housing opportunities and neighborhood commercial amenities. Additionally, Site I is split by two alleys, one running north/south and another east/west totaling 11,373 square feet of area. The site's existing configuration makes it difficult to develop a cohesive project. Therefore, in order to provide a well-designed unified development with large commercial floorplates, public plazas and paseos and enough floor area ratio to permit the residential density, the applicant is requesting the RAS4 zone and Height District 2D to provide more FAR that the 3:1 permitted by the RAS 4-1 zone.

The Hollywood Community Plan, Footnote No. 7 limits the subject site's FAR to 1.5:1. The proposed RAS zone allows for greater floor area than the existing commercial zone and greater height than the existing -1VL Height District. The subject site is also restricted by the above mentioned footnote in the General Plan. Additionally, the Hollywood Community Plan is currently being updated and the draft document for that project proposes to allow a 3:1 FAR on the entire site for mixed use and residential buildings. The applicant has applied for a General Plan Amendment to add a footnote for Site I to allow an FAR of 3.84:1 for the Master Project.

Current Zoning	**Height**	**Floor Area Ratio**
C4-1VL	3 stories, 45 feet	1.5:1
R4-1VL	3 stories, 45 feet (not limited by the number of stories)	3:1
Proposed Zoning		
RAS4-2D Zone	Unlimited Vertical Height	Permitted FAR in HD 2 of 6:1
Self-imposed D Limitations	94 ft with 113 feet. architectural feature (See Height Diagram for further detail)	**3.84: 1** 202,106 x 3.84 = **775,770 sf**

Incidental to the request for a Zone Change, the applicant is requesting a Height District Change from -1VL to -2D for Site I. Height District -2D is proposed to limit the maximum number of stories on Site I to 8 stories and the height to a maximum of 113 feet, which includes unoccupied space.

Although the maximum height of the building is proposed to reach 94 feet of occupied space and 19 additional feet (up to a height of 113 feet) of unoccupied architectural features, numerous setbacks minimize the massing of the proposed Project, as it incorporates a "wedding-cake" design with varying setbacks and heights for the commercial and residential uses throughout the Project. Due to the complexity of the proposed project and the intricacy of the design, the Applicant prepared a Height Diagram for Site I with 5 Tiers, which define the proposed height limits of 5 specific areas within the Project (Site I). (See Height Diagram included in the architectural drawings.)

The main pedestrian access to the commercial portion of the Proposed Project is off of Santa Monica Boulevard. Fronting along Virginia Avenue are residential uses, with no commercial uses on the ground floor. Similarly, the front yard setbacks are proposed to be 5 feet for the residential portion of the project and 0 feet for the first and second stories of exclusively commercial uses facing Santa Monica Boulevard.

The floor area and height gained by the requested Zone/Height District Change with D Limitations will be dedicated to residential and neighborhood commercial uses. Without such changes, the combined residential and commercial component of this Project would not be possible; the site is large enough to support the residential density requested or most of the commercial square footage, however the current zoning limits the height and the floor area necessary to support it. The proposed Zone Change and Height District Change are, therefore, necessary to facilitate the transformation of the currently underutilized site into a vibrant mixed-use community.

8. Zone Variance Findings

A. *That the strict application of the provisions of the zoning ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations.*

Below and Above Grade Commercial

Strict application of the provisions of the RAS4-2D zone allowing commercial uses only on the ground floor would result in practical difficulties and unnecessary hardships to the property. The site is currently partially zoned C4 which permits commercial uses on multiple levels. The RAS4 zoning designation is intended to enhance neighborhoods and revitalize declined or underutilized commercial corridors. The restriction to first floor commercial development is intended to preserve traditional mixed-use in which most of the structure is residential and only the pedestrian streetscape is commercial. The proposed Project is consistent with this intention because most of the development is residential. However, applying the strict first floor commercial limit to this development may be inappropriate because the existing streetscape along Santa Monica Boulevard is multi-story commercial. Below grade commercial development is consistent with the intent of the RAS4 zone so long as most of the development is residential and the above-grade commercial is compatible with existing adjacent commercial development. Further, below-grade commercial uses would complement and be consistent with the existing subterranean level of the existing department store currently operated by Sears. Below-grade commercial uses will not add to the appearance of bulk or mass of the buildings.

A strict application of the RAS4-2D zoning provisions would result in a Project that is

incongruous with adjacent commercial structures. The commercial portion of the proposed Project is one level below grade and two levels above grade, and is oriented towards Santa Monica Boulevard to compliment the existing commercial uses along that commercial corridor. As contemplated by the RAS4 zone, the Project as proposed will enhance and revitalize the neighborhood by providing commercial services in a contemporary shopping center that blends with the frontage along Santa Monica Boulevard, will maintain the character of the existing commercial corridor, and is compatible with existing subterranean commercial uses. Most of the neighboring commercial properties on Santa Monica Boulevard are commercially zoned C2-1D, C4-1VL, or CM-1VL. There is a five story mixed use commercial and residential center on the southeast corner of Santa Monica Boulevard and Wilton Place, and there are many neighborhood retail stores and shopping centers along Santa Monica Boulevard up to two stories in height above grade. These commercial properties create a consistent multiple-story commercial frontage, and are part of the greater commercial corridor along Santa Monica Boulevard. Surrounding commercial zones on Santa Monica Boulevard do not prohibit multiple level commercial developments.

Area of Alley to be Vacated added to Buildable Area for Floor Area Calculation
The owner requests relief from the regulation that does not allow the addition of alleys to be vacated to the buildable area when calculating floor area. The applicant desires to use the existing alley to be vacated as part of the buildable area in order to develop the project as requested prior to recordation of the tract map which would complete the alley vacation.

The existing alley has an area of 11,373 square feet. If the area of the existing alley to be vacated were included in the buildable area, the allowable floor area would increase by 43,672 square feet (11,373 square feet x 3.84 FAR).

While Vesting Tentative Tract Map No. 66044 proposes to vacate and merge the existing alley, technically, the area cannot be used as buildable area until the Final Map has been recorded. Since the recordation of the Final Map happens after the Tract Map conditions are cleared which is months after the decision letter is issued, the applicant has requested that the area be included in the buildable area rather than waiting for several months. Since the condominiums cannot be sold until the Final Map is recorded, the alley vacation which is part of the Vesting Tract Map application will occur during construction.

The Project site, located in the Hollywood Community Plan area of Los Angeles, is proposed to be zoned RAS4-2D. The zoning as conditioned permits a floor area ratio (FAR) of 3.84:1. If the alley to be vacated is not included in the buildable are when calculating the allowable floor area, the proposed FAR would increase to 4.1:1 and the project would have to be redesigned to keep the existing alley open even though the tract map when recorded would remove them.

B. *That there are special circumstances applicable to the subject property such as size, topography, location or surroundings that do not apply to other properties in the same zone and vicinity.*

Below and Above Grade Commercial
There are special circumstances applicable to the subject property that do not apply to other properties in the same zone and vicinity. This Project is an urban infill redevelopment project located in the heart of an emergent commercial district and residential neighborhood. Due to the residential and commercial density in the Project vicinity, there is little space to build a development providing a multitude of services and community benefits. The intent of the Project therefore is to create as many benefits to the community as possible, including much needed housing opportunities, neighborhood commercial services for daily or weekly

use, common open space, and a reduction in traffic through a pedestrian friendly Project design which would reduce traffic due to the residential density of the project and the large scale commercial square footage. The site fronts along a dense commercial corridor – Santa Monica Boulevard, while the rear of the property is primarily residential. The property straddles the transition between larger scale strip commercial uses and high medium residential uses. This necessitates clustering commercial density where it is most appropriate – along Santa Monica Boulevard. The RAS4 zone, however, limits commercial development to the ground level of a mixed-use structure. The special circumstance on Site I is the location, as the property straddles the transition between commercial uses and residential uses as the entire site is planned for commercial use but is split between residential and commercial uses. The RAS4 zone is the appropriate zone for a commercial/residential transition property, but the first-floor commercial limitation prevents a transition site from appropriately clustering the commercial development along the Santa Monica Boulevard frontage while preserving the residential face of Virginia Avenue, thereby preserving the residential area.

The Project's design incorporates an open-air structure with commercial oriented towards Santa Monica Boulevard, a focal point clock tower for community gathering, and an open-air pedestrian passage between Virginia Avenue and Santa Monica Boulevard for the convenient access of community residents to the Project. In contrast, the existing and neighboring commercial uses do not encourage pedestrian activity, are aging commercial structures, are unrelated uses, and are oriented toward vehicular use to access the commercial uses.

Additionally, the subject site is zoned R4 and C4. The multi-level commercial is substantially proposed over the existing commercially zoned portion of the site. The C4 zone permits commercial levels on multiple levels. The proposed multi-level commercial component of the mixed use project provides the neighborhood serving commercial uses which is encouraged through the RAS zone, and also provides various commercial opportunities much needed in this area. There are various commercial complexes in the area that provide multi-level commercial components most notably the existing Sears store which is included in the zone change but would be made a non-conforming use without the variance.

Area of Alley to be Vacated added to Buildable Area for Floor Area Calculation

The close proximity to the subway, to a number of bus lines and to the other neighborhoods in Los Angeles, and the fact that this is an urban development make the site a prime location to allow the subject request. Approval of this request will increase the total floor area permitted for the site and therefore will encourage the development of additional residential units and large scale commercial uses in the Hollywood area.

The alley to be vacated is wholly within the project site and will not be needed for access once the project is completed. The design of the project provides a pedestrian walkway from Santa Monica Boulevard to Virginia Avenue and throughout the project. The intent of the mixed-use project is to encourage people to get out of their cars and walk. Maintaining the alleys would not allow the project to be built as currently designed which encourages pedestrian activity and connects the community. The applicant is proposing an alley vacation to achieve a pedestrian friendly, mixed-use environment through the recordation of the tract map which includes the alley vacation. Not allowing the project to add the area of the alley would limit the potential to provide needed housing and commercial facilities in this area of Hollywood because the project would have to be redesigned to account for the alleys even though they are being eliminated.

C. *That such variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other properties in the same zone and vicinity,*

but which, because of such special circumstances and practical difficulties or unnecessary hardships, is denied to the property in question.

The variances requested herein are necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other properties in the same zones and vicinity, but which, because of the Property's special circumstances, practical difficulties and unnecessary hardships, is denied to the Property. The right to enjoy full economic use of the property is currently enjoyed by the surrounding properties on Santa Monica Boulevard, which are able to maximize the multi-story commercial use of the properties within their floor area limitations. Unlike those properties, the Project site is a transitional site with a split zone and alleys which preclude its full development to the commercial and residential intensities and densities anticipated by its Plan designation.

Restricting commercial uses to only the ground level of the Project makes it infeasible to develop the mixed-use development with 263,780 square feet of commercial space, on the Santa Monica boulevard commercial frontage and maintaining the Virginia Avenue frontage for residential uses consistent with existing development patterns. It is also therefore difficult to develop a unique and cohesive Project that will serve the neighborhood commercial needs of the community if commercial uses on the property are limited. Providing the proposed commercial uses below and above the ground level will allow the new commercial uses to be consistent with the existing department store, which is currently located below-, at- and above-ground level. The subject site is an appropriate location for the proposed Project as it is located on an existing commercial corridor near transportation opportunities, a variety of employment centers, and complements adjacent neighborhood serving commercial establishments.

D. *That the granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the same zone or vicinity in which the property is located.*

Below and Above Grade Commercial

The granting of the requested variance for commercial uses above and below ground level will not be materially detrimental to the public welfare or injurious to the property or improvements in the same zone or vicinity in which the property is located. The project is requesting a Zone and Height District change to the RAS4-2D zone in order to accommodate a proper FAR for such a project. The use of basements and upper floors of mixed use buildings is permitted by commercial zones but not the RAS zone. As the entire site is proposed for the RAS zone, without this variance, the existing Sears building would become a non-conforming use and the project could not be built in such a manner as to properly integrate the Sears building into the new development. In addition, other properties proposed for the RAS zone have had variances approved for commercial uses on multiple floors when such projects were proposed over multiple lots with FAR's exceeding the normal 3:1 of the RAS zone. Approval of multiple floors of commercial uses would also result in compressing the commercial portion of the project to the Santa Monica Boulevard frontage while maintaining the residential frontage of Virginia Avenue in conformance with existing development patterns.

Area of Alley to be Vacated added to Buildable Area for Floor Area Calculation

Because the owner is going to build residential units and commercial facilities together, it is obligatory that the Final Map be recorded before any units are sold. The alley vacation is included as a portion of the tract map. Denying the Applicant to ability to include the area of the alleys that will be vacated until after the Map is recorded is would require a redesign of the building to not include the area of the alleys which are being vacated to accommodate the project. This would be injurious to both the project and the property as the alleys are no

longer required for access.

E. The granting of the variance will not adversely affect any element of the General Plan.

Below and Above Grade Commercial

The granting of the variance will not adversely affect any element of the Hollywood Community Plan. The Hollywood Community Plan does not restrict commercial uses in mixed use development to the first floor. Rather, the Plan establishes broad policy goals and land use designations which would be served by the proposed Project. The variance requested herein allows for the Project to meet the goals expressly stated in the Community Plan. Commerce policies include ensuring that future development is compatible with existing development and surrounding residential neighborhoods. The requested variance and the proposed Project are consistent with this goal, as the Project is compatible with existing developments along Santa Monica Boulevard while preserving the residential frontage along Virginia Avenue. Most of the neighboring commercial properties on Santa Monica Boulevard are zoned C2-1D, C4-1VL, or CM-1VL. Commercial properties along Santa Monica Boulevard are therefore permitted to provide commercial services to a height of 45 feet or three stories. With commercial services only one story above grade in height, the Project would therefore maintain the integrity of the commercial corridor by providing a consistent frontage along Santa Monica Boulevard.

The Project will also be consistent with the surrounding residential neighborhoods along Virginia Avenue between Wilton Place and Western Avenue, and along St. Andrews Place between Santa Monica Boulevard and Lexington Avenue in development standards. The Project will preserve well defined residential neighborhoods in Hollywood. Further, along Virginia Avenue, the Project will be setback and landscaped to preserve the residential atmosphere of the street. Separate parking for the residential portion of the Project on Virginia Avenue will also maintain the distinct character of the street for residential uses. The Project will maintain the integrity of the surrounding residential community by providing design and development features that blend with adjacent residences.

Area of Alley to be Vacated added to Buildable Area for Floor Area Calculation

Granting the variance will not adversely affect any element of the General Plan as it is consistent with the Hollywood Community Plan and the Housing Element. Alleys are not a part of either the Community Plan or the Circulation element of the General Plan and their vacation will have no effect on circulation as they are no longer needed for access to the site.

9. Zone Variance Findings "Early Start" (Denial). Pursuant to Section 12.27.D of the Municipal Code:

A. The strict application of the provisions of the zoning ordinance would NOT result in practical difficulties or unnecessary hardships inconsistent with the general purposes and intent of the zoning regulations.

The applicant has requested a Zone Variance to start construction on the project with City Planning Commission approval of the zone change and variance (or if appealed by City Council approval), and prior to the recordation of a Final Tract Map (Vesting Tentative Tract Maps No. 66044). The reason for the request is to start construction on the building as soon as possible without the full processing of the zone change ordinance and prior to completing all of the conditions of the tract map (required for a Final Tract Map). Typically the applicant agrees to abide by the conditions of approval by recording a covenant and agreement. However, in this case there is a concurrent zone change being requested as part of the

overall project entitlement procedures that may alter the final zone change ordinance and the Final Tract Map conditions of approval which may create an inconsistency between the "Q" conditions of approval and the tract map conditions.

B. *There are NO special circumstances applicable to the subject property such as size, shape, topography, location, or surroundings that do not apply generally to other property in the same zone or vicinity.*

The requested variance is requested by the desire to start early construction prior to the zone change ordinance and recordation of a Final Tract Map and is a self-imposed special circumstance. By waiting for the zone change to become effective, the Final Tract Map can be recorded and the project built without a zone variance. The structures on the site can be demolished prior to completion of the zone change and grading of the site can also occur. There are no special circumstances about the subject property.

C. *The variance is NOT necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of the special circumstances and practical difficulties or unnecessary hardships, is denied to the property in question.*

The requested variance is not a result of special circumstances or practical difficulties encountered on site; rather the variance is a request to jump start a project prior to full processing of Planning Department entitlements. In this respect there is no hardship or taking of property rights since the applicant has applied for the zone change and Tentative Tract Map and the requests are being processed in a timely manner.

D. *The granting of the variance WILL BE materially detrimental to the public welfare, or injurious to the property or improvements in the same zone or vicinity in which the property is located.*

Allowing a mixed-use structure to be built under the current zoning regulations which do not permit the proposed floor area or height prior to the final recordation of a Tract Map and adoption of a concurrent zone change for the convenience of the property owner negates the purpose of the discretionary review process. Tract Map conditions as well as zone change conditions require compliance with certain public improvements and project conditions of approval that are in place to protect public welfare of both project residents and adjacent residents. Allowing a project to be built without these conditions in place could compromise the ability of the city to enforce the pending zone change conditions of approval.

E. *The granting of the variance WILL adversely affect any element of the General Plan.*

Zone variance procedures are established to grant relief when certain hardships and where site impracticality makes compliance with the zoning regulations impossible. The applicant has shown only that the variance is necessary to start early construction on a project. The General Plan has established certain land uses and criteria for implementing zone changes and granting an instant variance for a project that is still being processed could potentially cause conflicts between the other actions. Since the concurrent zone change procedure is a more permanent action implementing the General Plan, this approval requires compliance with the tract map as a condition of the zone change.

10. Adjustment Findings. Pursuant to Section 12.28 of the Municipal Code

A. *That the granting of an adjustment will result in development compatible and consistent with the surrounding uses.*

The Applicant is requesting a reduction in setbacks to provide a 0-foot front yard setback along Santa Monica Boulevard, Wilton Place and St. Andrews Place. The RAS4 Zone requires a 5-foot front yard setback or the "average of the adjoining buildings".

The general purpose of the zoning regulations is to provide setbacks in areas with similar setbacks. Other buildings in the area, both existing and new, observe front and other yard setbacks similar to the setbacks proposed by the Project. For example, the existing commercial buildings along Santa Monica Boulevard, located to the east and west of the subject site, observe 0-foot setbacks. Thus, the proposed setback of 0 feet in the yards along Santa Monica Boulevard, Wilton Place, and St. Andrews Place will provide a building footprint consistent with surrounding existing commercial developments.

The northerly side of the project along Virginia Avenue will provide a 5-foot front yard setback (5 feet over what is required) to compliment the adjacent residential buildings across Virginia Avenue. On Santa Monica Boulevard, the Project proposes to provide a 0-foot yard setback along the entire street frontage. However, the Project also proposes a large pedestrian plaza with the primary entrance off of Santa Monica Boulevard, and therefore the entire project will not be built to the property line for a significant portion of the site along Santa Monica Boulevard. Also, the Applicant requests a 0-foot front yard setback along Wilton Place and St. Andrews Place. However, only a portion of the ground floor and second floor commercial along Wilton Place and St. Andrews will provide 0-foot front yard setbacks, while the remainders of those portions, which are residential, are proposed to be setback 5-feet. In addition, the existing department store, currently operated by Sears, located on the southeast corner of Site I currently provides 0-foot setbacks along both Santa Monica Boulevard and St. Andrews Place.

The Project proposes numerous setbacks to minimize the massing of the project with its incorporated "wedding-cake" design, providing varying setbacks for the commercial and residential uses throughout the project. (See the table below.) In addition, the setbacks at the street level will reduce massing. For example, the front yard setbacks are proposed to be 5 feet along Virginia Avenue, Wilton Place and St. Andrews Place for the residential uses. The project proposes a 0-foot setback along Santa Monica Boulevard for the commercial uses (first and second floors) and a 5-foot setback for the residential uses on the 3rd floor (see table below). The proposed project design is consistent with the community vision of providing urban amenities at the street frontage along Santa Monica Boulevard in order to enhance pedestrian activity and urban experiences.

REQUIRED YARDS		
RAS Zone	**Required Setbacks**	**Proposed Setbacks**
Front Yards	5 feet or average of adjoining buildings less than 5 feet	**Santa Monica Boulevard:** 1st story (commercial): None 2nd story (commercial): None 3rd story (residential): 5 feet **Virginia Avenue:** 1st story (residential): 5 feet **Wilton Place:** 1st story (commercial): None 2nd story (commercial): None 3rd story (residential): 5 feet 1st story of residential: 5 feet **St. Andrews Place:** 3 story existing commercial: None 1st story (residential): 5 feet
Side Yards	5 feet for residential / None for commercial at ground floor.	N/A
Rear Yards	5 feet	N/A

The main pedestrian access to the commercial portion of the Proposed Project is off of Santa Monica Boulevard. Fronting along Virginia Avenue are residential uses, with no commercial on the ground floor. Similarly, the yard setbacks are proposed to be 5 feet for the residential portion of the project and 0 feet for the first and second stories of exclusively commercial uses (see Height Diagram included within the architectural drawings and the below table).

Providing the Code required residential front yard setbacks would further reduce the building footprint area beyond the lot area lost to the probable street dedications; a loss of 9,459 square feet (212,629 square feet – 203,170 square feet). The reduction of buildable area makes it a hardship to build a high-density mixed-use development in an urban area on an existing zone which generally has no building setbacks.

The proposed site's close proximity to public transportation and jobs, the surrounding commercial properties have similar setbacks which are consistent with the development pattern of any urban area in proximity to major transportation routes.

B. *That the granting of an adjustment will be in conformance with the intent and purpose of the General Plan of the City.*

The General Plan designates the subject site as Neighborhood commercial with corresponding zones of C1, C4, C2, RAS3, RAS4, P and PB. The requested zone of RAS4 is a relatively recent addition to the zoning categories and is permitted within the commercial designation. The intent of the RAS Zone is to take advantage of the commercial corridors and allow greater floor area for buildings that contain a mix of commercial and residential uses. Because the upper floors are residential uses, setbacks are required to allow project residents some separation from adjacent commercial uses. Considering that the commercial zone would not normally require setbacks for commercial buildings along Santa

Monica Boulevard and that the first two levels are commercial uses, the request to maintain zero–foot setbacks along the yards is in conformance with the intent of the General Plan.

C. *That the granting of an adjustment is in conformance with the spirit and intent of the Planning and Zoning Code of the City.*

The requested adjustment is in conformance with the spirit and intent of the Planning and Zoning Code of the City. The RAS4 zone is a zone created relatively recently by the City to encourage mixed-use development. The subject site is commercially zoned along Santa Monica Boulevard and would not require a front yard setback if the project were proposing a commercial use. The RAS4 setback requirements are citywide and do not take into account the unique characteristics of the urban area which typically has a dense building pattern with reduced yard setbacks. The zoning regulations require certain setbacks from respective property lines in order to provide for buffering distance/compatibility between respective uses as well as to ensure access in the event of an emergency. Such regulations, however, are written on a citywide basis and cannot take into account the unique characteristics of a specific site. The proposed project occupies an entire city block, thus the code requirements for side yard setbacks between buildings to ensure light and air circulation between adjacent buildings is not needed in this case.

The Zoning Code allows adjustments from the Code when special circumstances exist, provided that the development does not result in any adverse impacts. The proposed building will be compatible with adjacent uses and also consistent with surrounding development.

D. *That there are no adverse impacts from the proposed adjustment or any adverse impacts have been mitigated.*

The granting of the Adjustment to reduce the yard setbacks along Santa Monica Boulevard, Wilton Place, and St. Andrews Place will not result in adverse impacts to the surrounding properties or to the subject property as the surrounding buildings in the area and many buildings in the Hollywood area have reduced yard setbacks.

There are no adverse impacts from the proposed adjustment to reduce the yard setbacks of the proposed development because doing so conforms to the development and land uses that surround the project site and provides for the habitability needs of the proposed development's residents and commercial patrons. The granting of the request to reduce the yard setbacks will not result in adverse impacts to the surrounding properties or to the subject property.

An Environmental Impact Report (EAF-2005-7720-EIR, State Clearinghouse No. 2005111018) has been prepared for this project. Potential environmental impacts from the proposed Project were identified, analyzed and, mitigated to the extent feasible, as analyzed in the project's EIR. The EIR contains appropriate mitigation measures, monitoring programs, and examination of alternatives that are part of the case file.

E. *The site and/or existing improvements make strict adherence to the zoning regulations impractical or infeasible.*

The subject site is located in a high-density urban area where real estate is at a premium. Setbacks in a mixed-use project on a site that is currently commercially zoned, in addition to street dedications, make it a hardship to build well-design residential projects in urban areas. Furthermore, residential setbacks on the Subject Site would be incongruent with surrounding property, most of which is developed with commercial uses with zero setbacks.

The fact that the project site includes an entire city block make strict adherence to the zoning regulation impractical as there are no other buildings to be set back from except the original Sears building which is being integrated into the whole project.

11. **Use Determination.** The Applicant requests a Determination to permit a department store use or several retail uses below ground on Site I and the continued department store use on the southeast corner of Site I in the RAS4-2D Zone. The mixed-use Project proposes to provide one level of below-ground retail, and two-levels of above-ground retail with housing above the proposed two-level retail along Santa Monica and housing on the ground level along Virginia Avenue. There is an existing 114,120 square foot department store on-site. The existing department store is four levels, with 3 levels above ground and 1 level below ground. The Project on Site I proposes to provide a new department store use or several retail uses below-grade to compliment and interconnect with the existing department store currently operated by Sears.

The property is currently zoned R4 and C4. The C4 zoned portion of the subject site permits department store uses below-grade and on a second level. The RAS zone is a relatively recent zone created by the City of Los Angeles to encourage mixed-use development. The intent and purpose of the RAS zone is to promote the development of additional housing opportunities near neighborhood retail serving uses within a pedestrian friendly design. The proposed Project meets the purpose and intent of the RAS zone and is a development that is compatible and consistent with the surrounding uses.

The existing retail store on site, currently operated by Sears, is a multi-level department store which has existed on the site since 1928, and has served the community, providing typical retail services of a department store and will be retained as part of this development. Development of the proposed Project involves demolition of the six neighborhood retail buildings on Site I, which consists of 47,430 square feet of retail, and the existing 335 surface parking stalls. The proposed Project will provide neighborhood serving retail uses on the ground floor and the second level of the proposed project and will replace the existing 335 surface parking stalls within a subterranean parking garage.

Providing a below-ground department store use or several retail uses which compliment the existing department store serves the needs of the community, and is hidden from the pedestrian view at the ground level. Since the proposed department store use or several retail uses are proposed below ground, the proposed project will serve the retail needs of the community and maintain a neighborhood feel to the community by providing typical neighborhood serving retail above ground to encourage pedestrian activity. Therefore the proposed department store use or several retail uses below ground are similar to and no more objectionable to the public welfare than those listed in the RAS4 zone.

12. **Site Plan Review Findings.**

The following Findings can be made for the project and allow for the submittal of updated plans for Site II and Site III that require more detail including: Full elevation detail, Parking configuration, Open Space location, and landscape information. Conditions of Approval have been added as part of this recommendation requiring the applicant to provide updated architectural plans (including elevation detail, parking configuration, open space location, and landscape information) for Site II and Site III which show adequate detail shall be subject to review by the City Planning Department, Council Office, and the Hollywood Studio District Neighborhood Council in order to obtain Site Plan Review Approval of Site II and Site III to the satisfaction of the Director of Planning prior to the issuance of any permits on those sites at a future date. This condition was included because Site II and III are integral parts of the project as they are lots identified in VTT-66044.

A. *The project complies with all applicable provisions of this Municipal Code and any applicable Specific Plan.*

The Project complies with all zoning requirements of the Municipal Code proposed RAS4 zone, except as varied by this action.

The Residential Accessory Services Zone, RAS4, is a mixed use zone which is the zone proposed for the site. It permits both retail and residential uses. Residential densities are based on the R4 zone which permits multi-family dwelling units, 1 dwelling unit for every 400 square feet of lot area. The site is approximately 4.9 acres. The RAS4 zone would permit 531 dwelling units. The residential density of the development proposed, 375 dwelling units, complies with the allowable density. The proposed project consists of 375 dwelling units in addition to 377,900 square feet of commercial retail space located along the Santa Monica Boulevard side of the project.

The requested Height District No. 2D restricts floor area to 3.84:1 for the Master project. As conditioned the project will be limited to 94-feet in height for occupied spaces and 113 feet for an unoccupied architectural feature. The "D" Development conditions of the requested Height District were formulated to accommodate the proposed project but provide reasonable limits to address concerns regarding overdevelopment. The Master Project proposes approximately 822,999 sq. ft. of development (397,800 sq. ft. of residential area and 377,900 square feet of commercial area), which at the requested 3.84:1 FAR, is within the proposed FAR for the Project site.

Off-street parking is conditioned to be provided, per Section 12.21 A 4 of the Municipal Code.

The proposed project is not located within a Specific Plan Area.

B. *The project is consistent with the General Plan*

As described below, the Project complies with the applicable regulations, standards, and provisions of the General Plan including the Hollywood Community Plan as amended by this action.

The Project site is located within the boundaries of the Hollywood Community Plan. An Objective of the Plan is 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. Another Objective is to promote economic well being and public convenience through allocating and distributing commercial lands for retail, service, and office space in quantities and patterns based on accepted planning principles and standards.

The proposed project is comprised of 437 new dwelling units and approximately 377,900 square feet of commercial uses. The project will provide needed housing units in the Hollywood Community Plan Area, as well as provide a neighborhood serving commercial use. The project as an infill development will take advantage of the new RAS4 zoning and allow for a mixed-use project along a major commercial corridor, Santa Monica Boulevard, without converting dwelling units or displacing existing residents.

C. *The project is consistent with any applicable adopted redevelopment plan.*

This site is within the Hollywood Redevelopment Plan area and is consistent with the Plan's goals. The following sets forth the ways in which the Project meets and addresses the goals stated in the Redevelopment project plan.

> Goal 3: Promote a balanced community meeting the needs of the residential, commercial, industrial, arts and entertainment sectors.

The City's Housing Element states that the population of Los Angeles will grow by 821,165 persons between 1993 and 2010. The amount of housing needed to accommodate citywide growth is estimated to be 60,280 dwelling units (from 1998-2005) or an annual need of 8,037 dwelling units. In the proposed Project's census tract, approximately 92% of the population is renters, while the remaining 5% (approximately) are property owners. The proposed project is a step towards meeting this demand for housing opportunities.

> Goal 5: Improve the quality of the environment, promote a positive image for Hollywood and provide a safe environment through mechanisms such as (for example):
> a. encouraging maintenance of the built environment
> b. integrating public safety concerns.

The Applicant proposes to construct a mixed-use Project consisting of neighborhood retail and residential components. The architectural style provides multi-faceted massing, roof forms, fenestration, and other architectural elements consistent with the architecture in the area.

> Goal 9: Provide housing choices and increase the supply and improve the quality of housing for all income and age groups and to provide home ownership opportunities and other housing choices which meet the needs of the resident population.

The proposed Project directly addresses this goal by proposing the construction of 437 residential units. As stated previously, approximately 92% of the residents in the census tract are renters while only about 5% are property owners. With 437 new residential opportunities, the proposed project would be a step towards creating a balance of housing choices. Vesting Tentative Tracts 66044 has been filed to convert the residential units into condominium units for sale increasing the number of home owners in the area. The residential component of the project increases the variety of housing types and helps meet the needs of the resident population. The area the subject site is located in is in need of additional housing opportunities.

> Goal 10: Promote the development of sound residential neighborhoods through mechanisms such as land use, density and design standards, public improvements, property rehabilitation, sensitive in-fill housing, traffic and circulation programming, development of open space and other support services necessary to enable residents to live and work in Hollywood.

The proposed Project is located in an area with a Neighborhood Office Commercial General Plan Designation. The Project proposes to provide a total of 62,033 square feet of open space, which is more than the 58,150 square feet of required open space. In addition, the proposed Project contributes to the development of a sound residential neighborhood through its mixed-use land use component and high-quality design standards.

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

The arrangement of the proposed development is consistent and compatible with existing and future development on the neighboring properties. The Subject Site is surrounded by a number of multi-story residential buildings as well as commercial/ retail structures. To the north, across Virginia Avenue, are multi-family apartments, two and three stories in height. There is also one single-family home. South of the site, across Santa Monica Boulevard, are neighborhood retail buildings. There is a retail center on the southeast corner of Santa Monica Boulevard and Wilton Place. There are also mixed-use sites with retail on the ground floor and residential/multi-family apartments above, which are two to five stories. South of Site III is neighborhood retail, including a restaurant, indoor swap meet, and clothing store. East of Site II are multi-family apartments, two and three stories in height and east of Site III is surface parking and neighborhood retail. West of the subject site, across Wilton Place on the northwest corner and southwest corner of Santa Monica Boulevard and Wilton Place, are single story retail shopping centers. On the southwest corner of Wilton Place and Virginia Avenue are multi-family and single-family residential uses.

Although the maximum height of the building is proposed to reach 113 feet, numerous setbacks minimize the massing of the proposed project as the project incorporates a "wedding-cake" design with varying setbacks for the retail and residential uses throughout the project.

In addition, due to the complexity of the proposed project and the intricacy of the design, the Applicant proposes a Height Diagram for Site I with 5 Tiers, which define the proposed height limits of 5 specific areas within the Project (Site I). The first Tier fronts on Virginia Avenue, has a varying depth of between 37 feet to 77 feet, is proposed to allow a maximum height of 60 feet, and comprises residential uses. Tier 2 proposes to allow a maximum height of 65 feet and two stories, is proposed to front along Santa Monica Boulevard, and has a varying depth from 13 feet to approximately 90 feet. The third Tier is located on both Wilton Place and St. Andrews place and comprises the two 5-story residential structures and is proposed to allow a maximum height of 75 feet. The eastern area of Tier 3 is set back from Virginia Avenue approximately 37 feet, has a depth of 108 feet, and a length of 82 feet for a total square footage of 8,856 sq. ft. The western area of Tier 3 is set back from Virginia Avenue approximately 40 feet and has a depth of 81 feet and a length of 81 feet, for a total square footage of 6,561 sq. ft. Tier 4 is the majority of the proposed project and is located within the block on Site I with street frontage on portions of Wilton Place, Santa Monica Boulevard and St. Andrews Place. Tier 4 proposes to allow a height limit of 94 feet and 8 stories. Tier 5 is primarily the location of the proposed architectural features which includes a clock tower. Tier 5 is located wholly within the project and proposes to allow a maximum height of 113 feet and 8 stories.

The proposed Project is providing the required residential setbacks along Virginia Avenue on Site I to compliment the existing residential uses to the north of the Subject Site and is meeting the setback requirements on Sites II and III. The proposed Project will also provide more than the required number of parking spaces on Site I as 1,186 spaces are required and 1,447 spaces are proposed (residential and commercial combined.) The Project will also provide over Code required parking on Sites II and III.

Residential density in the RAS4 Zone is 400 square feet of lot area per dwelling unit, which equates to 531 units on Site I. However, the applicant proposes to construct 375 units on Site I in order to provide residential units that will allow for more livable space per unit. The proposed project is a mixed-use project providing a total of 437 residential units.

The Project's lighting will be low-level walkway lighting with some exterior illumination for security purposes. All lighting will be directed on site and shields will be provided to prevent

spillover onto adjacent properties. The Project is providing approximately 62,033 square feet of open space, which is 1,283 square feet more than the 58,150 square feet of open space required by the Code. Landscaping and trash collection will also be provided based on Code Requirements and the practices of the surrounding community. These proposed pertinent improvements are compatible with existing and future developments on the neighboring properties.

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 effect of the project and/or additional findings as may be required by CEQA.*

An Environmental Impact Report (EAF-2005-7720-EIR, State Clearinghouse No. 2005111018) has been prepared for this project. Potential environmental impacts from the proposed Project were identified, analyzed and, mitigated to the extent feasible, as analyzed in the project's EIR. The EIR contains appropriate mitigation measures, monitoring programs, and examination of alternatives that are part of the case file.

F. *That 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 includes specific dedicated areas for community-based social and recreation functions. The Project proposes two pools, a spa, community room, and gymnasium, which will be located on Site I and will be available for residential use. Other amenities that the Project proposes include laundry facilities and trash chutes, which would improve habitability for the residents and minimize impacts on neighboring properties. The project proposes to provide a town center which includes retail and residential uses in one project. A Paseo is provided at mid-block of Site I with the main entrance on Santa Monica Boulevard and a secondary entrance on Virginia Avenue. These entrances are accessible and ADA compliant.

Additionally, the Project proposes to include a total of 62,033 square feet of Open Space (Site I: 52,633 sq. ft., Site II: 3,790 sq. ft., Site III: 5,610 sq. ft.). The open space provided will offer appropriate amenities and recreational facilities for the Project's residents and are expected to minimize impacts on neighboring properties.

As far as nearby existing public spaces and parks, there are six parks located within a mile of the subject site. The closest outdoor park is Robert L. Burns Park located 1.1 miles south of the subject site at 4900 Beverly Boulevard. Barnsdall Art Park is located 1.3 miles northeast of the site at 4800 Hollywood Boulevard and De Longpre Park is located 1.4 miles west of the subject site at 1350 North Cherokee Avenue. This park is a pocket park; it is open from dawn to dusk and offers a children's' play area.

There are also a number of Recreation Facilities within the immediate area. The Lemon Grove Recreation Center is located 0.7 miles southeast of the subject site at 4959 Lemon Grove. The second closest recreation facility is The Hollywood Recreation Center located within one mile from the subject site. The Hollywood Recreation area offers recreational programs such as Pre-school, After-school, and Winter-Spring-Summer Camp.

In December 2002, the CRA completed the construction of Selma Park, a 10,000 square foot community park located at the northwest corner of Selma Avenue and Schrader Boulevard. The park serves surrounding community residents and organizations that

include Selma Elementary School, YMCA facility, the Gay and Lesbian Community Services Center, various post production offices and the Casa Verde Apartments.

13. Environmental Findings (CEQA)

HAVING RECEIVED, REVIEWED, AND CONSIDERED THE FOLLOWING INFORMATION AS WELL AS ALL OTHER INFORMATION IN THE RECORD OF PROCEEDINGS ON THIS MATTER, THE CITY PLANNING COMMISSION OF THE CITY OF LOS ANGELES HEREBY FINDS, DETERMINES, AND DECLARES AS FOLLOWS:

I. CERTIFICATION OF EIR

The City Planning Commission of the City of Los Angeles (the "City") hereby certifies that the Final Environmental Impact Report State Clearinghouse No. 2005111018, dated April 28, 2006 (the "Revised Final EIR") for the project described below has been completed in compliance with the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq. in connection with the following approvals granted to St. Andrews-Santa Monica, LLC (the "Applicant"). This Revised Final EIR is being certified in connection with all discretionary or ministerial approvals and permits required to implement the Project.
Based on the City's Environmental Review Committee, the City determined an EIR was necessary to analyze the potential environmental effects of the proposed project. The Notice of Preparation for a draft EIR (the "Draft EIR") was circulated for a 30-day review period starting on November 2, 2005 and ending on December 2, 2005. Based on public comments in response to the NOP and a review of environmental issues by the City, the Draft EIR analyzed the following environmental impact areas:

- Aesthetics
- Air Quality
- Biological Resources (Trees)
- Cultural Resources (Historic, Paleontological and Archaeological Resources)
- Energy Conservation
- Geology and Soils
- Hazards and Hazardous Materials
- Land Use Planning
- Noise
- Population and Housing
- Public Services
- Transportation and Traffic
- Utilities and Service Systems

On May 19, 2006, the City released the Draft EIR for public comment. The comment period was 45 calendar days, ending on July 5, 2006. The lead agency also accepted comment letters after the comment period closed. The lead agency received 6 written comments on the Draft EIR from public agencies, groups and individuals. Due to an administrative error, two individuals did not receive requested copies of the Draft EIR. Copies were sent to these individuals and the comment period was extended to September 5, 2006. In addition, one late comment letter from a State agency (dated July 14, 2006) was received. Responses to all comments received between May 19 and September 5, 2006 are included in the Final EIR.
III. FINDINGS

Section 21081 of the California Public Resources Code and Section 15091 of the State CEQA Guidelines (the "Guidelines) require a public agency, prior to approving a project, to identify significant impacts of the project and make one or more of three possible findings for each of the significant impacts.

A. The first possible finding is that "Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the final EIR." (Guidelines Section 15091 (a)(1));

B. The second possible finding is that "Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency." (Guidelines Section 15091(a)(2)); and

C. The third possible finding is that "Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible, the mitigation measures or project alternatives identified in the final EIR." (Guidelines, Section 15091(a)(3)).

The Department of City Planning served as the Lead Agency under CEQA with respect to the Project. In approving the City Planning Commission's Determination and making these findings, the City Planning Commission has considered the Initial Study, the Draft EIR, the Final EIR, and the Revised Final EIR, and

1. Finds, pursuant to Public Resources Code Section 21081(a)(1), that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant effects on the environment as identified in the Revised Final EIR; and

2. Finds, pursuant to State CEQA Guidelines Section 15091(a)(1), that changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the Revised Final EIR; and

3. Finds, that the Revised Final EIR has been completed in compliance with CEQA and is adequate under CEQA for approval of the Director's Determinations and all other City permits, entitlements, and discretionary approvals for the Project; and

4. Rejects the alternatives set forth in Section III.F below, for the reasons set forth in that Section.

A. Impacts Found To Be Insignificant (No Significant Impacts Would Occur and No Mitigation Required) The City Planning Commission has determined that there is no substantial evidence that the proposed Project would result in any potentially significant impacts in the environmental subject areas presented below and no mitigation is required.

1. Aesthetics (Shade and Shadow)

Winter Shadows

The sun angle during the winter solstice is responsible for casting the longest shadows of the year, with peak shadows occurring shortly after sunrise and before sunset. West of the Project Site, there is a single-story commercial/retail building and two 2-story residential structures fronting Wilton Place. Since these land uses are located west of the Project Site, they will receive morning shadows. By noon the shadows shift in a northerly direction and are shorter in length and partially cover only Virginia Avenue. The noontime shadows do not encroach on any off-site shadow-sensitive land uses. By 3:00 PM the shadows shift in a northeasterly direction, covering parts of Virginia Avenue and the sidewalk on the north side of the street and possible very little frontage of residential structures. Given that the shadow

is cast towards the end of the day, it is not expected that the shadow would last more than 3 hours and shadows from Site I would not result in a significant impact. The shadow also stretches across most of St. Andrews Place and some sidewalk on the east side of the street, however, no off-site shadow sensitive use would be shaded. Consequently, winter shadow impacts to shadow-sensitive land uses across Virginia Avenue (Site III residential building) would be less than significant. Therefore, winter shadow impacts from Site I to surrounding land uses would be less than significant.

Summer Shadows

Summer shadows from the Project Site would primarily be cast to the east and west. At 9:00AM, shadows would cast towards the west, shading Wilton Place and partially the sidewalk and parking area of the commercial buildings across the street from the Project Site. At midday (noon), shadows to the north would be very short and would not encroach on any off-site shadow-sensitive land uses. At 3:00PM, the shadows begin to shift eastward, but continue to be short and do not encroach on any off-site shadow-sensitive land uses. At 5:00PM, the shadows become more elongated and stretch across St. Andrews Place and cover the sidewalk on the easterly side of the street. The shadows may cover parts of the existing commercial buildings frontage on St. Andrews Place as well as the Project Site's Site III residential building. However, given that the shadows are cast towards the end of the day light hours, the shadows would not last longer than four hours and shadows from Site I would not result in a significant impact. Consequently, summer shadow impacts to this shadow-sensitive land use (Site III residential building) would be less than significant. Therefore, summer shadow impacts from Site I to surrounding land uses would be less than significant. No mitigation measures are required.

2. Agricultural Resources

The Project Site is currently developed with commercial buildings and associated paved, surface parking lots and has been used for commercial purposes for several decades. Investigation of the Project Site concluded that no farmland or agricultural activity exists on or in the vicinity of the Project Site. In addition, the Site has not been mapped pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency.

3. Biological Resources

The Project Site is located in a highly urbanized area in the City of Los Angeles. The existing Project Site is landscaped with non-native, ornamental trees, shrubs, and ground cover. As currently proposed, all of the on-site trees and plantings would be removed with development of the Proposed Project. There are no oak or other indigenous plant species found on the Project Site, and the Project Site does not contain any animal species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game (Fish and Game) or U. S. Fish and Wildlife Service. In addition, there are no locally-designated natural communities on the Project Site or in the project vicinity. The Proposed Project would not result in significant impacts to biological resources. No mitigation is required.

4. Cultural Historic Resources

According to the "Historic Resources Report", prepared by Grimes Historic Preservation, dated November 23, 2005, there are no historic resources on the Project Site; therefore the Proposed Project will have no impacts on historic resources. Projects, which may affect historical resources, are considered to be mitigated to a level of less than a significant impact, if they conform to the Standards. Projects with no other potential impacts qualify for a Class 31 exemption under CEQA if they meet the Standards. (CEQA Guidelines, Section

155331). No mitigation is required.

5. Land Use

Physically Divide an Established Community

The entire Project Site is surrounded by either existing structures or surface parking areas. Currently residential uses are located across from Site I on Virginia Avenue as well as adjacent to Site II. The Proposed Project would provide housing on all three sites. Residential uses on Site I would complement the existing uses across Virginia Avenue from Site I. Commercial uses on Santa Monica Boulevard complement the retail pattern of the Project on Site I. Therefore, the Proposed Project would not physically divide any established community or uses (and existing neighborhoods, communities, or land uses would not be disrupted, divided or isolated) and the duration of the disruptions and impacts would be less than significant.

Conflict with Applicable Conservation Plan or Natural Community Conservation Plan

The Project Site does not include or involve any conservation plan or natural community conservation plan. The Project Site is located in a highly urbanized area of the City of Los Angeles. The Project Site is improved with structures and surface parking lots. Therefore, the Proposed Project would not conflict with any habitat conservation plan or community conservation plan and impacts would be less than significant.

6. Mineral Resources

The Project Site is currently developed with commercial buildings and associated paved, surface parking lots and has been used for commercial purposes for several decades. Investigation of the Project Site concluded that there are no onsite dry wells, irrigation wells, injection wells, observation wells, monitoring wells, potable water wells, recovery wells, or mining sites. According to the California Department of Conservation, Division of Oil, Gas, and Geothermal Resources District 2 Regional Wildcat Map (W1-2), no oil wells are present on the Project Site or proximate to the Project Site. In addition, the Project Site is not located in an area containing significant mineral deposits or designated as a locally important mineral resource site. The Project Site is not zoned for oil extraction and drilling or mining of mineral resources, and there are no oil wells or mining sites on the Project Site.

Therefore, development of the Proposed Project would not result in the loss of availability of a mineral resource that would be of value to the residents of the State or a locally-important mineral resource, or mineral resource recovery site, as delineated on a local general plan, specific plan, or land use plan. Thus, no impact associated with mineral resources would occur.

7. Population and Housing

Construction Impacts

Construction of the Proposed Project would result in increased employment opportunities during the Project's construction period. However, the employment opportunities provided by the construction of the Proposed Project would not likely result in household relocation by construction workers to the vicinity of the Project Site for various reasons, including: 1) Construction employment has no regular place of business; rather construction workers commute to job sites that may change several times a year; 2) Many construction workers are highly specialized and move from job site to job site as dictated by the demand for their skills; and 3) The work requirements of most construction projects are also highly specialized, and workers are employed on a job site only as long as their skills are needed to complete a particular phase of the construction process. Additionally, construction workers would likely be drawn from the construction employment labor force already resident in the surrounding communities. It is not likely that construction workers would relocate their place of residence as a consequence of working on the Proposed Project. Since construction workers would not relocate to the area, such workers would not cause an increase population or housing. Overall, the construction of the Proposed Project would have a less-than-significant direct impact on housing and population growth.

Long Term Operational Impacts

Population

As the Project Site is currently developed with non-residential uses, increase in residential population represents a 100 percent increase in population and housing on the Project Site. The direct physical impacts resulting from this increase in population and housing are analyzed under each issue area throughout the Draft EIR (see Sections IV.A through IV.M). The increase in residential population resulting from implementation of the Proposed Project of 748 persons is considered minimal as it would represent approximately 8.8 percent of the anticipated population growth in Hollywood by 2010. This would not be a substantial increase, because the addition of 748 persons would be within the population projection in the Hollywood Community Plan. As a result, the development of the Proposed Project would not directly induce substantial residential population growth not planned or anticipated, and impacts relating to residential population would be less than significant.

Housing

The Proposed Project would add 437 housing units to the City's housing inventory. The Proposed Project's residential component would provide additional units to the City's housing stock. This increase represents approximately 7.5 percent of the projected housing growth within the Hollywood Community Plan area between 2005 and 2010. This would not be a substantial increase because it would not exceed the projected/planned levels for the year of project occupancy/buildout and therefore would not introduce unplanned infrastructure that was not previously evaluated in the adopted Community Plan or General Plan. As a result, the development of the Proposed Project would not directly induce substantial housing growth, and impacts relating to housing would be less than significant

Indirect Growth

Based on a ratio of approximately 2.3 persons per household,2 the 416 net jobs generated by the Proposed Project would generate an additional 956 new residents. It can be assumed that these 956 individuals would either: (1) live in the residences of the Proposed Project; (2) already reside in Hollywood; (3) commute to Hollywood; or, (4) relocate to Hollywood. However, for a conservative analysis, it is assumed that all 956 individuals would be new to Hollywood, which represents approximately 11.3 percent of the overall population growth expected to occur in Hollywood between 2005 and 2010. The total Project population, including the residential component combined with the retail uses, 1,704 new residents, would constitute 20.1 percent of the Hollywood population growth expected by 2010. This is not considered to be a substantial increase as the Project's contribution to the growth does not exceed the population estimate for the Hollywood Community Plan by 2010. As such, the population growth associated with the Proposed Project has already been anticipated and planned for in the Hollywood Community Plan, and impacts would be less than significant.

The Proposed Project would not require the extension of roadways and other infrastructure (e.g., water facilities, sewer facilities, electricity transmission lines, natural gas lines, etc.) into undeveloped areas. Furthermore, the existing infrastructure in the Project area would serve the Proposed Project. As a result, the development of the Proposed Project would not indirectly induce substantial growth as a result of the extension of infrastructure, and the associated impact would be less than significant.

Housing or Population Displacement

The Project Site is currently developed but does not contain any housing or residents. The implementation of the Proposed Project would not displace any housing or people, necessitating the construction of replacement housing elsewhere. Therefore, no impacts with respect to housing or population displacement would occur.

8. Utilities and Service Systems

Wastewater

The Proposed Project is anticipated to generate a net increase of 81,308 gpd of wastewater. The existing sewer lines are not experiencing any problems or deficiencies and would be able to handle the additional flow of sewage from the Proposed Project. A disruption in sewer service in the Project area would not occur because there are existing 12-inch and 8-inch sewer lines in the vicinity of the Proposed Project. Sewage generated by the Proposed Project would continue to flow to the Hyperion Treatment Plant, which will have adequate capacity to accommodate the increase in sewage flow. In addition, in order to comply with the City's water conservation and sewer allocation ordinances, the Proposed Project's new commercial and residential development shall be equipped with water conservation devices (i.e., toilets, faucets, showerheads, etc.), which would help to reduce the amount of wastewater. The Proposed Project would not require or result in the construction of new wastewater treatment facilities or expansion of existing facilities. Therefore, the Proposed Project would have a less than significant impact upon sewer lines and services.

2 The Hollywood Community Plan has a total population of approximately 224,296 persons in 2005 and a total of 98,070 housing units. This equates to an average of approximately 2.3 persons per unit.

Energy Conservation - Natural Gas

The estimated net increase in natural gas consumption by the Proposed Project is approximately 79,347 cubic feet per day. According to the Southern California Gas Company, the existing natural gas mains in the Project area could accommodate the demand for natural gas of the Proposed Project. Because demand projected for the Proposed Project would not exceed available or planned supply, and new infrastructure would not be required to serve the Project Site, this impact would be less than significant.

Title 24 of the CCR established energy conservation standards for new construction, including residential and non-residential buildings. These standards relate to increased energy conservation standards for insulation, glazing, lighting, shading, and water and space heating systems in new construction. The Proposed Project would comply with the standards in Title 24 as they relate to the conservation of natural gas. Furthermore, the Proposed Project would use modern energy-efficient construction materials and otherwise comply with the State's energy conservation standards. Thus, the Proposed Project would not conflict with adopted energy conservation plans.

B. *Impacts Determined To Be Potentially Significant, But Can Be Mitigated To Less Than Significant Levels.*

1. Aesthetics Visual Resources

Significant Effects

The Project Site is located in the Hollywood area of the City of Los Angeles. There are no dominant physical features of the Project Site or immediate Project vicinity. There are no surface water features in the immediate area or open spaces such as parks or mountains. The neighborhood is within the flat areas of the Los Angeles Basin and the Santa Monica Mountains (Hollywood Hills) are approximately one to one and a half miles to the north.
The Project Site would be altered with implementation of the Proposed Project. The most notable visual change would be the replacement of the six single-story commercial/retail buildings on Site I with one large mixed-use structure with 8-stories above grade and one level of below grade retail and 3 levels of below grade parking, one with commercial/retail space level. The existing 4-story (3 above grade, 1 below grade) department store building currently occupied by Sears would remain. On Site II and Site III, a temporary trailer and surface parking lots would be replaced with a 4-story residential building on each site. In addition, all 18 trees on the Project Site would be removed. The Proposed Project would include a landscape plan that would include trees, shrubs, grass and hardscape patios, courtyards and planters.
Though the Project Site I buildings contribute to areas grouping of commercial/retail buildings, the surrounding area would continue to possess a significant concentration of buildings united aesthetically by their architecture and style. Therefore, demolition of these buildings would not significantly diminish the valued visual character or image of the neighborhood, and the impact of eliminating the Project Site buildings from the neighborhood would be less than significant.
Since the Project Site is located in an urban area, there is no concern regarding the placement of the proposed mixed-use complex and residential structures within a natural open space area. Therefore, the Project impact on grading of natural open space areas and placement of the proposed structure within open space areas is not significant.
The Proposed Project would be consistent with the design of existing buildings within the area. Further, the six single-story Site I Project buildings are in need of update and repair. It is possible that potential significant impacts may occur 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 would be mitigated with recommended Mitigation Measures. Implementation of the Proposed Project would improve the aesthetic image of the neighborhood with a new, modern complex while evoking a unifying architectural style and elements of the area.

There are no known applicable design guidelines or criteria for multiple family residential developments under the Hollywood Redevelopment Plan. According to the Hollywood Community Plan, there is no Community Design Overlay for the Project Site and immediate area. Consequently, there are no corresponding design guidelines specifically oriented to the project neighborhood. Therefore, no impacts would occur to Applicable Guidelines and Regulations pertaining to design.

The prominent natural visual features in the Project area are the Santa Monica Mountains (Hollywood Hills), located approximately one mile to one and a half miles north of the Project Site. The Project Site is located in a highly urbanized area with no natural features on site or in the immediate area that would be considered prominent.

The Proposed Project Site I complex could be potentially visible from the 101 Freeway and Western Avenue (both approximately two blocks east of the Project Site) to the east and possibly from other streets such as Bronson Avenue to the west (approximately two blocks west of the Project Site). These views would not obstruct, totally block, partially interrupt or create a minor diminishment of a valued public view or provide a visual element that would considerably deter from a valued public view as there are no valued public views looking east and west. Therefore, the impact on the public view looking east and west would be less than significant.

None of the streets surrounding the Project Site are designated scenic highways or roadways. Therefore, the Project impact on a designated scenic highway is less than significant.

Views of the Santa Monica Mountains as seen from Santa Monica Boulevard are mostly blocked by existing Project Site buildings. The mountains can be viewed at one location along Site I of the Project Site, however, its brief for motorists who are focused on an east or west orientation. Though project implementation would create a minor diminishment in this view (of the Santa Monica Mountains), views are limited and intermittent and views of the mountains can be afforded in many other locations. Therefore, the impact on the view of the mountains from a public roadway looking north would be less than significant.

Implementation of the Proposed Project at Sites II and III would not obstruct or totally block existing views of the Santa Monica Mountains (Hollywood Hills) as viewed along St. Andrews Place. The existing view is partially interrupted by trees lining the street, intervening topography, and buildings which limit the views of the mountains afforded for motorists on St. Andrews Place traveling north. Therefore, the impact of the Proposed Project on this view from St Andrews Place would be less than significant. For motorists along Wilton Place, the Project Site buildings (Sites I, II and III) do not block existing views due to the proposed location of the structures, which would be to the east and views of the mountains are afforded to the north. Due to the project location, these views would not be blocked, partially interrupted or diminished by the Proposed Project. Views of the mountains from this public roadway would not be affected by Project implementation, and impacts would be less than significant.

Facts in Support of Findings

The project would not significantly diminish the valued visual character or image of the neighborhood and does not involve grading or removal of natural open space areas. Potentially significant impacts related to graffiti and accumulation of rubbish and debris along public rights-of-way would be less than significant with implementation of the recommended Mitigation Measures. Project impacts relative to blockage, partial interruption or minor diminishment of existing valued public views of natural features such as the Santa Monica Mountains would be less than significant.

Illumination/Glare

Significant Effects

Though Site I currently contains existing structures and surface parking areas lit at night, implementation of the Proposed Project would create additional sources of illumination on the Project Site, as the site would be built with more structures including a mix of retail, office and residential uses intensifying the uses currently on-site. In addition, uses on Sites II and III would also intensify from surface parking areas (containing light standards) with residential structures that would illuminate with additional lighting. Though the Proposed Project would increase ambient light levels on the Project Site and in the vicinity, the increase would be considered nominal, as the area is located in an urbanized location that is already illuminated at night. The streets are illuminated with lights and surrounding buildings emanate light with residential lighting and sources of artificial light from security lighting, as well as from automobiles. Consequently, the change in levels of ambient illumination as a result of Project implementation would be less than significant. In addition to increasing the ambient "glow" presently associated with urban settings and with this part of Los Angeles, Project-related light sources would likely spill over onto and potentially illuminate, off-site vantages, including adjacent streets and land uses. However, this spill is considered insignificant as the area is already illuminated with nighttime lighting sources. In addition, Mitigation Measures are recommended to ensure that spillover lighting does not cause a significant impact. Therefore, Project lighting affecting adjacent light-sensitive areas would be less than significant.

Building surfaces or glass windows have the potential to create glare, particularly during the early morning and later afternoon time periods. The Proposed Project would not include exterior materials that would create glare impacts. Compliance with the Los Angeles Municipal Code's reflective materials design standards (City Municipal Code Lighting Regulations, Chapter 9, Article 3, Section 93.0117), which limits reflective surface areas and the reflectivity of architectural materials used, would reduce any adverse impact from window glass glare. Implementation of the Project would therefore not produce glare which would create a visual nuisance, a hazard or result in differential warming of adjacent residential properties. The Project impact with regard to glare would be less than significant.

Facts in Support of Findings

Potentially significant impacts related to illumination and glare would be less than significant with implementation of code required Mitigation Measures. Project impacts relative to blockage, partial interruption or minor diminishment of existing valued public views of natural features such as the Santa Monica Mountains would be less than significant.

2. Cultural Resources

Significant Effects

Archaeological Resources

Surface examination often cannot reveal whether archeological resources are present at a specific project location. However, according to the records search conducted by the South Central Coastal Information Center, there are no identified prehistoric archaeological sites, prehistoric isolates, historic archaeological sites, or historic isolates within the boundaries of the Project Site. Thus, no evidence of archeological remains on the Project Site has ever been discovered, and excavation on site and development of the Project Site is not anticipated to affect archaeological resources. However, the Project Site has been developed with at-grade land uses since 1928, and it is difficult to know what lies beneath the ground surface. Even though the records search identified no known archaeological within a 0.5-mile radius of the Project Site, since no substantial excavation has ever occurred within the Project Site, impacts to archaeological resources could occur during excavation activities for proposed subterranean parking uses. In the event that archaeological resources are encountered during Project activities (e.g., demolition, excavation, etc.) mitigation measures have been provided to mitigate potential impacts. Therefore, with implementation of the mitigation measures, impacts to archaeological resources would be reduced to less than significant.

Paleontological Resources

Surface examination often cannot reveal whether paleontological resources are present at a specific project location. However, according to the records search conducted by the Natural History Museum of Los Angeles County, no identified vertebrate fossil localities lie directly within the Project Site boundaries. Thus, no evidence of paleontological resources on the Project Site has ever been discovered, and excavation on site and development of the Project Site is not anticipated to affect paleontological resources. However, the Project Site has been developed with at-grade land uses since 1928, and it is difficult to know what may lie beneath the ground surface. The records search identified known vertebrate fossil localities from older Quaternary sediments near the Project Site. Since the Project Site contains surficial sediments consisting of similar older Quaternary sediments, and since no substantial excavation has ever occurred within the Project Site, impacts to paleontological resources could occur during excavation activities for proposed subterranean parking uses. In the event that paleontological resources are encountered during Project activities (e.g., demolition, excavation, etc.), mitigation measures have been provided to mitigate potential impacts. Therefore, with the implementation of the mitigation measures, impacts to paleontological resources would be reduced to less than significant.

Facts in Support of Findings

Impacts of the Proposed Project on archaeological and paleontological resources would be mitigated to less-than-significant with implementation of the recommended Mitigation Measures.

3. Geology and Soils

Significant Effects

Geologic/Seismic Hazards

Implementation of the Proposed Project would increase the density of development and the human occupancy at the site, increasing the potential for damage or injury during a major earthquake. State mandatory mitigation of ground-shaking effects is provided through enforcement of structural and nonstructural seismic design provisions defined in the Uniform Building Code (UBC). Application of these design provisions to the Proposed Project will mitigate potential effects of ground shaking to a level considered less than significant.

The preliminary soils and engineering evaluation prepared by GEOCON, April 2005, identified that there is a low potential for liquefaction occurring on site due to the underlying soil deposits. The topography at the Proposed Project Site is relatively flat. The site is not located near any foothills or mountains, meaning that the possibility of landslides occurring on the Project Site minimal. Therefore, the potential impact associated with landslides would be less than significant.

The near-surface soils of the Proposed Project site consist primarily of fill, which will be excavated as part of project construction, while the remainder of on-site soils are interbedded, silty to clayey sand. With construction of the Proposed Project in accordance with the Los Angeles Building Code Chapter IX and the implementation of the recommendations in the Geotechnical Report, a less than significant impact associated with expansive soils would occur.

Facts in Support of Findings

The Proposed Project's impacts on geology and soils would be less than significant without mitigation. The implementation of the recommended Mitigation Measures would further reduce the Proposed Project's impacts.

4. Hazards and Hazardous Materials

Significant Effects

Accidental Explosion or Release of Hazardous Substances

Based on the nature of the automotive service business, the length of time in operation, the types of chemicals handled on site, and storage tanks used for the various chemicals, the potential exists for underlying soils to contain hydrocarbons. Due to the staining and chemical residue around and under the sink in the x-ray development room in the 5661 Santa Monica Boulevard location, the potential exists for the underlying soils to contain hazardous chemicals. Hydrocarbons and hazardous chemicals in soils present a potential significant impact to the environment as they can emit these pollutants into the air or surface water runoff when disturbed during construction activities. They could also leach into underground aquifers causing contamination to ground water supplies, and permanent damage to the aquifer. Soil sampling and analysis would be required to identify the presence of hydrocarbon or other hazardous chemicals in the soil. If contamination is present, the affected soils would need to be removed and disposed of according to the appropriate federal and State regulations. Once the affected soils are removed, the environmental impacts would be less than significant.

Facility Storage Tanks and Pipelines (above or below ground)

The 3-story (above grade) retail department store building contains one below grade basement level with one Above Ground Storage Tank (AST). The California Office of Environmental Information maintains an inventory of registered Underground Storage Tanks (UST) and ASTs. The 3-story department store building was listed as containing one unknown UST. Two steel covered trenches were identified during the ESA that house piping extending from pumping equipment to the boilers.

Two subsurface structures were also identified in the basement level of the department store building. The structures were partially filled with water and are most likely associated with the sewer system. Construction plans reviewed by SECOR identified the structures as an ejector and blow off basin.

The building located at 5667 Santa Monica Boulevard (currently occupied by Sears Automotive Center) contains three ASTs, one suspected UST, and one multi-stage wastewater clarifier. One 1,000-gallon AST containing waste oil, and two 500-gallon ASTs containing product oil were observed. The condition of the ASTs and whether staining was observed from previous spills was not identified in the ESA report. One possible UST was observed by Altec to have been abandoned in place in the tire room. Information regarding this UST or the presence of any USTs, past or present, located at the site was not identified in LAFD records. One multi-stage wastewater clarifier was observed in the battery storage room. Provided the removal of ASTs and USTs from the Project Site follows the various required mitigations described below, hazardous materials impacts relative to ASTs and USTs would be less than significant.

Polychlorinated Biphenyls (PCBs)

Based on the age of the structures, the potential exists for the pad-mounted and pole-mounted transformers, and fluorescent light ballasts to contain PCBs. Exposure of workers and underlying soils to PCBs during the demolition of the Project Site structures would be a significant impact. A qualified PCB abatement contractor would be required to comply with applicable state and federal rules and regulations governing PCB removal and disposal. Provided that removal and disposal rules and regulations are followed, hazardous materials impacts caused by exposure to PCBs would be less than significant.

Asbestos-Containing Materials (ACMs)

Demolition of the five commercial buildings and associated asphalt-paved parking areas on site, which were built prior to the ban on use of asbestos as building insulation, could release asbestos-containing materials present in the structures. Exposure of workers to ACMs during demolition or renovation of the Project Site structures would be a significant impact. Prior to the demolition activities, a complete asbestos survey will be conducted to identify all sources of asbestos. This activity is required by the USEPA National Emission Standard for Hazardous Air Pollutants (NESHAP) regulation and the South Coast Air Quality Management District's (SCAQMD's) Rule 1403. Bulk samples of all materials which are suspected of containing asbestos will be collected and analyzed for asbestos content. In accordance with the EPA's NESHAP regulation and SCAQMD's Rule 1403, all materials, which are identified as ACMs would be removed by a trained and licensed asbestos abatement contractor. The asbestos removal operations would be conducted in accordance with CAL-OSHA Asbestos for the Construction Industry Standard, SCAQMD and EPA rules and regulations and industry standards. Provided the removal and disposal of ACMs from the Project Site follows the various required

guidelines described above, hazardous materials impacts relative to exposure to asbestos would be less than significant.

Lead-Based Paint (LBP)
Based on the age of the structures, the potential exists for such structures to contain lead-based paint. A qualified lead-paint abatement consultant would be required to comply with applicable state and federal rules and regulations governing lead paint abatement. A qualified lead-paint abatement consultant would be required to comply with applicable state and federal rules and regulations governing lead paint abatement. Such regulations that would be followed during demolition include Construction Safety Orders 1532.1 (pertaining to lead) from Title 8 of the California Code of Regulations, and lead exposure guidelines provided by the U.S. Department of Housing and Urban Development (HUD). Provided that abatement rules and regulations are followed, hazardous materials impacts caused by exposure to lead-paint would be less than significant.

Operation

The Proposed Project is not anticipated to result in a substantial release of hazardous materials into the environment. The Project would utilize limited quantities of common cleaning and maintenance materials, which would be shipped, stored, used and disposed of in accordance with applicable statutes. All land uses and materials would be in accordance with City zoning and local, state, and federal regulations. Based on the amount stored, nature of packaging, materials involved, and the Proposed Project's required compliance with applicable regulations, the risk from use of these materials is considered to be low. Therefore, accidental conditions involving the release of hazardous materials into the environment during Project operation is considered to be less than significant.

Facts in Support of Findings

With implementation of the code required Mitigation Measures, project impacts associated with hazards and hazardous materials would be less than significant.

5. Hydrology and Water Quality

Significant Effects

Surface Water Quality

Project construction would involve a variety of construction materials that are potential sources of stormwater pollution, such as adhesives, cleaning agents, landscaping, plumbing, painting, heat/cooling, masonry materials, floor and wall coverings, and demolition debris. Construction material spills can also be a source of stormwater pollution and/or soil contamination. According to the Los Angeles City Bureau of Engineering, routine safety precautions for handling and storing toxic and hazardous materials, and maintaining construction equipment in proper working condition, may effectively control the potential pollution of stormwater by these materials. These same types of common sense, "good housekeeping" procedures can also be extended to non-hazardous stormwater pollutants such as sawdust and other solid wastes.

Construction silt washed from the project site by stormwater can be minimized by limiting the area of exposed soil, implementation of erosion control measures and dust suppression techniques such as watering or tarping. Erosion control devices, including temporary

diversion dikes/berms, drainage swales and siltation basins, are typically required around construction areas to insure that sediment is trapped and properly removed. Also, construction activities must adhere to the relevant stormwater management regulations under Los Angeles County's NPDES Permit No. CA0061654. When properly designed and implemented, these Best Management Practices would ensure that short-term construction related water quality impacts are not significant.

Water Quality – Long Term Operational Impacts

Under existing conditions, runoff from the Project Site may contain urban pollutants such as automotive fluids, heavy metals and chemical constituents, fertilizers, pesticides and herbicides that could be discharged into the storm drainage system. Because there would be no substantial increase in runoff as a result of the project, urban contaminants that may be present in runoff from the site would not differ substantially in type or quantity than that which currently exists. The Proposed Project would be required to submit site drainage plans to the City Engineer and other responsible agencies for review and approval prior to development of any drainage improvements. Impacts to stormwater quality as a result of project implementation would be less than significant.

Groundwater

Construction

A Sample of the groundwater was investigated for contamination as construction dewatering activities during excavation for construction of the proposed subterranean parking structure. A permit to discharge the groundwater to a storm drain is required by the Los Angeles Regional Water Quality Control Board. One soil boring was advanced on the Site on November 14, 2005. The boring was located north of Santa Monica Boulevard and west of the existing 3-story (above grade) retail department store building (currently occupied by Sears). The soil boring was excavated to a total depth of 40 feet below ground surface. A temporary well was set within the boring. One groundwater sample was collected from the temporary well. After collection of the groundwater sample, the temporary well casing was removed from the boring and the boring was backfilled with cement grout and capped at the surface with asphalt.

Reported concentrations of metals cadmium, chromium, copper, nickel and zinc were detected. These concentrations were compared to the Screening Levels for General NPDES Permits. The Los Angeles River, the receiving water, via a storm drain, for the discharge form the Project Site, is designated as a groundwater recharge area by the California Regional Water Quality Control Board, Los Angeles Region (LARWQCB). The results were compared to the municipal and domestic supply and/or groundwater recharge beneficial use screening levels. The reported concentrations of metals cadmium, chromium, copper, nickel and zinc exceeded the screening levels concentrations. Therefore, it is likely that the LARWQCB will require treatment of the water, to remove the concentrations of metals exceeding the screening levels prior to discharge to a storm drain.

Operation

The Proposed Project would not contribute to groundwater depletion or interfere with groundwater recharge to an environmentally significant degree. The Proposed Project would not increase the amount of impervious surface area on the site, as currently the site is almost entirely covered with impermeable surfaces (e.g., structures, concrete, and asphalt). While the Proposed Project would replace retail uses with like uses, the construction of 437 residential units would result in an increase in water demand. However it is not anticipated that the added water demands of the project would exceed current supply (see Section

IV.M.2 Utilities, Water). Therefore potential impacts to groundwater supplies or recharge would be less than significant.

Surface Water Hydrology

The Proposed Project would not increase total run-off from the project site since it would include approximately the same impervious and permeable surface ratios as existing conditions. Due to the urban setting of the site and surrounding area, the Proposed Project would not significantly change drainage patterns. Roof drains from the building as well as area drains from the landscaped areas around the building would be connected to an on-site underground drainage system. The proposed on-site storm drain system would deliver the peak run-off values not exceeding existing conditions. Therefore, Project-specific impacts associated with drainage and surface runoff and the potential for increased flooding would be less than significant.

Flooding

According to the Safety Element of the City General Plan, the Project Site lies within the area of potential inundation in the event of seismically induced or other failure of the Hollywood Reservoir, located to the northwest of the Project Site and operated by the Los Angeles Department of Water and Power (LADWP)3. However as the LADWP conducts daily surveillance and periodic safety inspections of all LADWP reservoirs and dam structures to ensure the safety of the structures and the water they contain, the sudden and catastrophic failure of the structure is considered remote. The City of Los Angeles Bureau of Engineering designates the Proposed Project Site as within the Flood Zone C. 4 According to Federal Emergency Management Agency (FEMA), Flood Zone C describes flood insurance rate zones that are located outside of the 500-year floodplain, with minimal chance of flooding.5 Furthermore, the Project Site is located in a dense urban area that is completely surrounded by existing urban uses. Development of the Proposed Project would not introduce persons or structures into an area where they might be subject to flood hazards not previously experienced. In addition, implementation of the Proposed Project would not place structures, which would impede or redirect flood flows. Therefore, flooding impacts as a result of project implementation would be less than significant.

A seiche is an oscillation of a body of water in an enclosed or semi-enclosed basin, such as a reservoir, lake or storage tank. Although the Proposed Project Site is located near the Hollywood Reservoir water storage facility, according to the LADWP no seiche at a LADWP facility has ever been recorded, even during the 1994 Northridge earthquake and the LADWP does not consider seiches to be a potentially significant hazard. The Proposed Project Site is not located proximate to coastal waters, and as such is not susceptible to tsunami (seismically induced tidal wave) hazards. The topography of Proposed Project Site and surrounding area is fully developed and generally flat, therefore there would be no risk of mudflows affecting the Proposed Project Site and impacts would be less than significant.

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3 *City of Los Angeles, Safety Element of the Los Angeles City General Plan, Exhibit G, Inundation & Tsunami Hazard Areas, March 1994.*

4 *City of Los Angeles, Bureau of Engineering, Navigate LA, website: http://navigatela.lacity.org/floodgis/, November 23, 2005.*

5 Federal Emergency Management Agency (FEMA), Flood Hazard Mapping, Frequently Asked Questions, website: http://www.fema.gov/fhm/fq_term.shtm, November 23, 2005.

Facts in Support of Findings

No significant hydrology-related impacts are anticipated. Compliance with the Mitigation Measures and requirements of NPDES Permit No. CA0061654 would ensure that the Proposed Project does not create any significant water quality impacts .

6. Noise

Significant Effects

Construction-Related Noise

Project development would require the use of heavy equipment for ground clearing, site grading, roadway construction, and building construction. Development activities would also involve the use of smaller power tools, generators, and other sources of noise. During each stage of development, there would be a different mix of equipment operating and noise levels would vary based on the amount of equipment in operation and the location of the activity.

The U.S. Environmental Protection Agency (EPA) has compiled data regarding the noise generating characteristics of specific types of construction equipment and typical construction activities. These noise levels would diminish rapidly with distance from the construction site at a rate of approximately 6 dBA per doubling of distance. For example, a noise level of 84 dBA measured at 50 feet from the noise source to the receptor would reduce to 78 dBA at 100 feet from the source to the receptor, and reduce by another 6 dBA to 72 dBA at 200 feet from the source to the receptor.

During construction, three basic types of activities would be expected to occur and generate emissions. First, the existing structures would be demolished and the surface parking lots would be removed. Second, the development sites would be prepared, excavated, and graded to accommodate the subterranean parking structures and building foundations. Finally, the new parking structures and buildings would be constructed and readied for use.

Section 41.40 of the Los Angeles Municipal Code regulates noise from demolition and construction activities. Exterior demolition and construction activities that generate noise would be prohibited between the hours of 9:00 PM and 7:00 AM Monday through Friday, and between 6:00 PM and 8:00 AM on Saturday night through Sunday morning in accordance with Section 41.40 of the Los Angeles Municipal Code. Demolition and construction would not occur on Sundays and all federal holidays. Therefore, they would not occur during recognized sleep hours for residences. These restrictions would reduce the potential construction-related impact to less-than significant levels for nearby residents.

Operational Noise Levels –Locations On Site

Future noise levels at the proposed Project site would continue to be dominated by vehicular traffic on Santa Monica Boulevard and Wilton Place. Exterior-to-interior reduction of newer residential units is generally 30 dBA or more. With this assumption, future exterior and interior noise levels associated with roadway traffic would not exceed City standards at the Project Site. Noise levels at the buildings at Site I, Site II, and Site III facing Virginia Avenue and St. Andrews Place would be lower due to roadway traffic volumes that are lower than Santa Monica Boulevard and Wilton Place. This would be a less-than-significant impact.

New stationary sources of noise, such as rooftop mechanical heating, ventilation, and air conditioning (HVAC) equipment would be installed at the proposed buildings. This

equipment would be shielded and appropriate noise muffling devices installed to reduce noise levels that affect nearby noise-sensitive uses. The shielding installed around the new equipment reduces these noise levels by around 15 dBA. These noise levels would not exceed the City's exterior noise standards.

Potentially significant environmental impacts may result from project implementation due to noise from cars using parking ramps on Sites I, II and III. However, the potentially significant impacts will be mitigated to less than significant with implementation of recommended Mitigation Measures.

Operational Noise Levels –Locations Off Site

Locations in the vicinity of the Proposed Project Site could experience slight changes in noise levels as a result of an increase in the on-site population and resulting increase in motor vehicle trips. The changes in future noise levels associated with the Proposed Project at locations along the roadway segments in the Project vicinity are identified in Section IV.I, Noise, Table IV.I-9.
As shown, the Proposed Project would increase local noise levels by a maximum of 0.2 dBA CNEL, which is inaudible/imperceptible to most people and would not exceed the identified thresholds of significance.

New HVAC equipment would be installed at the proposed buildings. This equipment would be shielded and appropriate noise muffling devices installed to reduce noise levels that affect nearby noise-sensitive uses. The type of HVAC equipment currently installed on new multi-family buildings generates noise levels that average around 66 dBA L_{eq} on the air inlet side and 62 dBA L_{eq} on the other sides when measured at 50 feet from the source. The shielding installed around the new equipment reduces these noise levels by around 15 dBA. Because existing daytime noise levels at the nearby buildings currently average between 56 and 69 dBA L_{eq}, the resulting equipment noise levels of less than 51 dBA L_{eq} at nearby buildings would not cause a substantial permanent increase in noise levels of 5 dBA CNEL or more.

Based on this information, implementation of the Proposed Project would not result in a substantial permanent increase in ambient noise levels above existing ambient noise levels without the project. This is a less-than-significant impact.

Operational Groundborne Vibration

When the Proposed Project is completed and operational, background vibration levels would be expected to average around 50 VdB, as discussed previously in this EIR section. This is substantially less than the 80 VdB threshold for residential buildings. Therefore, this would be a less-than-significant impact regarding the exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels.

Facts in Support of Findings

With the successful implementation of the recommended mitigation measures, the noise levels associated with Project construction and operation activities would be less than significant.

7. Public Services

Fire Protection

Significant Effects

Short-Term Construction Impacts

Removal of the existing commercial/retail building and construction of the Proposed Project would increase the potential for accidental onsite fires from such sources as the operation of mechanical equipment, use of flammable construction materials, and from carelessly discarded cigarettes. In most cases, the implementation of "good housekeeping" procedures by the construction contractors and the work crews would minimize these hazards. Good housekeeping procedures that would be implemented during demolition and construction of the Proposed Project include: the maintenance of mechanical equipment in good operating condition; careful storage of flammable materials in appropriate containers; and the immediate and complete cleanup of spills of flammable materials when they occur

Construction activities also have the potential to affect fire protection services, such as emergency vehicle response times, by adding construction traffic to the street network and by partial lane closures during street improvements and utility installations. These impacts, while potentially adverse, are considered to be less than significant for the following reasons:

(1) Construction impacts are temporary in nature and do not cause lasting effects; and
(2) Partial lane closures would not greatly affect emergency vehicles, the drivers of which normally have a variety of options for avoiding traffic, such as using their sirens to clear a path of travel or driving in the lanes of opposing traffic. Additionally, if there are partial closures to streets surrounding the Project Site, flagmen would be used to facilitate the traffic flow until construction is complete.

Project construction would not be expected to tax fire fighting and emergency services to the extent that there would be a need for new or expanded fire facilities, in order to maintain acceptable service ratios, response times, or other performance objectives of the LAFD. Therefore, construction-related impacts to fire protection services would be less than significant.

Long-Term Operational Impacts

The Proposed Project would introduce 748 new residents to the Project Site. In addition, the number of employees and customers (i.e., non-residents) visiting the Proposed Project on a daily basis is anticipated to be greater than that associated with the current commercial/retail use when it is fully operational. Thus, an increase in the demand for fire protection services is anticipated. However, the LAFD has indicated that staffing and resources are adequate to meet the Project area's proposed demand for fire and emergency services.6 The following discussion analyzes the major criteria for determining the Proposed Project's impacts to fire protection services, including response distance, emergency access/evacuation, and fire flows.

Response Distance

As previously mentioned, the Project Site is within a 0.7-mile radius of a LAFD fire station housing a Fire Engine Company and Paramedic Rescue Ambulance Company. In addition, the Project Site is within a 1.2-mile radius of a LAFD fire station housing another Fire Engine Company and Paramedic Rescue Ambulance Company. Furthermore, the Project Site is within approximately 1.4 miles of a third fire station that houses a Light Force (Fire Truck and

6 Written correspondence from Captain William Wells, City of Los Angeles Fire Department, October 20, 2005.

Engine Company), Fire Engine Company, and Paramedic Rescue Ambulance Company and could provide supplemental fire protection services. The response distance from these fire stations meets L.A.M.C recommendations; however, the proposed commercial and residential structures would be recommended to be equipped with automatic fire sprinkler systems and any other fire protection devices deemed necessary by the Fire Chief (e.g., fire signaling systems, fire extinguishers, smoke removal systems, etc.). Therefore, with implementation of such fire protection devices and the Project Site's proximity to three well-quipped fire stations, fire protection response would be considered adequate with respect to response distance.

Emergency Access

With the implementation of recommended mitigation measures, traffic impacts during operation of the Proposed Project would not result in a significant impact on any nearby roadways or intersections, which could thereby impede emergency access. The Proposed Project would not involve any other activities during its operational phase that could impede public access or travel upon public rights-of-way or would interfere with an adopted emergency response or evacuation plan. Furthermore, implementation of Mitigation Measures would ensure that emergency access to the project site would be sufficient and, thus, would not require the construction or expansion of fire stations or other fire protection facilities.

Fire Flows

As determined by the LAFD, the overall fire flow requirement for the Proposed Project is 4,000 gpm from 4 fire hydrants flowing simultaneously with a 20 PSI minimum residual pressure.7 Currently, water pressure and availability in the Project area are expected to be sufficient to meet the existing LAFD's fire flow requirements.

The Water Operations Division of the DWP would perform a fire flow study at the time of permit review in order to ascertain whether further water system or site-specific improvements would be necessary. Hydrants, water lines, and water tanks would be installed per Fire Code requirements and would be based upon the specific land uses of the Proposed Project. Therefore, with respect to fire flows, fire protection would be adequate.

LAFD Review

Based on the existing staffing levels, equipment, facilities, and most importantly, response distance from existing stations, it is expected that the LAFD could accommodate the Proposed Project's demand for fire protection service.8 Therefore, the Proposed Project would not necessitate the construction or expansion of a fire station to maintain acceptable service ratios, response times, or other performance objectives of the LAFD, and a less-than-significant impact would occur.

Facts in Support of Findings

The Proposed Project's impacts on fire protection services would be less than significant

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7 *Written correspondence from Douglas Barry, Assistant Fire Marshal, Los Angeles Fire Department, November 30, 2005.*

8 *Written correspondence from Captain William Wells, Los Angeles Fire Department, October 6, 2005.*

without mitigation. The implementation of the recommended Mitigation Measures would further reduce the Proposed Project's less-than-significant impacts.

Police Protection

Significant Effects

Short-Term Construction Impacts

Construction sites can be sources of attractive nuisances, providing hazards, and inviting theft and vandalism. Therefore, when not properly secured, construction sites can become a distraction for local law enforcement from more pressing matters that require their attention. Consequently, developers typically take precautions to prevent trespassing through construction sites. Most commonly, temporary fencing is installed around the construction site to keep out the curious. Deployment of roving security guards is also an effective strategy in preventing problems from developing. When precautions are taken, as recommended in the Mitigation Measures, there is less need for local law enforcement at the construction site. Therefore, the Proposed Project's construction-related impacts to police protection services would be less than significant.

Long-Term Operational Impacts

The Proposed Project would introduce 748 new residents to the Project Site. In addition, the number of employees and customers (i.e., non-residents) visiting the Proposed Project on a daily basis is anticipated to be greater than that associated with the current commercial/retail use when it is fully operational. Thus, an increase in the demand for police protection services is anticipated. According to the Draft L.A. CEQA Thresholds Guide, police protection population is calculated according to the amount of square footage associated with a certain land use. The Proposed Project is estimated to generate a total of 1,442 persons (includes Project residents and employees) that would require police protection services. However, considering the police service population generation of the existing commercial/retail uses on the Project Site, the Proposed Project would result in a net increase of 1,442 persons that would require police protection services.

While there is not a directly proportional relationship between increases in land use activity and increases in demand for police protection services, the number of request for assistance calls for police response to retail burglaries, vehicle burglaries, damage to vehicles, traffic-related incidents, and crimes against persons would be anticipated to increase with the increase in onsite activity and increased traffic on adjacent streets and arterials. However, such calls are typical of problems experienced in existing commercial and residential neighborhoods in the project area and do not represent unique law enforcement issues specific to the Proposed Project.

The Proposed Project would include adequate and strategically positioned functional and thematic lighting to enhance public safety. Visually obstructed and infrequently accessed "dead zones" would be limited, and security would be deployed on the site. The building and layout design of the Proposed Project would also include crime prevention features, such as nighttime security lighting, full-time onsite professional security, building security systems, secure parking facilities, and any other security features recommended by the LAPD. In addition, the continuous visible and non-visible presence of residents, employees, and customers at all times of the day would provide a sense of security during evening and early morning hours. The LAPD has stated that the Hollywood Community Police Station is staffed and equipped to provide full service to the Hollywood area, which includes the Project Site, and that the Proposed Project would not result in the need for construction or

expansion of police stations or other police protection facilities.9

With the development of the Proposed Project, the 1,442-person net increase (748 population; 694 employees) in persons at the Project Site is anticipated to require an increase in police protection services (i.e., 2 additional officers)10 in order to maintain the current officer to civilian ratio. However, the number of police officers assigned to any of LAPD's geographical police stations is based on the workload, not the population.11 In addition, as previously stated, the current staff level of the existing Hollywood Community Police Station is adequate to effectively serve the project area, which includes the Project Site. Furthermore, the addition of 2 officers to the Hollywood Division would not require the construction of new police facilities. As such, no new or expanded police stations would be needed as a result of the Proposed Project, and there would be no long-term operational impacts to police protection services.

Facts in Support of Findings

The Proposed Project's impacts on police protection services would be less than significant without mitigation. The implementation of the recommended Mitigation Measures would further reduce the Proposed Project's less-than-significant impacts.

Schools

Based on LAUSD student generation rates, the Proposed Project would generate a net increase of approximately 97 elementary students, 45 middle school students, and 44 high school students. Assuming the most conservative estimate, it is assumed that all of the students projected to be generated by the Proposed Project are not currently enrolled in the LAUSD schools near the Project Site and would be enrolled upon relocation to the Project Site. While the Proposed Project would slightly increase the enrollment of Le Conte Middle School and Hollywood High School, which is expected to already be operating over capacity by the 2010-2011 school year, the middle and high school level students generated by the Proposed Project would not be expected to generate the specific need for a new or expanded school. This is partially attributed to the fact that there are several new or expanded schools that are currently under construction or have had sites selected in the Project area. Furthermore, implementation Mitigation Measures would require the mandatory payment of school fees by the Applicant in conformance with SB 50, and in accordance with SB 50, payment of school fees is deemed to provide full and complete mitigation to impacts on schools pursuant CEQA. Thus, implementation of the recommended Mitigation Measure would ensure a less-than-significant project impact on schools.

Facts in Support of Findings

The Proposed Project's impact to schools would be reduced to a less-than-significant level with the implementation of the recommended Mitigation Measure.

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9 Written correspondence from Captain James Cansler, Los Angeles Police Department, October 25, 2005.

10 Based upon the LAPD officer per population ratio of 1 officer for every 615 civilians.

11 Written correspondence from Captain James Cansler, Los Angeles Police Department, October 25, 2005.

Parks

Construction Impacts

As the Proposed Project would contribute 748 residents to the City's population, the Proposed Project is required to construct recreational facilities or pay applicable park/recreation fees. However, the Proposed Project does not entail the construction of any public park or recreational facilities. Thus, the Proposed Project would have no environmental impacts related to the construction of park and recreational facilities.

Operational Impacts

Typically, residential developments have the greatest potential to result in impacts to parks and recreation facilities. This is a result of residential developments generating a permanent increase in the population. The Proposed Project would result in a net increase of approximately 748 permanent residents to the site. This net Project population increase would generate additional demand for recreation and park services when the Project is complete. Applying the long range planning goal in the Public Recreation Plan of four acres of parkland per 1,000 residents, the additional residents created by the Project would demand an equivalent of 2.99 acres of recreational space and uses.

The parkland to resident ratio for both the Hollywood Community Plan Area and the City of Los Angeles falls below the City's preferred standard of 4 acres per 1,000 residents at 0.41 and 0.70 acres per 1,000 residents, respectively. The flat portions of the Hollywood CPA is completely urbanized and built out with commercial and residential uses. The Los Angeles Department of Recreation and Parks (LARDP) does not at this time have any specific projects to develop new, or expand, existing parks in the Project area.

With the lack of, and opportunities for, new and/or expanded park projects on the planning horizon, current and future residents would continue to utilize existing LARDP facilities for recreation. Further, residents would need to seek out other opportunities such as privately owned and operated gymnasiums, swimming pools, golf courses, etc. to supplement recreational activities.

As identified above, the net increase in population for the Project Site would result in a demand equivalent to approximately 2.99 acres (or 130,244 square feet) of recreational opportunities. The Project is designed to include passive and active recreational opportunities for its residents. The Project's courtyards, swimming pool area and landscape areas would provide a total of approximately 57,860 square feet (approximately 1.2 acres) of common space. In addition, the Project would be required to pay fees to the City of Los Angeles Department of Building and Safety per dwelling unit in accordance with the Dwelling Unit Construction Tax requirements of Los Angeles Municipal Code Section 21.10.3.(b) to reduce impacts to parks and recreational uses. Based on the incorporation of on-site recreational amenities and the payment of the Dwelling Unit Construction Tax, demand for park recreation services generated by the Proposed Project would not be anticipated to exceed expected levels of service. For these reasons, the Project's impact on park and recreational uses within the Hollywood Community Plan area would be less than significant.

Facts in Support of Findings

The Proposed Project's impact to parks and recreational facilities would be reduced to a less-than-significant level with the implementation of the recommended Mitigation Measures.

Libraries

Development of the Proposed Project would increase the demand for library services in the area, with the addition of 748 new permanent residents. The Proposed Project would also result in a net increase of 694 employees; however, in general, employees of commercial sites are not likely to patronize libraries during working hours, as they are more likely to use libraries near their homes during non-work hours. Therefore, based on the State of California standards, the Proposed Project would generate need for 374 square feet (748 x 0.5) of library space and 1,496 (748 x 2) volumes of permanent collection.

The Cahuenga Branch does not currently meet the demand of the surrounding community, as its size is smaller than that required by the Los Angeles Public Library Branch Facilities Plan.12 In addition, this library would be affected by the development of the Proposed Project, as it would result in the need for additional library facility space and permanent collection. As the Proposed Project would contribute new permanent population to the City and further increase demands on the currently inadequate Cahuenga Branch Library, the payment of library fees to the City would be required by the recommended Mitigation Measure. Thus, with implementation of the identified mitigation, the Proposed Project would have a less than significant impact related to library facilities.

Facts in Support of Findings

The Proposed Project's impact to library facilities would be reduced to a less-than-significant level with the implementation of the recommended Mitigation Measure.

8. Transportation and Traffic

Significant Effects

Construction

Potential traffic impacts from the demolition and excavation phases of the Project were examined. Based on the current Project design and existing site improvements, it is estimated that the demolition phase of the Project would require approximately 45 calendar days to complete. Demolition of the existing structures and parking areas would result in approximately 3,200 cubic yards of concrete, asphalt, and brick material to be removed from the site. An additional 600 tons of other debris generated by the demolition of the existing facilities would also be produced. Haul trucks will consist of three low-sided dump trucks, and two high-sided dump trucks. These trucks have a capacity of approximately 10 cubic yards of concrete, asphalt, or brick material, or approximately 19 tons of debris material each. Therefore, the demolition activities will result in a total of approximately 320 truckloads of concrete, asphalt, and brick materials, and 32 truckloads of debris.

For purposes of analysis, it is assumed that each haul truck (dump truck) is the equivalent of 2.0 passenger vehicles, due to their size and operational characteristics. Based on these assumptions, the demolition phase would result in 10 outbound pce trips (eight trips to the reclamation landfill, two pce trips to the transfer station). During the PM peak hour, a total of 10 inbound and 10 outbound pce trips would travel between the freeway and the site.

12 Written correspondence from Rona Berns, Los Angeles Public Library, Library Facilities Division, November 10, 2005.

Additionally, the demolition phase would include a total of two equipment operators and four laborers at the Project Site. Assuming conservatively that each of these individuals drive separately to the Project Site in the morning, and leaves alone at the end of the workday, this would produce an additional six inbound trips in the morning (for a total of six inbound and 10 outbound pce trips), and six additional outbound trips in the evening (for a total of 10 inbound and 16 outbound pce trips). This amount of demolition traffic is not anticipated to result in significant impacts at any of the study intersections, street segments, or freeway facilities and impacts would be less than significant. However, environmental impacts on pedestrians and vehicles may result from project implementation due to haul routes. These potentially significant impacts will be mitigated to less than significant with implementation of recommended Mitigation Measures.

Excavation Phase

The excavation phase of the Project would entail the removal of approximately 300,000 cubic yards of earth from the site. This would be accomplished over an approximately 4 and one-half month period using approximately 50 14-cubic yard bottom dump semi-trailer trucks. The excavation phase would include a total of five equipment operators and six laborers at the site. Assuming conservatively that each of these individuals drives separately to the Project Site in the morning, and leaves alone at the end of the workday, this would produce an additional 11 inbound trips in the morning (for a total of 11 inbound and 83 outbound pce trips), and 11 additional outbound trips in the evening (for a total of 72 inbound and 83 outbound pce trips). This amount of excavation traffic is substantially higher than that anticipated for the demolition phase, and as a result, a supplemental traffic impact analysis was performed to identify whether the excavation hauling activity would produce any significant traffic impacts at the four study intersections along the proposed haul route between the project site and the Hollywood Freeway.

Excavation haul traffic would not have any significant impacts during the AM peak hour. However, during the PM peak hour, a temporary but significant traffic impact could result at the intersection of Santa Monica Boulevard and Western Avenue due to excavation haul truck activity. This impact would be limited in duration to the four and one-half months needed to complete the excavation of the site, and would disappear following this period.

Mitigation measures for this excavation phase impact would consist primarily of limiting peak hour haul truck traffic to the extent feasible, and encouraging worker carpools or vanpools to reduce the number of worker trips to and from the site. However, it is expected that, even with these measures, the excavation phase traffic impacts from the Project would be significant and unavoidable, although these impacts would also be transient, and would diminish and disappear as the Project's excavation phase is completed.

Operation

Project Intersection Impacts

The City of Los Angeles defines a significant traffic impact based on a "stepped scale", with intersections at high volume –to-capacity ratios being more sensitive to additional traffic than those operating with available surplus capacity. A significant impact is identified as an increase in the Critical Movement Analysis (CMA) value of 0.010 or more, where the final ("With Project") Level of Service (LOS) is E or F; a CMA increase of 0.020 or more where the final LOS is D, or a CMA increase of 0.040 or more when the final LOS is C. No significant impacts are deemed to occur at LOS A or B, as these operating conditions exhibit sufficient surplus capacities to accommodate large traffic increases with little effect on traffic

flows. The traffic conditions were evaluated at 20 study intersections that were selected in conjunction with the LADOT in the vicinity of the Project. These intersections included:

1. Sunset Boulevard & Van Ness Avenue
2. Sunset Boulevard & Wilton Place
3. Sunset Boulevard & Western Avenue
4. Fountain Avenue & Wilton Place
5. Hollywood Freeway NB On-Ramp & Western Avenue*
6. Lexington Avenue & Wilton Place
7. Lexington Avenue & St. Andrews Place**
8. Lexington Avenue & Western Avenue
9. Santa Monica Boulevard & Gower Street***
10. Santa Monica Boulevard & Bronson Avenue
11. Santa Monica Boulevard & Wilton Place
12. Santa Monica Boulevard & Western Avenue
13. Santa Monica Boulevard & Oxford Avenue/Hollywood Freeway SB On-Ramp
14. Santa Monica Boulevard & Serrano Avenue/Hollywood Freeway NB Off-Ramp
15. Santa Monica Boulevard & Normandie Avenue
16. Romaine Street & Western Avenue
17. Lemon Grove Avenue & Wilton Place
18. Lemon Grove Avenue & Western Avenue
19. Melrose Avenue & Wilton Place
20. Melrose Avenue & Western Avenue

* uncontrolled intersection
** all-way STOP-sign controlled intersection
*** two-way STOP-sign controlled intersection

Nine of the study intersections will continue to operate at good levels of service (LOS A through LOS C) in the future year 2010, both with and without the Project. Future (2010) conditions at the intersections of Sunset Boulevard/Wilton Place and Santa Monica Boulevard/Normandie Avenue are forecast to operate at LOS C during the morning peak hour and LOS D during the P.M. peak hour. The intersections of Sunset Boulevard/Van Ness Avenue and Melrose Avenue/Wilton Place are forecast to operate at LOS D during both peak hours, both without and with the Project. The remaining study intersections are expected to operate at LOS E and/or LOS F during both peak hours.

Although the addition of Project traffic will increase the CMA or delay value at all of the study intersections during both peak hours, the incremental Project traffic additions will result in a change in level of service at only two of the study intersections. Prior to the addition of Project traffic, the intersection of Santa Monica Boulevard/Gower Street is expected to operate at LOS E during both peak hours. With the addition of Project traffic, this intersection is expected to operate at LOS F during the P.M. peak hour. The intersection of Santa Monica Boulevard/Wilton Place, immediately adjacent to the Project, is forecast to operate at LOS C for the Future (2010) Without Project condition. With the addition of Project traffic, this intersection is expected to operate at LOS D during both peak hours.

The Proposed Project would significantly impact the following five study intersections:

5. Hollywood Freeway NB On-Ramp & Western Avenue
8. Santa Monica Boulevard & Gower Street
10. Santa Monica Boulevard & Wilton Place
11. Santa Monica Boulevard & Western Avenue
19. Melrose Avenue & Western Avenue

Therefore, traffic impacts associated with the Proposed Project would be potentially significant. However, with the implementation of the mitigation measures listed below, impacts would be reduced to less than significant.

Neighborhood Traffic Impacts

The Proposed Project is expected to result in significant traffic impacts to five intersections in the Project vicinity. These intersections are located along the Major and Secondary Highways providing the primary access routes to and from the Proposed Project, and would therefore be expected to carry the majority of the development's new traffic. However, as described earlier in this report, most of the street system immediately surrounding the Project Site is generally comprised of local residential streets. Despite the removal of the existing commercial development on the Project Site, the Project is expected to increase the amount of trips to and from the site by approximately 6,734 net new trips per day. It is possible that Project-related traffic traveling to and from the site could utilize local residential streets as access routes to avoid congestion on the primary travel routes, and thus could disrupt neighborhood traffic.

To evaluate the potential for future Project traffic impacts on the area neighborhood streets, an additional analysis was conducted to evaluate the effects of Project-related traffic increases on Wilton Place and St. Andrews Place north of the Project Site, on Virginia Avenue adjacent to the Project Site, and on Lexington Avenue north of the site.
Neighborhood traffic impacts, unlike the intersection analyses, are based on daily traffic volumes. City of Los Angeles guidelines for the evaluation of project traffic impacts on local streets utilizes a variable scale to determine the significance of potential traffic additions. Impacts are evaluated based on the project's traffic percentage of the total future (With Project) average daily traffic (ADT) volumes.

In order to determine the potential impacts of the Project on the neighborhood, a total of seven residential street locations were examined. Neighborhood traffic impacts were evaluated for Wilton Place between Virginia Avenue and Lexington Avenue, and for north of Lexington Avenue; for St. Andrews Place between Virginia Avenue and Lexington Avenue; for Virginia Avenue adjacent to the Project Site and between St. Andrews Place and Western Avenue; and on Lexington Avenue between Wilton Place and St. Andrews Place, and between St. Andrews Place and the Hollywood Freeway (US-101) southbound off-ramp. These locations are along the residential streets that would most likely to be affected by Project traffic.

New 24-hour traffic counts were performed for the two street segments to establish existing conditions. Future traffic volumes for these facilities were estimated using the same procedures and assumptions described previously in the development of future intersection volumes. These future traffic estimates included both ambient traffic growth and "related project" traffic. Finally, Project traffic volumes, including the removal of existing traffic from the commercial developments on the site, were added, and the incremental effects of that traffic calculated.

The Proposed Project could produce significant traffic impacts on four of the seven residential street segments analyzed, although the largest impacts will occur on the street segments located immediately adjacent to the Project Site. The locations of the residential street impacts are listed below.

- Virginia Avenue, east of Wilton Place
- Virginia Avenue, west of Western Avenue
- St. Andrews Place, south of Lexington Avenue

- Lexington Avenue, west of Hollywood Freeway (US-101) SB Off-Ramp

Mitigation measures to address these significant impacts are difficult to assess. Although this component of the Project is expected to increase the number of vehicles traveling on the nearby residential streets during the day, these vehicles will be residential-oriented automobiles that have the right to use the residential streets within their own community, rather than being larger commercial trucks or other vehicles associated with the commercial components of the development. Additionally, although not specifically identified in the Project traffic analysis, many additional vehicles on the nearby residential streets will be generated by residents of those communities themselves, as they take advantage of the services and amenities provided by the Proposed Project. These types of trips would not reasonably be considered new traffic in a residential area, although it is identified as such as part of this conservative impact analysis. Additionally, the Project's retail components are intended to serve the local community, and are not anticipated to add substantially to the traffic levels on the nearby residential streets. The residents of the residential component of the Project will likely have to travel to and from work, most likely utilizing the nearby Hollywood Freeway along Lexington Avenue and St. Andrews Place, and beginning the commute from the Project residential driveways on Virginia Avenue. This would affect the three street segments potentially impacted by the Project.

Despite these factors, and the fact that actual neighborhood impacts are expected to be substantially less than are indicated in the preceding analysis, it is recommended that the Project developer provide funding for the development and implementation of a meaningful neighborhood traffic management program. This program would be developed jointly by LADOT and representatives of the homeowners associations surrounding the Project Site, and could include, but not be limited to, installation of additional STOP signs or speed humps to reduce travel speeds on these local streets, chokers or diverters to channel traffic, turn restrictions, or even cul-de-sacs. Other measures, including funding of the design for a new traffic signal at the Project-adjacent intersection of Wilton Place and Virginia Avenue, for City installation should it meet the appropriate warrants, could also be included. The amount of the fund will be determined by LADOT as appropriate to provide adequate measures to achieve the neighborhood traffic management goals identified above.

Future Freeway Conditions

A review of the Project vicinity indicates that nearest Congestion Management Program (CMP) intersections are located on Santa Monica Boulevard at Western Avenue and at Santa Monica Boulevard at Highland Avenue. However, the Project would not add 50 or more new trips to these CMP intersections. Thus, no additional CMA analysis is required at these CMP intersections. In addition, the Project would not add more than 150 new trips to any freeway segment in the study area. Therefore, no additional freeway segment analysis is required.

Parking and Access

The City of Los Angeles Municipal Code specifies parking requirements for new developments. Commercial uses (office, retail) within the Redevelopment Area provide a minimum of two parking spaces per 1,000 square feet of floor area. The following ratios apply to the development of residential uses:

- One parking space per unit for each unit with less than three habitable rooms.
- One and one-half parking spaces for each unit with three habitable rooms.
- Two parking spaces for each unit with more than three habitable rooms. (L.A.M.C §12.21.A.4(a))

Habitable rooms are defined by the L.A.M.C as any interior space, over 50 square feet, of a residential dwelling unit, not including lobbies, closets, hallways, bathrooms, or storage areas (L.A.M.C §12.03). Based on these requirements, the Proposed Project must provide 1,339 parking spaces for Site I, 36 for Site II, and 57 for Site III to meet the L.A.M.C requirements.

As part of the Proposed Project, a multi-level subterranean parking garage will be constructed beneath Site I. This parking garage will provide a total of 844 parking spaces exclusively for the residential use and 827 spaces for the retail/restaurant use, for a total parking supply of 1,671 spaces for Site I. As part of the Proposed Project, a single-level subterranean parking garage with 54 spaces will be constructed beneath Site II and a single-level subterranean parking garage with 86 spaces will be constructed beneath Site III. The Proposed Project would provide a total of 1,811 parking spaces. Therefore, parking demand would not exceed the amount of parking provided by the Project, and the Project would help relieve existing on-street parking demand. As such, no parking deficiency is anticipated and parking impacts associated with the Proposed Project would be less than significant.

Project access will be provided via driveways on Virginia Avenue, Wilton Place, and Saint Andrews Place. There will be no Project driveway on Santa Monica Boulevard. The Project driveway on Virginia Avenue, approximately 140 feet east of Wilton Place, will provide access to resident-only parking for Site I. Driveways on Wilton Place and Saint Andrews Place will provide access to parking for the Project retail/restaurant uses. Access to the site's loading docks will also be located on Wilton Place and Saint Andrews Place. Driveways on the north and south side of Virginia Avenue, approximately 84 feet east of Saint Andrews Place, will provide access to the subterranean parking provided for Site II and Site III, respectively.

The driveway volumes are not expected to be excessive, with peak driveway volumes well within the capacity of the proposed driveways. It is not currently known what type of access control, if any, will be utilized at the driveways. However, typical gate-arm "ticket spitters" or other manually operated access controls typically exhibit capacities of approximately 450 to 650 vehicles per hour per lane, depending on the method of operation. The anticipated peak driveway volumes for the Proposed Project are far below these capacities. As a result, no significant access impacts are expected to occur at any of the Project driveways, even if access controls are installed. However, in order to ensure that no vehicular queues develop onto the fronting streets, it is recommended that any gate arms or kiosks should be placed sufficiently far into the site to allow a minimum queue of two vehicles.

Facts in Support of Findings

Project construction excavation would result in a temporary significant impact. With implementation of the recommended Mitigation Measures, impacts would still be significant and therefore unavoidable, though temporary until the construction excavation phase has been completed. With the implementation of the recommended traffic Mitigation Measures, impacts associated with the operation of the Proposed Project would be reduced to a level of less than significant. However, some recommended Mitigation Measures require coordination and concurrence of Caltrans. In the event that the concurrence of Caltrans cannot be obtained, these improvements cannot be implemented, and impacts along Santa Monica Boulevard at Wilton Place and Western Avenue, and at Western Avenue and the Hollywood Freeway (US-101) northbound on-ramp would remain significant and unavoidable.

9. Utilities

Water

Significant Effects

The Proposed Project would result in a net increase of 97,569 gpd of water consumption. The existing water infrastructure serving the Project area could accommodate estimated water consumption for the Proposed Project and thus, service will be provided routinely in accordance with the LADWP's Rules and Regulations. Therefore, the Proposed Project will have a less than significant impact upon water service.

Facts in Support of Findings

The Proposed Project would not have an impact on water supply. However, the implementation of the recommended Mitigation Measures ensure compliance with the L.A.M.C.

Solid Waste

Significant Effects

Construction activities generate a variety of scraps and wastes, with the majority of recyclables being wood waste, drywall, metal, paper, and cardboard. Based on a construction generation rate of 4.38 pounds of waste for every square foot of new residential construction and 3.89 pounds of waste for every square foot of new nonresidential construction,13 the construction of the Proposed Project is estimated to generate approximately 2,988,271 pounds (1,494 tons) of solid waste over the construction period14. Recycling of construction-related waste materials in compliance with AB 939 would substantially reduce this waste stream that would otherwise go to a landfill. Therefore, approximately 1,494,136 pounds (747 tons) of construction waste15 would be disposed of in the landfills.

The remaining combined daily intake of the Sunshine Canyon and Chiquita Canyon Landfill is 6,279 tons per day. As such, they would have adequate capacity to accommodate the average daily construction waste of 567.2 tons generated by the Proposed Project over its approximately three-year construction period. Therefore, a less-than-significant impact associated with construction waste would occur.

The Proposed Project would result in a net increase 2,880 pounds or 1.44 tons of solid waste per day. The Sunshine Canyon Landfill is permitted to receive 11,000 tons per day and currently receives 5,781 tons per day. Therefore, the Sunshine Canyon Landfill can receive an additional 5,219 tons per day before it reaches its permitted daily capacity. If the Proposed Project's entire 2,880 pounds or 0.72 tons per day of solid waste (that would be disposed in local landfills) was disposed of in the Sunshine Canyon Landfill, the Sunshine Canyon Landfill would have more than enough permitted capacity to accommodate this

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13 USEPA Report No EPA530-98-010, Characterization of Building Related Construction and Demolition Debris in the United States, July 1998, page A-1.

14 Based on approximately 448,090 sq. ft. of new residential uses and 263,660 sq. ft. of new non-residential uses.

15 (2,988,271 pounds of solid waste generated by construction of the Proposed Project)/2 per AB 939.

additional contribution of approximately three quarters of one ton per day. Given the minimal increase, the Proposed Project would not result in the need for additional waste collection routes, recycling or disposal facilities to dispose of he small amount of proposed waste, therefore, project impacts on solid waste would be less than significant.

Facts in Support of Findings

The Proposed Project's impacts on the City's solid waste disposal facilities would be less than significant without mitigation. However, implementation of the recommended mitigation measures would further reduce the Proposed Project's impacts.

Energy Conservation - Electricity

The estimated net increase in electricity consumption by the Proposed Project is approximately 17,010 kwH per day. The LADWP has indicated that there are no service problems in the Project area and that they can accommodate the electricity demands of the Proposed Project with the existing infrastructure. Therefore, the Proposed Project would not entail expansion of distribution infrastructure nor capacity-enhancing alterations to existing facilities.

Title 24 of the California Code of Regulations establishes energy conservation standards for new construction, including residential and non-residential buildings. The Proposed Project would comply with Title 24 energy conservation standards for insulation, glazing, lighting, shading, and water and space heating systems in all new construction. With modern energy efficient construction materials and compliance with Title 24 standards, the Proposed Project would be consistent with the State's energy conservation standards and, therefore, would not conflict with adopted energy conservation plans.

The Proposed Project would result in a net increase in electricity consumption from the existing commercial/retail use, and would require the installation of on-site transformation facilities.16 However, under the City Charter, the LADWP has an obligation to serve the citizens of the City. Therefore, the Proposed Project has been factored into the projected load growth electricity demands. Therefore, there would be a less-than-significant impact on electrical supply systems.

Facts in Support of Findings

There would be no impact by the Proposed Project on electricity services.

C. *Impacts That Cannot Be Mitigated To Less Than Significant Levels.*

Air Quality

Significant Effects

Consistency with the 2003 Air Quality Management Plan

The 2003 AQMP was prepared to accommodate growth, to reduce the high levels of pollutants within the areas under the jurisdiction of South Coast Air Quality Management District (AQMD), to return clean air to the region, and to minimize the impact of pollution

16 Written correspondence from Charles Holloway, Los Angeles Department of Water and Power, October 4, 2005.

control on the economy. Projects that are considered to be consistent with the AQMP would not interfere with attainment because this growth is included in the projections utilized in the formulation of the AQMP. Therefore, projects, uses, and activities that are consistent with the applicable assumptions used in the development of the AQMP would not jeopardize attainment of the air quality levels identified in the AQMP, even if they exceed the SCAQMD's recommended daily emissions thresholds.

Projects that are consistent with the projections of employment and population forecasts identified in the Growth Management Chapter of the RCPG are considered consistent with the AQMP growth projections, since the Growth Management Chapter forms the basis of the land use and transportation control portions of the AQMP.

The Southern California Association of Governments (SCAG), estimates that population within the City of Los Angeles will increase from 3,694,820 persons in 2000 to 4,090,125 persons by 2020. According to projections in the SCAG Regional Transportation Plan (RTP), the permanent residential population in the Hollywood Community Plan area was 224,296 in 2005, and is projected to increase to 232,743 by 2010. The Proposed Project would not directly or indirectly induce substantial population or employment growth beyond current growth projections for the Hollywood area. Because, the Proposed Project would be consistent with the regional populations forecasts for the City of Los Angeles and the Hollywood area, and it would not jeopardize attainment of State and national ambient air quality standards in the Basin and the Los Angeles County portion of the Basin.

Another measurement tool in determining consistency with the AQMP is to determine how a project accommodates the expected increase in population or employment. Generally, if a project is planned in a way that results in the minimization of vehicle miles traveled (VMT) both within the project site and the community in which it is located, thus minimizing air pollutant emissions, that aspect of the project is consistent with the AQMP.

The Proposed Project Site is located in a highly urbanized area of the City of Los Angeles, which provides several modes of public transit service. The site is located within walking distance of public transit services, employment, and shopping sites for Project residents and the proposed retail use would be within walking distance of existing residents in the local vicinity. This type of infill development is consistent with the goals of the AQMP for reducing the emissions associated with new development.

Based on this information, the Proposed Project would not jeopardize attainment of air quality standards in the 2003 AQMP for the Basin and the Los Angeles County portion of the Basin, and this impact would be less than significant.

Construction Period Emissions – Daily Emissions of CO, VOC, NOx, SOx, and PM_{10}

During construction, three basic types of activities would be expected to occur and generate emissions. First, the existing structures would be demolished and the surface parking lots would be removed. Second, the development sites would be prepared, excavated, and graded to accommodate the subterranean parking structures and building foundations. Finally, the new parking structures and buildings would be constructed and readied for use.

The analysis of daily construction emissions has been prepared utilizing the URBEMIS 2002 computer model recommended by the SCAQMD. Due to the construction time frame and the normal day-to-day variability in construction activities, it is difficult, if not impossible to precisely quantify the daily emissions associated with each phase of the proposed construction activities.

Construction-related daily emissions would exceed SCAQMD significance thresholds for NOx, CO, and PM_{10} during the site grading and excavation phase, and VOC and NOx during the building construction phase. Therefore, this impact would be significant.

Operational Emissions – Daily Emissions of CO, VOC, NOx, SOx, and PM_{10}

Operational emissions generated by both stationary and mobile sources would result from normal day-to-day activities on the Project Site after occupation. Stationary area source emissions would be generated by the consumption of natural gas for space and water heating devices and cooking appliances, the operation of landscape maintenance equipment, the use of consumer products, and the application of architectural coatings (paints). Mobile emissions would be generated by the motor vehicles traveling to and from the Project Site.

The analysis of daily operational emissions has been prepared utilizing the URBEMIS 2002 computer model recommended by the SCAQMD. The Proposed Project would generate a net increase in average daily emissions that exceed the thresholds of significance for VOC recommended by the SCAQMD. This is a significant impact.

Operational Emissions – Localized CO Concentrations

The localized CO concentration impacts associated with the Proposed Project have been evaluated with the addition of traffic growth associated with cumulative development. As was done to assess existing CO concentrations, the simplified CALINE4 screening procedure was used to predict future CO concentrations at the study-area intersections in the vicinity of the project site in the year 2010 with cumulative development.

Future CO concentrations near these intersections would not exceed the national and State ambient air quality standards for CO. Therefore, implementation of the Proposed Project and cumulative development would not expose any possible sensitive receptors (such as residential uses, schools, hospitals) located in close proximity to these intersections to substantial localized pollutant concentrations. This would be a less-than-significant impact regarding the exposure of sensitive receptors to substantial pollutant concentrations.

Operational Emissions – Toxic Air Contaminants

Diesel particulate emissions, a known toxic air contaminant, would occur from trucks picking up garbage and recyclable materials, and making deliveries to the Project Site. To address diesel particulate emissions, statewide programs and regulations are presently being developed and implemented by the ARB and U.S. EPA to reduce the risks of exposure to diesel exhaust. These programs include emission control requirements along with subsidies for upgrading older diesel engines to low-emissions models. In light of the available information, the effects of the toxic emissions from future vehicle operations at the project site are not expected to be substantial.

Toxic or carcinogenic air pollutants are not expected to occur in any meaningful amounts in conjunction with operation of the proposed land uses at the Project Site. Only small quantities of common forms of hazardous or toxic substances, such as cleaning agents, which are typically used or stored in conjunction with residential and educational uses, would be present. Most uses of such substances would occur indoors. Based on the common uses expected on the site, any emission would be minor.

This would be a less-than-significant impact regarding the exposure sensitive receptors to

substantial pollutant concentrations.

Operational Emissions – Airborne Odors

The occurrence and severity of potential odor impacts depends on numerous factors. The nature, frequency, and intensity of the source, the wind speeds and direction, and the sensitivity of the receiving location each contribute to the intensity of the impact. While offensive odors rarely cause any physical harm, they can be unpleasant and cause distress among the public and generate citizen complaints.

Odors are typically associated with the use of chemicals, solvents, petroleum products, and other strong-smelling elements used in manufacturing processes. The Proposed Project would include residential and commercial uses, and would not contain any of the above-listed odor producing uses. Instead potential operational airborne odors could result from cooking activities associated with the new residential units and restaurants. These odors would be minimal, if at all noticeable; would be similar to existing residential and commercial uses in the local vicinity and would be confined to the immediate vicinity of the new buildings. Therefore, implementation of the Proposed Project is not expected to create objectionable odors affecting a substantial number of people. This is a less-than-significant impact.

Level of Significance After Mitigation

The URBEMIS 2002 computer model has calculated the emissions reduction efficiencies of the measures recommended to reduce construction-related emissions. Specifically, the model assumes that the use of low emission diesel fuel would reduce emissions of NOx by 14 percent and emissions of PM_{10} by 63 percent. The use of diesel-powered equipment that has been retrofitted with after-treatment products would reduce emissions of NOx by a further 40 percent (cooled exhaust gas recirculation) and PM_{10} emissions by 80 percent (diesel particulate filters) to 85 percent (cooled exhaust gas recirculation).

The recommended mitigation measures would reduce construction-related emissions of NOx and PM_{10}. However, the total emissions generated on peak construction days would continue to exceed the thresholds of significance recommended by the SCAQMD. Therefore, this would be a significant and unavoidable Project-specific and cumulative impact.

The recommended mitigation measures would also reduce the average daily operational emissions associated with the Proposed Project, although the actual reduction would be minimal. The use of solar or low-emission water heaters, and heating and cooking appliances would only reduce the emissions from these sources by approximately 0.5 percent. The primary source of emissions associated with the Proposed Project is motor vehicles. Although the Project is proposed to serve the local community and minimize the number of vehicle trips that would otherwise be made to other locations, no mitigation is available on a project-specific basis to reduce the number of vehicle trips to and from the Project Site and their associated emissions. The resulting average daily emissions would continue to exceed the thresholds of significance recommended by the SCAQMD. Therefore, this would be a significant and unavoidable Project-specific impact.

No additional mitigation can be recommended to reduce the impacts to less than significant.

Transportation and Traffic

Significant Effects

Of the 20 study intersections, the Proposed Project would significantly impact the following five study intersections:

5. Hollywood Freeway NB On-Ramp & Western Avenue
8. Santa Monica Boulevard & Gower Street
10. Santa Monica Boulevard & Wilton Place
11. Santa Monica Boulevard & Western Avenue
19. Melrose Avenue & Western Avenue

All of these intersections can be mitigated to a less than significant level with the exception of the Hollywood Freeway NB On-Ramp & Western Avenue. A signal was recommended as feasible mitigation, which would reduce this impact to less than significant. However, the Los Angeles Department of Transportation rejected this mitigation due to the high level of congestion at the intersection and on-ramp. Therefore, traffic impacts associated with the Proposed Project at the Hollywood Freeway NB On-Ramp at Western Avenue would remain significant and unavoidable during Project operation.

Mitigation Measures

There is no other feasible mitigation other than a traffic signal for this location.

Significant Irreversible Environmental Changes

The types and level of development associated with the Proposed Project would consume limited, slowly renewable and non-renewable resources. This consumption would occur during construction of the Proposed Project and would continue throughout its operational lifetime. The development of the Proposed Project would require a commitment of resources that would include (1) building materials, (2) fuel and operational materials/resources and (3) the transportation of goods and people to and from the Project Site.

Construction of the Proposed Project would require consumption of resources that are not replenishable or which may renew slowly as to be considered non-renewable. These resources would include certain types of lumber and other forest products, aggregate materials used in concrete and asphalt (e.g., sand, gravel and stone), metals (e.g., steel, copper and lead), petrochemical construction materials (e.g., plastics) and water. Fossil fuels, such as gasoline and oil would also be consumed in the use of construction vehicles and equipment.

The commitment of resources required for the type and level of proposed development would limit the availability of these resources for future generations for other uses during the operation of the Proposed Project. However, this resource consumption would be consistent with growth and anticipated change in the Los Angeles region.

Growth Inducing Impacts

The Proposed Project could foster economic growth in the Project area by increasing the number of residents at the Project Site who could patronize local business and services in the area. In addition, employment opportunities would be provided during the construction and operation of the Proposed Project. The Proposed Project would provide additional housing by adding 437 multi-family residences with 748 residents and 377,900 sq. ft. of retail/restaurant/office/medical office space at the Project Site. This growth would be consistent with area-wide population and housing forecasts. The Proposed Project would

provide increased tax revenue for the City with the 377,900 sq. ft. retail component. The revenue ultimately would be reinvested into the community. The Proposed Project could stimulate redevelopment and revitalization of the immediate neighborhood and contribute to the overall Hollywood and nearby areas revitalization. Other new projects in the immediate area can also enjoy the amenities of this Project with the pedestrian plaza as a community gathering location, use of the roof-top garden, etc. The Project is adding retail uses for the Project area thereby reducing vehicle miles traveled in the Project vicinity.

Also, the roadways and other infrastructure (e.g., water facilities, electricity transmission lines, natural gas lines, etc.) associated with the Proposed Project would not induce growth because they are existing and they would only serve Project residents and businesses.

Alternatives

The Draft EIR considered a reasonable range of alternatives to the Project to provide informed decision-making in accordance with Section 15126.6 of the State CEQA Guidelines. The alternatives analyzed in the Draft EIR included:

- Alternative A: No Build/No Project and Code Compliant Project/No Project (Without Linoleum City Parcel);
- Alternative B: Mixed Use Alternative Site Plan (Without Linoleum City Parcel)
- Alternative C: Office/Retail Alternative (With Linoleum City Parcel)
- Alternative D: Studio/Retail Alternative (With Linoleum City Parcel)
- Alternative E: Residential, Less Retail Alternative (With Linoleum City Parcel)
- Alternative F: Residential, Less Retail Alternative (Without Linoleum City Parcel)

Alternative A: No Build/No Project and Code Compliant Project/No Project (Without Linoleum City Parcel

Alternative A evaluated two variations of the No Project Alternative:

No Build (No Project Alternative). Under this variation of the No Project Alternative, the Proposed Project would not be constructed and the five retail single-story buildings (including the Linoleum City parcel) and the 3-story (above grade) retail department store building (currently occupied by Sears), totaling approximately 161,550 square feet, would continue to occupy the Project Site and would be operational. The analysis of the No Build/No Project Alternative assumes the continuation of existing conditions, as well as development of the related projects.

Code Compliant Project (No Project Alternative). Under this variation of the No Project Alternative, it is possible that disapproval of the Proposed Project could eventually result in development of another project in accordance with the requirements of the current Community Plan and existing C4 and R4 zoning on Site I of the Project Site. Site I currently includes five single-story and one 3-story (above grade) department store building (currently occupied by Sears). Four out of the five existing single-story buildings would be demolished under this scenario and the Linoleum City building and the 3-store (above grade) department store building would not be demolished and remain in their current condition. This variation of the No Project Alternative assumes that the Project Site is developed in conformance with the current land use regulations and does not include development on the Linoleum City parcel (and the Linoleum City building would remain as retail use) and the 3-story (above grade) department store building would continue to be retail. Under the Code Compliant scenario, feasible development of Site

I, approximately 4.9-acres, would involve construction of a residential complex. It is reasonable to assume that the 3-story (above grade) retail department store building that is currently leased to Sears would remain as a retail use in the foreseeable future on-site as retail, leased to a retail tenant or tenants. Based on the remaining size of Site I, a maximum of 351 multi-family units with 865 parking spaces, per the City Planning Commission Policy for Condominiums of 2.25 spaces per unit (including 75 spaces for the retail department store building), could be provided under the R4 allowable density zone. The maximum height allowed under the C4 and R4 zone is 45-feet. This scenario may not include the vacation of the entire alley, but may include the vacation of part of the alley.

Alternative A Impact Summary

The Proposed Project would result in significant impacts after mitigation in air quality construction and operation. The No Build scenario would not result in any significant environmental impacts associated with its implementation and would eliminate the Proposed Project's significant and unavoidable construction and operational air quality impacts. The Code Compliant Project scenario would result in significant impacts after mitigation with construction; however, the implementation of this development scenario would eliminate the operational significant and unavoidable air quality impacts and such impacts would be less than significant.

The No Build scenario would avoid most of the environmental impacts associated with the Proposed Project. However, the No Build scenario would not satisfy any of the project objectives. With respect to the Project objectives, the No Build scenario would not provide housing or additional retail, or a town center for the surrounding neighborhood as a gathering spot for the community and no public open spaces would be provided.

The Code Compliant Project scenario would avoid most of the environmental impacts associated with the Proposed Project, with the exception of aesthetics. With respect to the project objectives, the Code Compliant Project scenario would provide housing but no additional retail, or a town center for the surrounding neighborhood.

Alternative B: Mixed Use Alternative Site Plan (Without Linoleum City Parcel)

The Project Applicant does not currently own the Linoleum City Parcel. The Project Applicant and the Linoleum City Parcel owner have been in negotiations for several months for parcel acquisition by the Project Applicant. At the time of publication of this Draft EIR, there is no certainty that Linoleum City will be acquired. In the event that Linoleum City Parcel can be acquired, then the Project Applicant will move forward with the Proposed Master Project. If the Linoleum City Parcel is cannot be acquired, Alternative B (Alternative Project) will be replaced as the Proposed Project. Alternative B proposes a mixed use project in which the Project would be built around the Linoleum City Parcel and would reduce the proposed development, by approximately 24,000 square feet of retail space. Though the Linoleum City Parcel totals 20,020 sq. ft. (and the building is approximately 16,000 sq. ft.), the Project under Alternative B assumes approximately 24,000 sq. ft. less retail development for a conservative analysis. The Linoleum City building would not be demolished and would remain in its current existing condition. Alternative B addresses an altered site development condition on Site I only. The table below provides a breakdown of the uses provided under Alternative B with a comparison to the Proposed Project.

Table
Alternative B Project Characteristics

		Project (with Linoleum City)	Alt. B Alternative Site Plan (w/o Linoleum City Parcel)
Site I			
	Retail (SF)	263,780[1]	239,721
	Sears as Retail (SF)	114,120	114,120
	Residential (units)	375	375
	Studio (SF)	--	--
	Office (SF)	See retail	--
	Parking (spaces)	1,671	1,551[2]
Site II			
	Residential (units)	24	24
	Parking (spaces)	54	54
Site III			
	Residential (units)	38	38
	Parking (spaces)	86	86
Total (all sites)			
	Retail (SF)	377,900	353,841
	Office (SF)	--	--
	Studio (SF)	--	--
	Residential (SF)	448,090	448,040
	Residential (units)	437	437
	Parking (spaces)	1,811[1]	1,691
Total Height (ft)		94	94
Unoccupied Tower Height (ft)		113	113

NOTES:
1. Includes 25,000 sq. ft. restaurant and up to approximately 50,000 sq. ft. Office.
2 Includes 75 parking spaces for the 3-story (above grade) retail department store (Sears).

The Linoleum City building (approximately 16,000 sq. ft.) would not be demolished and would remain in its current existing condition. The remaining existing retail space on Site I, totaling 27,410 square feet, would be demolished. This includes some ancillary structures to the existing 3-story (above retail) department store building. The total new construction to be built under this Alternative would be approximately 239,721 sq. ft., which is approximately 24,000 sq. ft. less than the Proposed Project's 263,780 sq. ft.

Further, the approximately 114,120 sq. ft.17 existing 3-story (above grade) retail department store building would not be demolished and would continue to be used as retail like it would under the Proposed Project, or converted to residential. As compared to the Proposed Project's retail total of 377,900 sq. ft., the overall size of the Project the retail under this Alternative would be reduced by approximately 24,000 square feet of retail space and would total approximately 353,841 sq. ft (which is approximately 24,000 sq. ft. less than the Proposed Project).

In addition, this Alternative would include construction of 375 multi-family residential units on Site I, which is the same as the Proposed Project's 375 multi-family residential units for Site I. Since this Alternative would include less retail space, the total number of parking spaces would be reduced to approximately 1,551 spaces on Site I, which are about 120 spaces less than the Proposed Project's 1,671 parking spaces. Like the Proposed Project, the parking spaces on Site I would be provided in a below grade structure. Without the Linoleum City Parcel, the Project (including the underground parking structure) would have to be designed around that parcel. A variation of the alley vacations would be provided to allow rear access to the Linoleum City Parcel. Therefore, this Alternative would not result in greater development than the Proposed Project.

The height of the structure would be the same as the Proposed Project with a maximum height of approximately 94 feet of occupied space (up to approximately 113 feet, including 19 feet of unoccupied architectural features). Like the Proposed Project, a pedestrian plaza would be provided along Santa Monica Boulevard would be provided under this Alternative, as would a paseo between Santa Monica Boulevard and Virginia Avenue. The difference between the Proposed Project and this Alternative regarding the pedestrian plaza is the placement and size. Under the Proposed Project, the pedestrian plaza would be located in the general vicinity of the Linoleum City Parcel and under this Alternative the plaza would be located further east closer to the existing 3-story (above grade) retail department store building

Also, the plaza under this Alternative would not include a water fountain feature and the plaza size would be smaller. Though this Alternative would include a paseo connecting the plaza to Virginia Avenue like the Proposed Project, the paseo would be smaller and the area in which the paseo is accessed on Virginia Avenue would not be as large and open as the one under the Proposed Project. The proposed roof-top garden on top of the 3-story (above grade) department store building may not be provided under this Alternative, however, if provided, the garden may be smaller than under the Proposed Project. Access to this site would be the same as the Proposed Project with ingress/egress driveways on Wilton Place, Virginia Avenue and St. Andrews Place.

The open space areas under the Proposed Project would be provided under this Alternative with a smaller pedestrian public plaza on Santa Monica Boulevard. Further, a paseo connecting the plaza to Virginia Avenue would also be provided. Also, the proposed roof-top garden on top of the 3-story (above grade) department store building would be provided under this Alternative.
Site development conditions would remain the same for Sites II and II and no further analysis is necessary. Site II would include 24 multi-family units with 54 spaces below grade parking spaces and Site III would include 38 multi-family units with 86 below grade parking spaces. Access to the 62 residential units for Sites II and III would be on Virginia Avenue. These residential structures would be 45-feet tall.

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17 The existing 3-story (above grade) department store building currently occupied by Sears totals approximately 124,120 sq. ft. with the ancillary structures. It is proposed that those ancillary structures, totaling approximately 10,000 sq.ft. be demolished and the remaining structure would total approximately 114,120, sq.ft.

Alternative B Impact Summary

The Proposed Project would result in potentially significant environmental impacts to: air quality (construction and operation); cultural resources (archaeological and paleontological); geology and soils; hazards; noise (construction); and transportation and traffic (five study intersections). With implementation of recommended mitigation measures these potential impacts would be reduced to less than significant with the exception of air quality (construction and operation). Alternative B would result in similar impacts to the Proposed Project and would involve implementation of similar recommended mitigation measures to reduce impacts to less than significant with the exception of air quality (construction and operation).

This Alternative would be nearly the same as the Proposed Project with the exclusion of the Linoleum City parcel as part of the Project Site. The proposed total square footage and mix of uses would be the same though the total lot area of the Project Site would be smaller under this Alternative. This Alternative would provide open space areas such as the pedestrian public plaza but would be smaller than the one proposed under the Proposed Project. Consequently, a limited size town center would be provided for public gathering. Further, full traffic improvements will not be made on Santa Monica Boulevard. Finally, the visual aesthetics would be reduced with implementation of this Alternative. This Alternative would satisfy most of the Project objectives.

Alternative C: Office/Retail Alternative (With Linoleum City Parcel)

Alternative C would include demolition of existing retail space of approximately 47,430 square feet and continued use of the existing 3-story (above grade) department store building, approximately 114,120 square feet, as retail. This alternative would include construction of new retail space on Site I of approximately 263,780 square feet that would be incorporated with the existing 3-story (above grade) retail department store building, 114,120 square feet, and a total of 377,900 square feet of retail space would be provided. In addition, this Alternative would include construction of 397,870 square feet of office space, which is equivalent to the Proposed Project's residential square footage for Site I. Parking on Site I would include 1,399 spaces. Therefore, this Alternative would not result in greater development than the Proposed Project.

On Site I, this alternative would include a podium of 2-stories of retail space. There would be no a pedestrian plaza along Santa Monica Boulevard and there would not be a paseo linking Santa Monica Boulevard and Virginia Avenue. This Alternative would include an additional one level of below grade retail space. The office space would be placed in additional 6-stories above the 2-story retail podium, providing a maximum height of 8-stories for the entire development on Site I. The floor to ceiling height for retail/commercial uses are typically greater than for residential uses; therefore, the actual height would be approximately 16 feet taller with a height of approximately 110 feet above grade. Parking would be provided in below grade parking structure and access would be similar to the Proposed Project with driveways on Wilton Place, Virginia Avenue and St. Andrews Place.

Site II would include 24 residential units with 54 parking spaces and Site III would include development of 38 residential units and 86 parking spaces. This Alternative would include a total of approximately 1,539 parking spaces. For Sites II and III, residential would be constructed similar to the Proposed Project with 24 units on Site I and 38 units on Site III. Parking would be the same as the Proposed Project and access would be provided on Virginia Avenue. These structures would be 45-feet tall. Since

site development conditions remain unchanged under this Alternative for Sites II and III, no further analysis is necessary.

Alternative C Impact Summary

The Proposed Project would result in potentially significant environmental impacts to: air quality (construction and operation); cultural resources (archaeological and paleontological); geology and soils; hazards; noise (construction); and transportation and traffic (five study intersections). With implementation of recommended mitigation measures these potential impacts would be reduced to less than significant with the exception of air quality (construction and operation). Alternative C would not reduce the Proposed Project's potentially significant impacts to less than significant. In addition, this Alternative would result in greater impacts, though still less than significant, to: aesthetics (aesthetics/view; and shade/shadow); daytime operational noise; public services (fire protection); traffic (impacts same five study intersections plus additional AM peak hour impacts at two of the study intersections plus impacts at four new intersections); and utilities (water, solid waste and electricity).

Although a different mix of uses with office/retail for Site I Alternative would reduce some of the environmental impacts associated with the Proposed Project, it would increase several of the environmental impacts. Furthermore, this Alternative would not satisfy all of the project objectives. As this Alternative would not include residential uses, it could potentially increase reliance upon automobiles for transportation to retail uses.

Alternative D: Studio/Retail Alternative (With Linoleum City Parcel)

Alternative D would include demolition of existing retail space of approximately 47,430 square feet and re-use and rehabilitation of the existing 3-story (above grade) retail department store building, approximately 114,120 square feet. This Alternative would include construction of new retail space on Site I of approximately 263,780 square feet that would be incorporated with the existing 3-story retail department store building, 114,120 square feet, and a total of 377,900 square feet of retail space would be provided. In addition, this Alternative would include construction of 397,870 square feet of studio space for movie and television production, which is equivalent to the Proposed Project's residential square footage. Parking for Site I would include approximately 1,399 spaces. Therefore, this Alternative would not result in greater development than the Proposed Project.

The retail would be placed in two stories above grade with one level below, similar to the Proposed Project on Site I. However, due to the production needs of a studio space, the floor-to-ceiling height requirement would be greater for studio use than office space. The overall height requirement could be as much as twice an office space from floor-to-ceiling. Consequently, the height of the building would be estimated at 135 feet which is greater than the Proposed Project's approximate height of 113 feet, representing a 22 foot difference. Further, this Alternative would not include a pedestrian plaza or a paseo providing pedestrian passage from Santa Monica Boulevard to Virginia Avenue. The area would be used as building/structure to house the space for the proposed uses. Parking would be provided in below grade parking structure and access would be similar to the Proposed Project with driveways on Wilton Place, Virginia Avenue and St. Andrews Place.

This Alternative would include residential development on Sites II and III: approximately 24 units with 54 parking spaces on Site II, and approximately 38 units with 86 parking spaces on Site III. Total parking provided under this Alternative would include 1,539

parking spaces. For Sites II and III, residential would be constructed similar to the Proposed Project with 24 units on Site II and 38 units on Site III. Parking would be the same as the Proposed Project and access would be provided on Virginia Avenue. The structures on Sites II and III would be 45 feet tall. Since site development remains unchanged under this Alternative for Sites II and III, no further analysis is necessary.

Alternative D Impact Summary

The Proposed Project would result in potentially significant environmental impacts to: air quality (construction and operation); cultural resources (archaeological and paleontological); geology and soils; hazards; noise (construction); and transportation and traffic (five study intersections). With implementation of recommended mitigation measures these potential impacts would be reduced to less than significant with the exception of air quality (construction and operation). Alternative D would not reduce the Proposed Project's potentially significant impacts to less than significant. In addition, this Alternative would result in greater impacts, though still less than significant to: aesthetics (aesthetics/view); construction noise; daytime operational noise; public services (fire protection); traffic (same impacted 5 study intersections); and utilities (solid waste and electricity).

Although a different mix of uses with studio/retail for Site I Alternative would reduce some of the environmental impacts associated with the Proposed Project, it would increase other environmental impacts. Though this Alternative provides a mix of uses, residential units on Site I are eliminated, thus, significantly reducing the number of residential units. Consequently, traffic patterns may differ and possibly result in greater traffic circulation effects elsewhere in the Community as the goal of reducing traffic may not be realized to the same level as the Proposed Project. Furthermore, this Alternative would not satisfy all of the project objectives.

Alternative E: Residential, Less Retail Alternative (With Linoleum City Parcel)

Alternative E would include demolition of existing retail space of approximately 47,430 square feet and use the existing 3-story department store building, approximately 114,120 square feet as retail and construction of 599 multi-family residential units on Site I. Also, an addition of 33,000 square feet of retail space would be constructed on Site I; thus a total of 147,120 square feet of retail space would be provided on Site I under Alternative E. The parking required for Site I would be approximately 1,488 spaces which includes 75 spaces for the department store provided in a below grade structure. This Alternative would not include a pedestrian plaza or a paseo linking Santa Monica Boulevard and Virginia Avenue. The retail would be located along Santa Monica Boulevard. Further, no roof-garden would be provided; however, some landscaped open space areas would be provided per code requirements.

The height of the structure would be the same as the Proposed Project with a maximum height of 113 feet for an architectural feature and up to 94 feet of occupied space. Access to Site I would be the same as the Proposed Project with driveways on Wilton Place, Virginia Avenue and St. Andrews Place.

Sites II and III would be developed with 62 multi-family residential units, 24 units and 54 spaces on Site II, and 38 units and 86 spaces on Site III. For Sites II and III, parking would be the same as the Proposed Project and access would be provided on Virginia Avenue. The structures would be 45-feet tall. Since site development conditions remain the same under this Alternative as under the Proposed Project, no additional analysis is necessary.

Alternative E Impact Summary

The Proposed Project would result in potentially significant environmental impacts to: air quality (construction and operation); cultural resources (archaeological and paleontological); geology and soils; hazards; noise (construction); and transportation and traffic (five study intersections). With implementation of recommended mitigation measures these potential impacts would be reduced to less than significant with the exception of air quality (construction and operation). Alternative E would reduce the Proposed Project's potentially significant air quality operational impacts to less than significant. In addition, this Alternative would result in greater impacts, though still less than significant to: aesthetics (aesthetics, public services (police protection); traffic (eliminates impacts at three of the five significantly impacted intersections and eliminates PM peak impacts at all of the intersections); and utilities (wastewater, water, and natural gas).

Implementation of Alternative E would result in the construction of 599 residential units and retention of a 114,120 square foot retail department store building on Site I, construction of 24 units on Site II and 38 units on Site III for a total of 661 multi-family residential units. This Alternative would also increase some of the environmental impacts but reduce some of the Project identified impacts. However, this Alternative would not satisfy all of the project objectives. This Alternative would include only a (former) retail department store building, and 33,000 square feet of retail on Santa Monica Boulevard, which would provide some local retail tenants (as the department store building will be subdivided) but would provide a smaller mix of neighborhood retail services such as dry cleaners, specialty market, bakery, coffee house, banks, food and liquor establishments to name a few that would create a more limited mixed use environment and provide a more limited place for residents to shop locally at neighborhood for these services. Since a large mix of retail (like the Proposed Project) would not be provided, residents may need to use cars or other means of transportation to shop for daily and weekly retail needs and could generate traffic circulation effects elsewhere in the community. This Alternative would not meet all of the Project objectives, specially would not: encourage and enhance pedestrian activity in the Project Area.; create a community town center for the Project Area; and create various, business incubation retail space to provide the opportunity for first time store operators to enter the market and sell their products.

Alternative F: Residential, Less Retail Alternative (Without Linoleum City Parcel)

Alternative F would include demolition of existing retail space of approximately 27,410 square feet and retain the existing 3-story (above grade) department store building, approximately 114,120 square feet as multiple retail. New construction on Site I would include 599 residential units and 23,400 square feet of neighborhood serving retail along Santa Monica Boulevard in addition to the 114,120 square foot existing 3-story (above grade) retail and/or department store building. Therefore, the total retail provided under Alternative F would be 137,520 square feet. The parking required for Site I would be approximately 1,469 spaces which includes 75 spaces for the 3-story (above grade) retail department store provided in a below grade structure. This Alternative does not include the 20,020 square foot Linoleum City Parcel on Site 1. This Alternative would involve a vacation of all or part of the existing alleys. Also, this Alternative does not include a pedestrian plaza or a paseo linking Santa Monica Boulevard and Virginia Avenue.

The maximum height of the structure on Site I would be approximately 94 feet which

would be approximately the same height as the occupied areas of the Proposed Project and would include the architectural feature of the Proposed Project that would rise another 19 feet above the occupied space for height maximum of 113 feet. Access to Site I would be the same as the Proposed Project with driveways on Wilton Place, Virginia Avenue and St. Andrews Place.
Site II would be developed with 24 residential units and 54 underground parking spaces. Site III would 38 residential units with 86 underground parking spaces. For Sites II and III, parking would be the same as the Proposed Project and access would be provided on Virginia Avenue. The structures on Site II and III would be 45-feet tall. Since site development conditions would not change under this alternative for Sties II and III, no additional analysis is necessary.

Alternative F Impact Summary

The Proposed Project would result in potentially significant environmental impacts to: air quality (construction and operation); cultural resources (archaeological and paleontological); geology and soils; hazards; noise (construction); and transportation and traffic (five study intersections). With implementation of recommended mitigation measures these potential impacts would be reduced to less than significant with the exception of air quality (construction and operation). Alternative F would reduce the Proposed Project's potentially significant air quality operational impacts to less than significant. In addition, this Alternative would result in greater impacts, though still less than significant to: aesthetics; seismic hazards; public services (police); traffic (eliminates PM impacts at three of the five and AM impacts at one of the significantly impacted intersections); and utilities (wastewater and water).

Implementation of Alternative F would result in the construction of 599 residential units and retention of a 114,120 square foot retail department store building which will be adapted into multiple tenant spaces and construct an additional 23,400 square feet of retail fronting Santa Monica Boulevard on Site I, construction of 24 units on Site II and 38 units on Site III for a total of 661 multi-family residential units. This Alternative would also increase some of the environmental impacts but reduce some of the Project identified impacts. However, this Alternative would not satisfy all of the project objectives. This Alternative would include retaining the existing retail department store building and subdividing into two or more retail tenant spaces and additional neighborhood serving retail of approximately 23,400 square feet which would provide some local retail but would not provide a mix of neighborhood retail services such as a specialty market, and clothing stores, soft goods stores, and larger format tenants,, to name a few that would create an integrated mixed use environment and provide a place for residents to shop locally for these services. Since this mix of retail would not be provided, residents may need to use cars or other means of transportation to shop for daily and weekly retail needs and could generate traffic circulation effects elsewhere in the community. Specifically, Alternative F would not: create a community town center for Project Area; provide a mixed use development with a pedestrian plaza in the Project Area for neighbors to meet and gather; and create various, business incubation retail space to provide the opportunity for first time store operators to enter the market and sell their products.

Environmentally Superior Alternative

In addition to the discussion and comparison of impacts of a Proposed Project and the Alternatives, Section 15126.6 of the CEQA Guidelines requires that an "environmentally superior" Alternative be selected and the reasons for such a selection disclosed. In general, the environmentally superior Alternative is the Alternative that would be

expected to generate the least amount of adverse impacts. In this case, the No Build/No Project Alternative would result in the least impacts on the existing environment. However, Section 15126.6(e)(2) of the CEQA Guidelines states if the No Project Alternative is the environmentally superior alternative, then the EIR shall also identify an environmentally superior alternative among the other alternatives. Based on the alternatives analysis, Alternative F, Residential, Less Retail, Without Linoleum City Parcel Alternative is considered to be the environmentally superior alternative, since it would reduce the Proposed Project's significant air quality operational impact to less than significant. Finally, daytime operational noise would be less under Alternative F compared to the Proposed Project. However, as previously discussed, Alternative F would not satisfy all of the project objectives. Though Alternative F would not attain a more pedestrian environment with a plaza along Santa Monica Boulevard, (creating a town center as the Proposed Project) it would include a small mix of uses.

Statement of Overriding Considerations

The Final EIR has identified unavoidable significant impacts that will result from implementation of the Project. Section 21081 of the California Public Resources Code and Section 15093(b) of the CEQA Guidelines provide that when the decisions of the public agency allows the occurrence of significant impacts identified in the Final EIR that are not substantially lessened or avoided, the lead agency must state in writing the reasons to support its action based on the Final EIR and/or other information in the record. Article I of the City's CEQA Guidelines incorporates all of the State CEQA Guidelines contained in Title 15, California Code of Regulations, Sections 15000 et seq. and thereby requires, pursuant to Section 15093 (b) of the CEQA Guidelines, that the decision maker adopt a Statement of Overriding Considerations at the time of approval of a project if it finds that significant adverse environmental effects identified in the Final EIR cannot be substantially lessened or avoided. These findings and the Statement of Overriding Considerations are based on substantial evidence in the record, including but not limited to the Final EIR, the source references in the Final EIR, and other documents and material that constitute the record of proceedings.

Based on the analysis in the Final EIR, the Project would result in significant unavoidable environmental impacts with respect to construction-related emissions of NOx and PM_{10} and average daily emissions from motor vehicles during Project operation, and it is not feasible to mitigate such impacts to a less-than-significant level. Accordingly, the City adopts the following Statement of Overriding Considerations. The City recognizes that significant and unavoidable impacts will result from implementation of the Project. Having (i) adopted all feasible mitigation measures (the mitigation measures as set forth in the Paseo Plaza Environmental Impact Report are hereby incorporated herein by this reference), (ii) rejected as infeasible alternatives to the Project, (iii) recognized all significant, unavoidable impacts, and (iv) balanced the benefits of the Approved Project against the Approved Project's significant and unavoidable impacts, the City hereby finds that the each of the Project's benefits, as listed below, outweighs and overrides the significant unavoidable impacts of the Project's air emissions during construction and operation and the Project impact at the intersection of Western Avenue and the Hollywood Freeway NB On-Ramp. (LADOT rejected a signal at this intersection due to congestion at the ramp – a signal would have mitigated the impact and there is no other feasible mitigation at this location).

Summarized below are the benefits, goals and objectives of the Approved Project. These provide the rationale for approval of the Proposed Project. Any one of the overriding considerations of economic, social, aesthetic and environmental benefits individually would be sufficient to outweigh the significant unavoidable impacts of the Approved Project and justify the approval, adoption or issuance of all of the required permits, approvals and other

entitlements for the Approved Project an the certification of the completed Final EIR. Despite the unavoidable impacts regarding air emissions for the Proposed project, the City approves the project based on the following contributions of the Project to the Community

1. The Proposed Project will create a pedestrian-friendly, mixed use development with a variety of housing and neighborhood serving retail opportunities for the community.
2. The Proposed Project will increase the supply of housing in the City of Los Angeles, Hollywood Community.
3. The Proposed Project will develop an integrated mixed use project that is in close proximity to jobs and public transportation.
4. The Proposed Project will enhance the visual aesthetics of the area through redevelopment and provision of landscaping and design in an urban area.
5. The Proposed Project will encourage and enhance pedestrian activity in the Project Area.
6. The Proposed Project will provide employment associated with construction and operation of the Proposed Project.
7. The Proposed Project will create a community town center for the Project Area.
8. The Proposed Project will provide a mixed use development with a pedestrian plaza creating a safe public gathering place, policed by private security guards, where the community will feel secure in a family friendly environment in order to enhance the time spent shopping and engaging in leisure activities.
9. The Proposed Project will provide residential opportunities on land previously used for parking while not reducing code required parking for existing uses.
10. The Proposed Project will reduce traffic within the immediate Project Site neighborhood by locating housing near stores, goods and services.

Mitigation Monitoring Program

In accordance with the Requirements of Public Resources Code § 21081.6, the City Planning Commission hereby adopts the Mitigation Monitoring Program, which is described in full in Section IV of the Final EIR for the Proposed Project, and is incorporated herein by this reference. The City Planning Commission reserves the right to make amendments and/or substitutions of mitigation measures if the City Planning Commission or their designee determines that the amended or substituted mitigation measure will mitigate the identified potential environmental impacts to at least the same degree as the original mitigation measure, and where the amendment or substitution would not result in a new significant impact on the environment which cannot be mitigated.

Independent Judgment

The Applicant's consultants prepared the screencheck versions of the Draft EIR, Final EIR and Traffic Study. All such materials and all other materials related to the EIR were extensively reviewed and, where appropriate, modified by the Planning Department or other City representatives. As such, the Draft EIR, Final EIR, Traffic Study, and all other related materials reflect the independent judgment and analysis of the Lead Agency.

Substantial Evidence

The City Planning Commission finds and declares that substantial evidence for each and every finding made herein is contained in the Draft EIR, Final EIR, Traffic Study, and other related materials, each of which are incorporated herein by this reference. Moreover, the City Planning Commission finds that where more than one reason exists for any finding, the City Planning Commission finds that each reason independently supports such finding, and that any reason in support of a given finding individually constitutes a sufficient basis for that finding.

Relationship of Findings to EIR

These Findings are based on the most current information available. Accordingly, to the extent there are any apparent conflicts or inconsistencies between the Draft EIR and the Final EIR, on the one hand, and these Findings, on the other, these Findings shall control and the Draft EIR and Final EIR or both, as the case may be, are hereby amended as set forth in these Findings.

Project Conditions of Approval

Each of the Project features and mitigation measures referenced herein shall be conditions of project approval to be monitored and enforced by the City pursuant to the building permit process and the Mitigation Monitoring Program. To the extent feasible, each of the other findings and conditions of approval made by or adopted by the City Planning Commission in connection with the Project are also incorporated herein by this reference.

Custodian of Documents

The custodian of the documents or other material which constitutes the record of proceedings upon which the Director's decision is based is the City of Los Angeles, Planning Department, located at 200 North Spring Street, Room 750, Los Angeles, California 90012.

14. **Fish and Game** The subject project which is located in the County of Los Angeles, will not have an impact on fish or wildlife resources or habitat upon which fish and wildlife depend, as defined by California Fish and Game Code Section 711.2.

15. **Volunteered Conditions.** The City has a legitimate interest in regulating development to protect the health and safety of the public by ensuring development of a functionally integrated project where vehicle and pedestrian circulation occurs in a safe manner. Measures have been included to provide additional public open space and affordable housing units. An Environmental Impact Report in full compliance with CEQA was prepared for this project and impact mitigation has been incorporated. In addition, other conditions have been recommended to ensure that the project site is developed as presented. The nature and extent of the potential effects of this project will be further reduced by theses volunteered conditions and will further protect and enhance the surrounding neighborhoods.

To: The Council

Date: JUN 07 2007

From: Mayor

Council District: 13

General Plan Amendment and zone change
for 5661 W. Santa Monica Blvd.
(Hollywood Community Plan)
CPC No. 2006-4392 GPA-ZC-ZV-HD-ZAA-ZAI-SPR

I herewith concur with the Planning Commission's action to approve the above-entitled General Plan Amendment and zone change, and transmit this matter for your consideration.

ANTONIO R. VILLARAIGOSA
Mayor

Santa Monica gpa

5/31/07

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CITY PLANNING
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Date: MAY 3 1 2007

City Plan Case No. 2006-4392 GPA-ZC-ZV-HD-ZAA-ZAI-SPR
Council District No. 13

Honorable Antonio Villaraigosa, Mayor
City of Los Angeles
City Hall, Room 305
Los Angeles, CA 90012

Dear Mayor Villaraigosa:

A PROPOSED GENERAL PLAN AMENDMENT AND ZONE CHANGE ON PROPERTY LOCATED AT 5661 W SANTA MONICA BOULEVARD WITHIN THE HOLLYWOOD COMMUNITY PLAN

Pursuant to the provisions of Section 551, 555 and 558 of the City Charter, transmitted herewith is the March 8, 2007 action of the City Planning Commission approving a proposed General Plan Amendment to the Hollywood Community Plan adding a footnote increasing the maximum floor area ratio (FAR) permitted in the Neighborhood Commercial designation over the entire site for the property bounded by Virginia Avenue, St. Andrews Place, Santa Monica Boulevard and Wilton Place. The City Planning Commission also approved concurrent zone changes and a height district change from R4-1VL and C4-1VL to (T)(Q)RAS4-2D to permit construction of a mixed-use project consisting of up to 375 residential condominium units and 377,900 square feet of commercial space.

The City Planning Commission, as evidenced by the attached Findings, has determined that the proposed land use designations will conform to the City's General Plan, will be compatible with adjacent land uses, and is appropriate for the site.

The proposed General Plan Amendment is submitted to you for your recommendation, which is to be forwarded to the City Council as specified by Section 11.5.6 of the Los Angeles Municipal Code. The zone change will be transmitted to you following the City Council's action.

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RECOMMENDATION

That the Mayor:

1. Concur in the attached action of the City Planning Commission relative to its approval of the proposed General Plan Amendment for the subject property; and

2. Recommend that the City Council adopt the attached Findings of the City Planning Commission relative to the General Plan Amendment; and

3. Recommend that the Council adopt, by Resolution, the plan amendment, as shown in the attached exhibits; and

4. Recommend that the City Council direct staff to revise the Community Plan in accordance with this action.

Very truly yours,

S. GAIL GOLDBERG, AICP
Director of Planning

Charles J. Rausch; Jr.
Senior City Planner

Attachments:
1. City Plan Case File
2. City Planning Commission action, including Findings and Conditions
3. Resolution Amending the Community Plan
4. General Plan Amendment Map
5. General Plan Footnote number 21
5. Zone Change Ordinance Map

SGG:CR:ck