# APPEAL TRANSMITTAL TO CITY COUNCIL

| Case No. | Planning Staff Name(s) and Contact No. | C.D. No. |
|---|---|---|
| VTT-68501-2A | Sarah Rigamat (213) 978-1382 | 13 |

| Related Case No(s). | Last Day to Appeal |
|---|---|
| None | August 08, 2008 |

**Location of Project (Include project titles, if any.**

5929-5945 Sunset Boulevard and 1512-1540 N. Gordon Street

**Applicant(s) and Representative(s) Name(s) and Contact Information, if available.**

Applicant: Sunset & Gordon Investors, LLC
Representative: Craig Lawson & Company, LLC

**Appellant(s) and Representative(s) Name(s)**

1) Robert Blue;
2) Doug Haines and the La Mirada Avenue Neighborhood Association of Hollywood (310-281-7625);

Representative: Robert Silverstein, Silverstein Law Firm (626-449-4200)
215 N. Marengo, 3rd Floor
Pasadena, CA 91101

**Final Project Description**

At its meeting on July 10, 2008, the following action was taken by the City Planning Commission:

1. Denied the appeals.
2. Approved a modification of Bureau of Engineering Conditions and other tract map conditions as attached.
3. Made a Finding that the previously certified CRA EIR (State Clearing House No. 2006111135) is adequate for this action.
4. Modified Conditions to add a condition, that a revised map be submitted to the satisfaction of the Deputy Advisory Agency.
5. Approved Vesting Tentative Tract Map No. 68501, as modified.

**Items Appealable to Council**

CPC action on VTT-68501-1A

| Fiscal Impact Statement | Env. No. | Commission Vote: |
|---|---|---|
| "If determination states administrative costs are recovered through fees, indicate "Yes." Yes | CRA-EIR (SCH NO. 2006111135) | 6-0 |

In addition to this transmittal sheet, City Clerk needs:
(1) Appeal package. Original & (1) copy plus; (2) true copies of Commission Determination or Orig & (1) copy of Determ for legislative actions;
(2) Staff Recommendation Report (1);
(3) Environmental document used to approve the project, if applicable (1);
(4) Public hearing notice (1);
(5) Commission determination mailing labels (1) note: Condo projects & Appeals only require a copy of the list(s), not the labels.
(6) *Condo projects only: (1) copy of Commission Determination mailing list (includes project's tenants; and 500 foot radius mailing lists)*

Gabriele Williams, Commission Executive Assistant II
City Planning Commission

for

Date August 21, 2008

AUG 22 2008
PLANNING & LAND USE MANAGEMENT

CITY OF LOS ANGELES
PLANNING DEPARTMENT

MASTER APPEAL FORM

APPEAL TO THE: City Council

REGARDING CASE NO.: VTT 68501-~~1A~~-2A

Original

This application is to be used for any authorized appeals of discretionary actions administered by the Planning Department. Appeals must be delivered in person with the following information filled out and be in accordance with the Municipal Code. **A copy of the action being appealed must be included. If the appellant is the original applicant, a copy of the receipt must also be included.**

**APPELLANT INFORMATION: PLEASE PRINT CLEARLY**

Name Doug Haines

Mailing Address P.O. Box 93596

Los Angeles, California Zip: 90093-0596

Work Phone: (310 ) 281-7625 Home Phone: ( ___ ) _____

a) Are you or do you represent the original applicant?
(Circle One) YES (NO)

b) Are you filing to support the original applicant's position?
(Circle One) YES (NO)

c) Are you filing for yourself or on behalf of other parties, an organization or company?
(Circle One) SELF (OTHER)

d) If "other" please state the name of the person(s), organization or company (print clearly or type)

The La Mirada Avenue Neighborhood Association of Hollywood

REPRESENTATIVE

Name Robert Silverstein

Mailing Address The Silverstein Law Firm

215 N. Marengo, 3rd Floor

Pasadena, California Zip 91101

Work Phone: (626) 449-4200 Home Phone : ( ) _____

**APPEAL INFORMATION**

A complete copy of the decision letter is necessary to determine the final date to appeal, under what authorizing legislation, and what, if any, additional materials are needed to file the appeal.

**Appeals to the City Council from a determination on a Tentative Tract (TT or VTT) by the City (Area) Planning Commission must be filed within 10 days of the written determination of the Commission.**

Final Date to Appeal: August 8, 2008

## REASONS FOR APPEALING

Are you appealing the entire decision or parts of it?

☒ Entire ☐ Part

Indicate: 1) How you are aggrieved by the decision; and 2) Why do you believe the decision-maker erred or abused their discretion? If you are not appealing the whole determination, please explain and specifically identify which part of the determination you are appealing.

Attach additional sheets if necessary.

SEE ATTACHED LETTER

## ADDITIONAL INFORMATION

- Original receipt required to calculate 85% filing fee from original applicants.
- Original applicants must pay mailing fees to BTC and submit copy of receipt.
- Any additional information or materials required for filing an appeal must be provided in accordance with the LAMC regulations as specified in the original determination letter. **A copy of the determination/decision letter is required.**
- Acceptance of a complete and timely appeal is based upon successful completion and examination of all the required information.
- **Seven copies and the original appeal are required.**

I certify that the statements contained in this application are complete and true:

Appellant _____

OFFICIAL USE ONLY

Receipt No. 277572 Amount $85.00 Date 8/5/08

Application Received USA S. Cooley

Application Deemed Complete _____

Copies provided: ☐ Determination ☐ Receipt (original applicant only)

Determination Authority Notified (if necessary) ☐

original

**August 5, 2008**

Doug Haines, La Mirada Avenue Neighborhood Association
P.O. Box 93596
Los Angeles, CA 90093-0596

Los Angeles City Council
c/o City of Los Angeles Planning Department
Department's Public Offices, Figueroa Plaza
201 N. Figueroa St., 4th Floor
Los Angeles, CA 90012

**RE:** **Case No.:** Vesting Tentative Tract No. 68501-1A
**Project Location:** 5929-5945 Sunset Blvd; 1512-1540 N. Gordon Street, Hollywood.

**Appeal of:** City Planning Commission's July 10, 2008 decision to deny our appeal of the Advisory Agency's approval of Vesting Tentative Tract Map No. 68501

## I. INTRODUCTION

I am appealing this decision on behalf of the La Mirada Avenue Neighborhood Association of Hollywood, of which I am a member. The La Mirada Avenue Neighborhood Association includes residents, business owners, and property owners who advocate for responsible development and the preservation of Hollywood's historic neighborhoods.

The La Mirada Avenue Neighborhood Association further appeals the City Planning Commission's July 10, 2008 denial of our appeal of Vesting Tentative Tract Map No. 68501-1A for the proposed "Sunset/Gordon" project at 5929-5945 Sunset Blvd. and 1512-1540 N. Gordon St. in Hollywood (hereinafter the "Project.").

Furthermore, the La Mirada Avenue Neighborhood Association objects to the City Planning Commission's adoption of both the Deputy Advisory Agency's CEQA Findings for the Project, and the modified/supplemental Findings submitted to the Commission by the developer's representative. We also challenge the Commission's Finding that the Environmental analysis of CRA EIR SCH No. 2006111135 is adequate for the Project.

If constructed as proposed, the extensive Zone Variances/Adjustments, General Plan Amendment and Zone and Height District Changes approved for the Project would permit the construction, use and maintenance of a 260-foot high, 23-story, 305-unit, 324,432 square foot condominium/retail/office development with 523 parking spaces in the pre-existing C4-1-SN (Floor Area Ratio of 1.5:1) and [Q]R4-1VL (45-foot height limitation) Zones.

Development of the Project would also include two Supergraphic signs totaling 3,181 square feet on the eastern and western façades of the proposed 23-story tower.

The applicant is Sunset & Gordon Investors, LCC (hereinafter the "Applicant").

Our appeal is based on the failure of the Deputy Advisory Agency's Findings (due to the Project's inadequate *Environmental Impact Report* ["EIR"]) to fully and fairly disclose the environmental impacts associated with the proposed development, as required by the California Environmental Quality Act ("CEQA"), CEQA Guidelines, and the California Subdivision Map Act. Subsequently, since the Advisory Agency's Findings in support of the Project are based upon a faulty EIR, those Findings are also inadequate to properly assess the true impacts resulting from development of the Project.

The environmental analysis for the Project is woefully inadequate principally -- among other significant deficiencies -- because it does not properly consider both the cumulative and growth inducing impacts of the proposed development. The Project has received 17 separate entitlements/deviations from the Los Angeles Municipal Code, giving it the distinction of having the most discretionary entitlements in the history of the Los Angeles City Planning Department. Because of the precedent setting nature this project will therefore have, the appropriate and necessary analysis required of the environmental studies would've been to look at this development as if it were an area-wide Zone Change.

The Project EIR and subsequently the Advisory Agency's Findings, however, look only at a site-specific project application. The EIR in fact devotes only 5 paragraphs to a cursory analysis of Growth Inducing Impacts, and provides no consideration of such impacts beyond the immediate project site. As such both the EIR and subsequent Advisory Agency Findings utterly fail to properly analyze the true impacts associated with the Project.

"*The EIR is the heart of CEQA*" and the integrity of the process is dependent on the adequacy of the *EIR*." County of Inyo v. Yorty (1973) 32 Cal.App3d 795, 810. The Courts look for "*adequacy, completeness and a good-faith effort at full disclosure.*" Guidelines §15151

*"The absence of information from the environmental impact report is a prejudicial abuse of discretion if the failure to include relevant information precludes informed decisionmaking and informed public participation, thereby thwarting the statutory goals of the EIR process."* Berkeley Keep Jets Over the Bay Committee v. Board of Port Commissioners (App. 1 Dist. 2001).

The Project as proposed must be viewed as a citywide precedent, as its approval will forever alter how development in Los Angeles must conform to both the Municipal Code and the Advisory Agency's authorization under the California Subdivision Map Act. If the Project's tentative tract is approved as currently proposed, other developments that are grossly at odds with the underlying Zoning Code and subdivision policy requirements will be justified in seeking similarly excessive exemptions from the law.

The Project is therefore at its essence a complete rejection of the Zoning Code, the California Subdivision Map Act, and everything the public has expected as orderly, natural development. It is unregulated development with merely the veneer of regulation, and any analysis by the City must assess the Project's true citywide impacts, per CEQA.

## II. OBJECTIONS

Approval of the Project's Vesting Tentative Tract Map ("VTTM") is substantively defective. Further objections to the VTTM are made, but not limited to, on the following grounds:

- **Pursuant to Government Code Section 66474, the City cannot approve the VTTM and the Project, and instead should uphold our appeal and deny it as a result of the fact:**

  a) **That the proposed map is inconsistent with the applicable general and specific plans;**

  b) **That the design or improvement of the proposed subdivision is not consistent with the applicable general and specific plans;**

  c) **That the site is not physically suitable for the type of development proposed;**

  d) **That the site is not physically suitable for the proposed density of development;**

  e) **That the design of the subdivision or the proposed improvements is likely to cause substantial environmental damage;**

  f) **That the design of the subdivision or the type of improvements is likely to cause serious public health problems;**

  g) **That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.**

- **The deficiencies in the Project's Environmental Impact Report and Advisory Agency's CEQA Findings precluded informed decisionmaking and proper public participation.**

- **As noted in the environmental studies and during public comment, the Project will result in significant, unmitigated impacts to our community.**

- **Many of the conclusions of the Advisory Agency of less-than-significant impacts resulting from the Project are unsubstantiated by the evidence.**

- **The City Planning Commission ignored submitted objections in its approval of the Project's VTTM and its adoption of the Deputy Advisory Agency's CEQA Findings.**

## III. THE PROPOSED MAP IS INCONSISTENT WITH THE APPLICABLE AREA'S GENERAL AND SPECIFIC PLANS

The Project as proposed is completely inconsistent with the General Plan. The Applicant's significant entitlement approvals and direct public subsidies that are necessary for the Project to proceed are extensive, precedent setting, and striking not only for the changes they would wrought for this historic area of Hollywood, but also for the developer's complete and utter lack of legal justification for any of the zoning changes he has demanded.

The extensive list of entitlements for the Project include Zone and Height District Changes, and parking, open space and set-back variances/adjustments that will:

- Double the pre-existing allowed residential density while providing 60% of the required parking (two-thirds in compact slots);
- Permit a 260-foot-tall skyscraper in an area zoned for a maximum height of 45 feet;
- Dramatically reduce the site's open space requirement while using the required Quimby fees to landscape a park on the project site (which the CRA will purchase from the developer with $3.7 million in public funds);
- Eliminate all side and rear yard set-back requirements;
- Allow the averaging of the site's Floor Area Ratio across different Zones; and grant a conditional use permit for on-site alcohol sales by an as-yet unknown operator;
- Permit Supergraphic signage that will have significant aesthetic and glare impacts.

The Project site is located in the 1500 block of north Gordon Street, an area still dominated by one- and two-story residential and commercial structures dating to the early days of Hollywood. It is also within a recognized congested parking area incapable of handling the additional traffic and parking demands that would result with the increased density and reduced parking granted to the Applicant.

This area of Hollywood is already surrounded by a disproportionate number of residential and commercial buildings that lack adequate off-street parking. Existing residents would therefore irreparably suffer from any further density increase and subsequently worsened parking demands.

The City Planning Commission ignored this reality in its denial of our appeal. On page 116 of the Determination Letter, the Findings state: "*The mixed-use development is in conformance with the intent and purpose of the General Plan and will not be detrimental to the character of development in the immediate neighborhood. It is in harmony with the Hollywood Community Plan, the Housing Element, and the Transportation Element of the General Plan, all of which aim to promote mixed-use high density developments close to public transit hubs.*"

Placing a 324,432 sq. ft., 260-foot-tall skyscraper adjacent to a neighborhood still dominated by one- and two-story residential structures and zoned for a maximum height of 45 feet **will** be detrimental to the character of development in the immediate neighborhood, and **is not** in conformance with the General Plan. The City is amending the General Plan for the Project specifically because it is not in conformance.

Also, building this development at a distance of over 3/4 of a mile from the nearest "transit hub" (with almost half of the required parking for condominium units) does not in any manner put it in harmony with the Transportation Element of the General Plan. Therefore, as designed, the Project is oversized, ill-conceived, and inconsistent with the General Plan. It will cause adverse environmental impacts to the surrounding neighborhood that are significant, permanent and without mitigation. The City Planning Commission therefore abused its discretion by ignoring the environmentally superior by-right project and by approving without question the applicant's proposed Project.

## IV. THE PROJECT EIR AND THE ADVISORY AGENCY'S MANDATORY FINDINGS VIOLATE THE REQUIRED STANDARDS FOR THE ALTERNATIVES ANALYSIS, AND OMIT ANY REFERENCE TO THE LARGELY BY-RIGHT DEVELOPMENT FORMERLY SUBMITTED FOR THE PROPERTY.

In the Project's EIR and in additional Findings submitted into the record by the Applicant's representative and adopted by the City Planning Commission at the July 10, 2008 hearing ("Supplemental CEQA Findings"), it is repeatedly claimed that a by-right development with little or no variances, deviations or special discretionary approvals would not include the existing "Old Spaghetti Factory" restaurant building; that a by-right development would not include the "creative" office space planned for the Project; would not provide so-called "workforce housing," that it would not provide the 21,571 sq. ft. "urban park," that it would not "*result in the development of an energy-efficient building with the intent to achieve the highest-possible LEED® rating*;" and that it would not provide as much density as the proposed Project in order to "*encourag(e) the use of alternative modes of transit and limiting large-scale automobile access and infrastructure*" (Determination Letter page 111).

In the Determination Letter's CEQA Findings, a by-right, environmentally superior development is defined as one with a maximum 148 residential units (Determination Letter page 111).

Yet the previous owner of the Project site, GTO Sunset LLC, applied to the City Planning Department in 2006 for a largely by-right development that would have in fact preserved the Old Spaghetti Factory building (see **Exhibit 1**, draft "Preservation Agreement for GTO Sunset LLC Project"), constructed 37,763 sq. ft. of "creative" office space, and built 124 residential condominium units with 358 parking spaces and 22,794 sq. ft. of open space (see **Exhibit 2**).

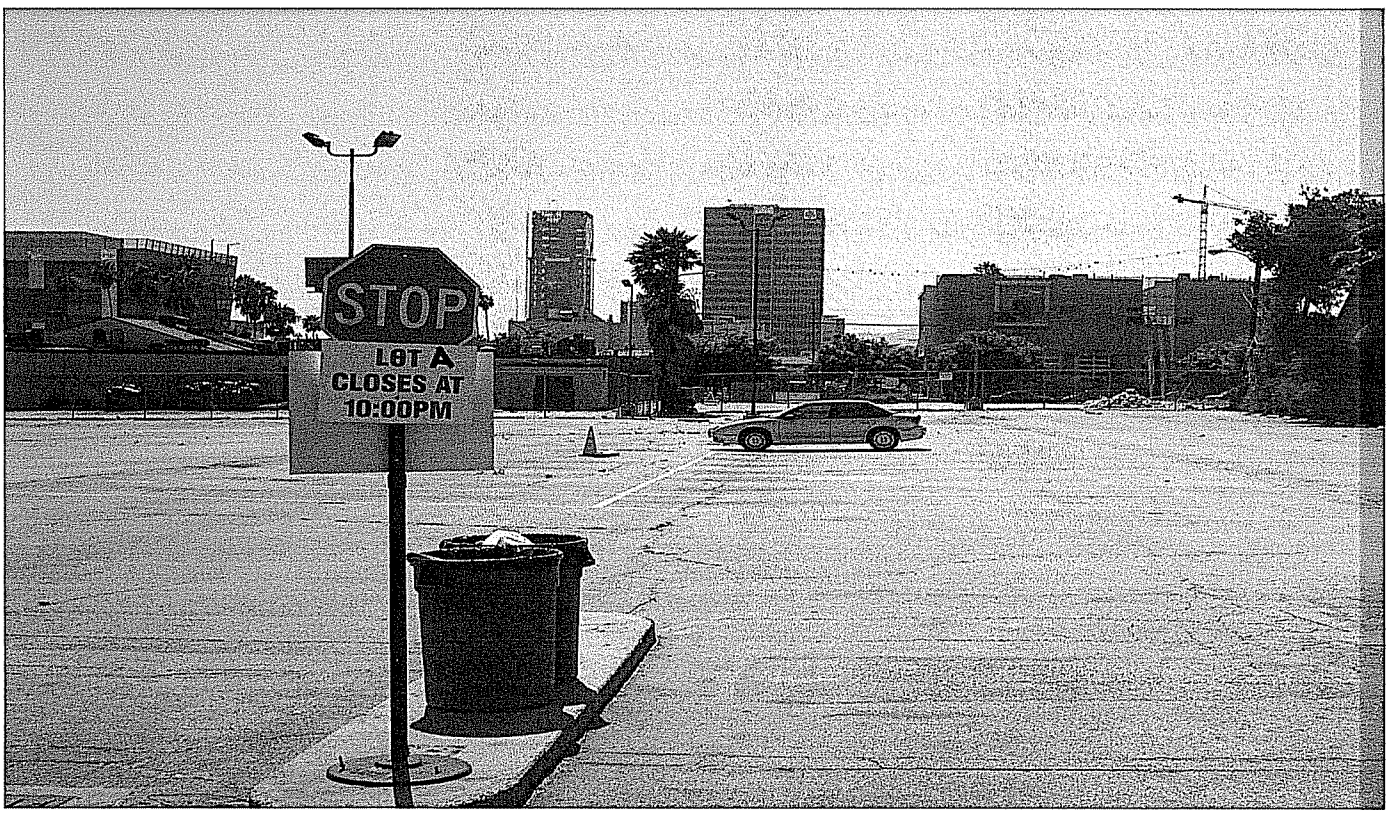
The "workforce housing" component of the current Project includes no affordable housing and is in fact completely subsidized by taxpayer funding through the Community Redevelopment Agency ("CRA"), and could therefore have also been utilized by the previous site owner. The same applies to the LEED certification.

Please also note that neither the City nor the Applicant have provided any evidence, testimony, or reliable claims that in any manner correlate increased density and reduced parking with successfully "encouraging the use of alternative modes of transit," as stated in the Determination Letter's Findings. The evidence is in fact the opposite (see **Exhibit 3**, "Near the Rails but on the Road, " LA Times 6/30/07, Page A-1; **Exhibit 4**, "What's Smart about Smart Growth?" LA Weekly 6/1-6/7/08, feature story; **Exhibit 5**, "A New Planning Template for Transit-Oriented Development," 9/2001, Mineta Transportation Institute, San Jose State University).

The applicant also omits any reference in the Alternatives Analysis to the adjacent 1.6-acre parking lot located east of the development site, which could be utilized to achieve the Project's goals with a by-right development. Applicant therefore knowingly purchased the current site aware of any restrictions due to existing zoning or preservation.

Applicant's professed hardships are therefore completely self-imposed.

**Looking west on Sunset Blvd. between Bronson Ave. and Gordon St. Note 1.6-acre corner parcel currently used as parking lot. Old Spaghetti Factory/Project site is at lower left.**




**Looking west from 1.6-acre parking lot adjacent to Project site. Note Old Spaghetti Factory in background.**

According to the California Supreme Court, an EIR is required to "ensure that all reasonable alternatives to proposed projects are thoroughly assessed by the responsible official." Wildlife Alive v. Chickering (1976) 18 Cal.3d 190, 197. This discussion of alternatives must be "meaningful" and must "contain analysis sufficient to allow informed decision making." Laurel Heights Improvement Assn. of San Francisco, Inc., v. Regents of University of California 47 Cal.3d at 403-404.

"It is the policy of the state that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects." Preservation Action Council v. City of San Jose (2006) 141 Cal.App.4th 1336, 1350.

"An agency may not approve a project that will have significant environmental impacts if there are feasible alternatives or feasible mitigation measures that would substantially lessen those effects...CEAQ requires lead agencies to include within EIRs potentially feasible alternatives that, if adopted, would avoid or substantially lessen the otherwise significant environmental effects of the proposed projects." Lincoln Place Tenants Ass'n v. City of Los Angeles, 155 Cal.App. 4th at 445.

"It is the agency's responsibility to provide an adequate discussion of alternatives. Guidelines, § 15126 (d). That responsibility is not dependent in the first instance on a showing by the public that there are feasible alternatives. If the agency concludes there are no feasible alternatives, it must explain in meaningful detail in the EIR the basis for that conclusion." Preservation Action Council v. City of San Jose, supra, 141 Cal.App.4th at 1351.

"[T]he FEIR was required to identify a reasonable range of environmentally superior alternatives and to set forth facts and 'meaningful analysis' of these alternatives rather than just the agency's bare conclusions or opinions." Preservation Action Council v. City of San Jose, supra, 141 Cal.App.4th at 1353.

## V. THE CITY PLANNING COMMISSION AND ADVISORY AGENCY REJECTED THE BY-RIGHT DEVELOPMENT THAT THE EIR AND FINDINGS ADMIT WAS THE "ENVIRONMENTALLY SUPERIOR ALTERNATIVE"WITHOUT THE DETAILED LEVEL OF DISCUSSION AND ANALYSIS REQUIRED.

The EIR's precommittment to the proposed Project -- in violation of Laurel Heights -- infected its alternative analysis and led to an abuse of discretion. Two paragraphs in the EIR are devoted to explaining why the environmentally superior project should not be approved (p. VI-77). The City Planning Commission also completely ignored the acknowledged environmentally superior by-right development scenario, not even discussing the possibility of a reduced project during our appeal, or during its previous two hearings for CPC 2007-515-GPA-ZC-HD-CU-CUB-ZV-ZAA-SPR-SPE-SPP.

"[T]he Legislature has also declared it to be the policy of the state 'that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects...' (§ 21002.) 'Our Supreme Court has described the alternatives and mitigation sections as "the core" of an EIR.' (Los Angeles Unified School Dist. V. City of Los Angeles (1997) 58 Cal.App.4th 1019, 1029.)" Uphold Our Heritage v. Town of Woodside (2007) 147 Cal.App.4th 587, 597.

Despite identifying an environmentally superior alternative project, the EIR and the Advisory Agency's CEQA Findings reject a more sensitive development with a bare and conclusory statement that "*the project would fail to provide high density housing in proximity to mass transit opportunities in an area of high employment opportunities*" (EIR p. VI-77), and that it "*would not provide as much density as the Proposed Project and would thus fall short of the Project Site's potential to maximize traffic reduction transportation policies. By providing full code-required parking, the alternative would not meet the objective of encouraging the use of alternative modes of transit and limiting large-scale automobile access and infrastructure*" (Determination Letter page 111).

Courts in CEQA matters do not give deference to a "conclusory assertion" "not supported by substantial evidence." See Mani Brothers Real Estate Group v. City of Los Angeles (2007) 64 Cal.Rptr.3rd 79, 95 ("conclusory assertion" in an EIR Addendum to the effect that a project would have an insignificant impact on police services was not supported by substantial evidence, thus requiring preparation of a Supplemental EIR).

Applicant has admitted that the "*By-Right Alternative is selected as the Environmentally Superior Alternative*" (EIR p. VI-77 and Determination Letter page 111), including, *inter alia*, because it would result in a "*smaller structure with reduced shade and shadow impacts*," and "*could be developed without any specific variances, deviations or special discretionary approvals from the CRA or Department of City Planning*." These are the very impacts that have been a prime focus of our objections.

The Applicant's cursory dismissal cannot even approach the "thorough assessment" standard required by the Supreme Court.

"In finding the alternatives analysis flawed, the court [in San Joaquin Raptor (1994) 27 Cal.App.4th 713, 738] pointed out the EIR's 'discussion of alternatives does not foster 'informed decision making' [citation] because it is 'devoid of substantive factual information from which one could reach an intelligent decision as to the environmental consequences and relative merits of the available alternatives to the proposed project...[citation].' Here, as there, '[b]ecause the discussion of alternatives omitted relevant, crucial information, it subverted the purposes of CEAQ and is legally inadequate.'" Friends of the Eel River v. Sonoma County Water Agency (2003) 108 Cal.App.4th 859, 873.

An "agency preparing the EIR may not simply accept the project proponent's assertions about an alternative; rather, the agency 'must independently participate, review, analyze and discuss the alternatives in good faith.' [citation.]" Save Round Valley 157 Cal.App.4th at 1460. The "applicant's feeling about an alternative cannot substitute for the required facts and independent reasoning." Id at 1458.

Here, the record clearly demonstrates the opposite of an "objective, good faith effort" (Fat v. County of Sacramento, 97 Cal.App.4th at 1277 by the Applicant to comply with the requirement of a "thorough assessment" of alternatives. The Applicant and the Community Redevelopment Agency ("CRA") agreed to a specific project description, and the Alternatives Analysis has been written to support that development. The omission of any reference in the EIR and Findings to the viable, by-right development previously proposed for the Project site demonstrates a clear effort to preclude informed decisionmaking regarding the most appropriate development.

## VI. THE EIR'S SUMMARY OF RELATED PROJECTS OMITS NUMEROUS LARGE-SCALE DEVELOPMENTS IN CLOSE PROXIMITY TO THE PROJECT.

The EIR's Related Projects section lists 86 developments in the vicinity of the proposed development to analyze cumulative impacts, as required by CEQA. The EIR's Related Projects list, however, omits dozens of nearby developments that involve the construction of thousands of additional residential units, and is therefore a flawed representation of the true cumulative impacts of the Project when compared with concurrent development.

Just two of the significant developments not mentioned in the EIR are:

- The "Columbia Square" project (ENV-2007-819-EIR), located two blocks west of the Sunset/Gordon development at 6121 Sunset Blvd., and proposing 400 residential units in a 40-story tower, a 125-room hotel, 380,000 square feet of office space, and 27,500 sq. ft. of retail with 1,800 parking spaces (see **Exhibit 6**);

- The "Lexington Project," (ENV-2006-9653-EIR), at 6677 W. Santa Monica Blvd., proposing 787 residential units with 22,200 sq. ft. of retail and 1,660 parking spaces (see **Exhibit 7**)

The Related Projects list in the EIR also identifies the new Helen Bernstein High School (located two blocks east of the Project site) as a 1,000-student facility, when its actual figure is correctly identified in the EIR appendices as a 2,268-student school. This new high school provides no student parking and is scheduled to open Fall of 2008.

The omission of relevant information is a gross violation of CEQA. The cumulative impacts analysis in the EIR and the Advisory Agency's Findings are therefore fatally flawed and without merit, and must be rewritten to truly reflect the impacts associated with the proposed Project.

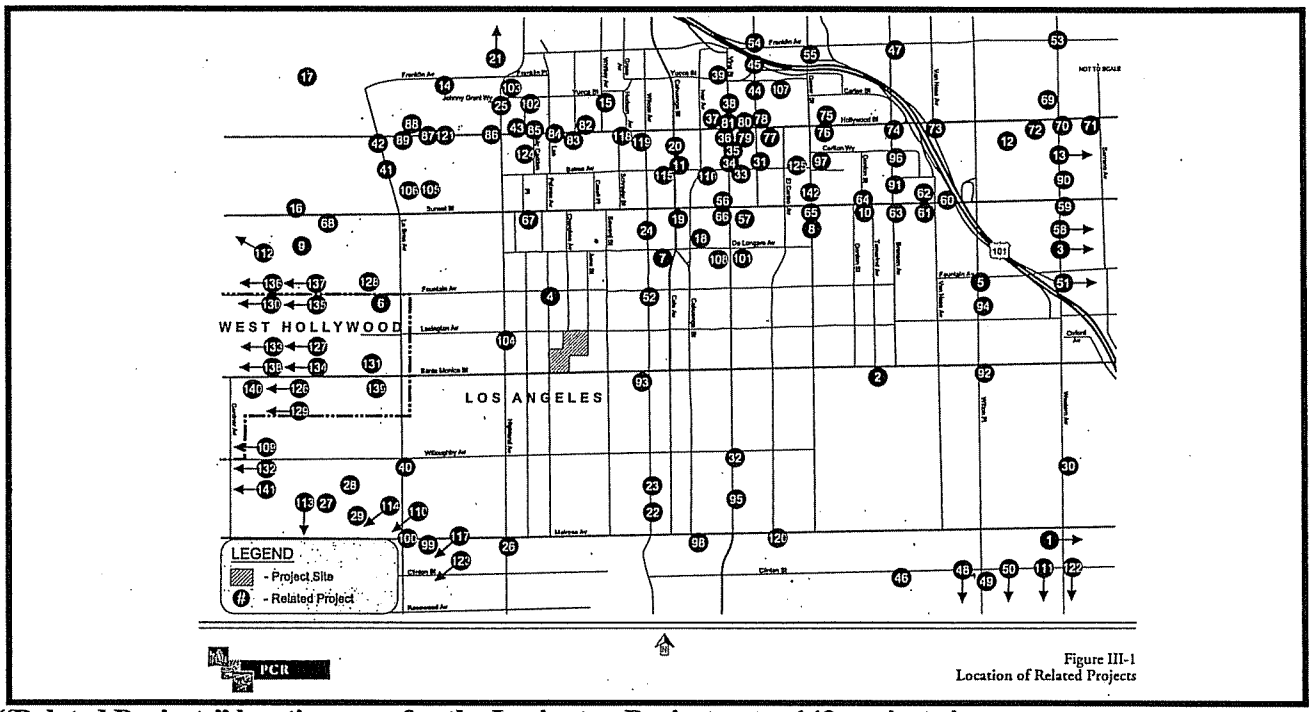
*"The absence of information from the environmental impact report is a prejudicial abuse of discretion if the failure to include relevant information precludes informed decisionmaking and informed public participation, thereby thwarting the statutory goals of the EIR process."* Berkeley Keep Jets Over the Bay Committee v. Board of Port Commissioners (App. 1 Dist. 2001).

"*The EIR is the heart of CEQA*" and the integrity of the process is dependent on the adequacy of the *EIR*." County of Inyo v. Yorty (1973) 32 Cal.App3d 795, 810. The Courts look for "*adequacy, completeness and a good-faith effort at full disclosure.*" Guidelines §15151

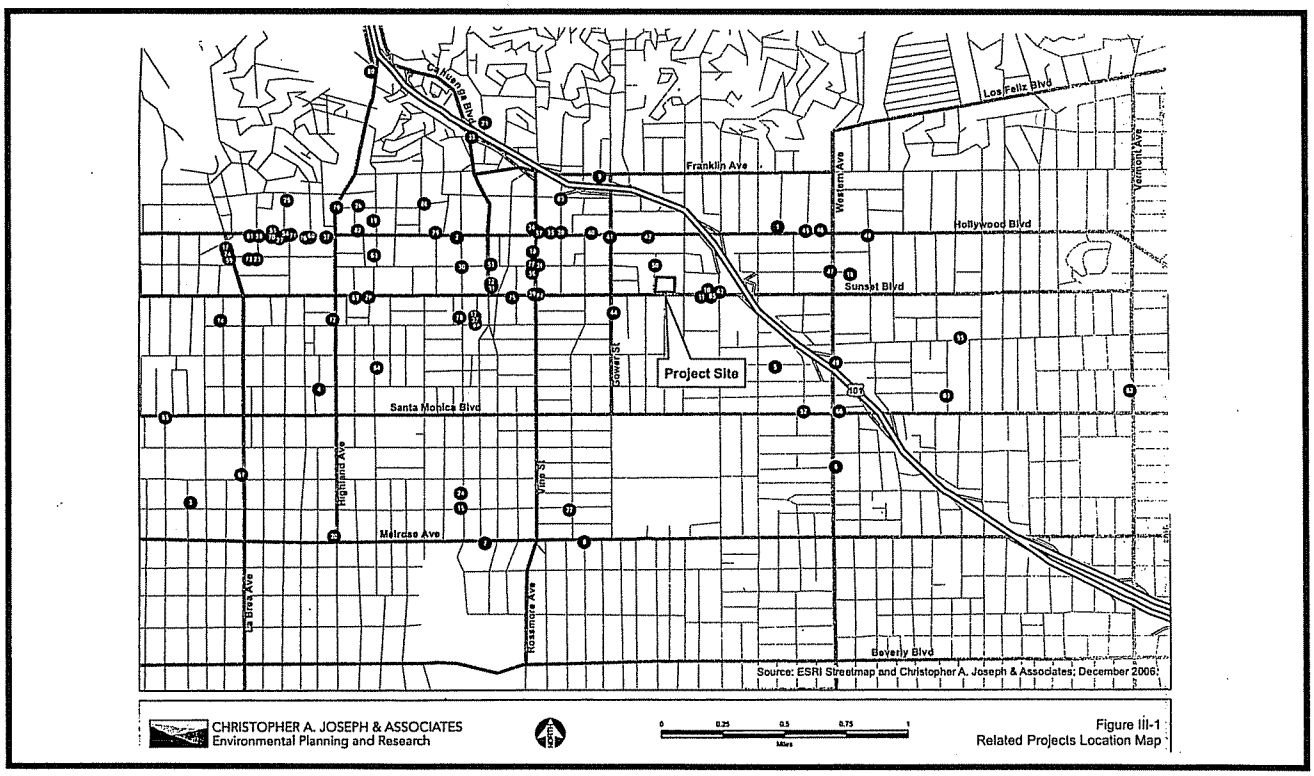
The EIR's "*purpose is to inform the public and its responsible officials of the environmental consequences of their decisions before they are made. Thus, the EIR 'protects not only the environment but also informed self-government.'* [Citation.]" Citizens of Goleta Valley v. Board of Supervisors (1990) 52 Cal.3d 553, 564.

. "*Environmental review which comes too late runs the risk of being simply a burdensome reconsideration of decisions already made...*" Berkeley Keep Jets Over the Bay Committee v. Board of Port Commissioners (2001) 91 Cal.App.4th 1344, 1359.

By comparison, the EIR for the Lexington Project was written in-house by the City Planning Department and lists 142 related projects. Note the difference between the two location maps below:




**"Related Projects" location map for the Lexington Project notes 142 projects in area.**




**"Related Projects" location map for the Sunset/Gordon Project notes only 86 projects in the area .**

## VII. THE PROJECT'S DEVIATION FROM THE ADVISORY AGENCY'S MINIMUM PARKING REQUIREMENT IS NOT SUPPORTED BY THE FINDINGS AND IS UNDERMINED BY THE CITY'S & APPLICANT'S FURTHER ARGUMENTS.

The July 29, 2008 Determination Letter restates that the Project is inconsistent with the Advisory Agency's established subdivision parking requirements as detailed in Policy AA 2000-1 (page 76). The required parking for condominiums under this policy is 2 spaces per unit plus 0.5 stalls for guest parking in congested parking areas, or a total of 762 residential parking spaces. The Applicant is providing 523 residential spaces, or a 46% reduction in required parking.

In comments dated 7/2/08 that were submitted to the City Council for related case CPC-2007-515-GPA-ZC-HD-CU-CUB-ZV-ZAA-SPR-SPE-SPP the Applicant's representative justifies the 46% reduction in residential parking granted to the Project as being "*fully consistent with recent actions taken by the Advisory Agency in approving other urban mixed-use projects in transit-rich areas such as Hollywood, along the Wilshire Corridor and in downtown Los Angeles*" (page 7 of 7/2/08 letter submitted into the Administrative Record of Council File 08-1509). The Applicant's representative, however, fails to cite any examples in Hollywood where the Advisory Agency has in fact approved any significant deviation from the condominium parking policy of 2.5 parking stalls per unit in congested areas, let alone a 46% reduction.

The July 29, 2008 City Planning Commission Determination Letter denying our appeal also fails to cite any examples of other deviations from the Advisory Agency's condominium parking policy, and notes on page 8 that "*(t)he project did not include a parking analysis.*"

In the Applicant's submitted "Chart of Mixed Use Projects and Variances Approved" (attachment to 7/2/08 letter referenced above), the Clarett/Boulevard 6200 project is listed as "per Code" for parking requirements of residential units." The 1,014 apartments in this development will in fact have a surplus of parking, as is noted on pages F-19, 20 of the City Planning Commission's 4/9/07 Determination Letter (see **Exhibit 8**), which states that "*the Project will provide a surplus of parking, and will not lead to residents, tenants and guests searching streets and adjacent properties for parking spaces.*"

Please note that the Clarett/Boulevard 6200 project is located immediately across from the Hollywood/Vine Red Line subway stop, and is also voluntarily setting aside 10% of the residential units as permanent affordable housing, unlike the Project's zero dedication for affordable housing.

Also listed in the "Chart of Mixed Use Projects and Variances Approved" is the Paseo Plaza development, which also has a surplus of parking, and is constructing its parking structure 27 feet below the water table. In fact, the only projects cited in the referenced chart with reduced parking are developments located in downtown Los Angeles, which under Ordinance No. 172,571 permits applications for reduced parking on a case-by-case basis. No similar exemption exists for any other part of the city.

At the July 15, 2008 hearing before the Planning and Land Use Management Committee, Chair Ed Reyes read a motion recommending approval for the Sunset/Gordon project (CPC 2007-515-GPA-ZC-HD-CU-CUB-ZV-ZAA-SPR-SPE-SPP) and denying our neighborhood association's appeal. This motion, which was written by the Applicant's representative ("*Proposed Plum Committee Actions—July 15, 2008 Agenda Item 8*"), was submitted immediately prior to the hearing, and includes a provision #4 that states:

> "Approve a Minor Change in residential parking requirements, not to exceed 20% of Code requirements, pursuant to LAMC Section 12.32.P."

The Applicant's representative claims in his 7/2/08 letter that "*the Applicant is requesting that the City Council exercise its authority under LAMC Section 12.32.P and approve a reduction in the required residential parking for the Project of up to 20% as a minor change as part of the zone change ordinance in this case.* "

The Applicant's representative further states in his 7/2/08 letter that "*[t]he Appellants also cite the Advisory Agency's Residential Parking Policy No. AA 2000-1 (2 parking spaces + 0.25 guest parking (sic) spaces per unit) as somehow constituting required parking for the Project. This policy is not part of the Code...*"

The Advisory Agency is authorized under the California Subdivision Map Act (Government Code §§ 66410 – 66499) to set policy and regulate subdivisions. § 66415 defines the Advisory Agency as:

> "Advisory agency" means a designated official or an official body charged with the duty of making investigations and reports on the design and improvement of proposed divisions of real property, **the imposing of requirements or conditions thereon**, or having the authority by local ordinance to approve, conditionally approve or disapprove maps. (Emphasis added).

The Advisory Agency is clearly authorized under the California Subdivision Map Act to set policy for the "design, kinds, nature and extent of improvements" necessary to regulate subdivisions. Since the Advisory Agency is authorized under State Statute, its policies not only carry the force of law, but also trump the Municipal Code.

Enclosed please find attached at **Exhibit 9** the "Instructions for Filing Tentative Tract Maps" given to all subdivision applicants by the Division of Land of the City of Los Angeles' Department of City Planning. Pages 8 and 9 of the "Instructions" are a May 24, 2000 City Planning Department directive from the Deputy Advisory Agency titled: "Residential Parking Policy for Division of Land – No. AA 2000-1." The Parking Policy for new condominiums with six units or more in parking congested areas is listed as 2.5 stalls per unit, with the caveat that the policy is "*not intended to supercede more restrictive requirements...*" This official policy has been in effect for over eight years.

Applicant's own "Revised Tentative Tract Map No. 68501," dated 6/3/08, acknowledges the Advisory Agency's authority in its "Chart-3A (Parking Required and Provided)." This chart, placed in the upper right hand corner of the Map, accurately lists the Project's residential parking requirement as 2.5 spaces/unit or 763 spaces (see **Exhibit 10**).

City's attempt to invoke LAMC Section 12.32.P for a reduction in required residential parking is patently illegal. Code Section 12.32.P allows up to a 20% parking deviation only from the Municipal Code requirement for habitable rooms in apartment buildings. It does not authorize any reduction from the Advisory Agency's Parking Policy for condominiums.

The City Council cannot exercise authority that it does not possess. To do otherwise through sleight of hand would be an attempt to invalidate the Advisory Agency's state-mandated authority to set policy and regulate development. Furthermore, the Advisory Agency cannot grant a 46% deviation from its established parking policy merely to be consistent with an illegal action on the part of the City.

The Advisory Agency has offered no Findings to justify any deviation from its residential parking policy. It instead merely defers to the City Planning Commission's prior decision of 1 parking space per bedroom.

Further, the EIR on page IV.K.2-3 admits that the proposed Project would result in significant operational residential parking impacts, but that "*with approval of the zone variance, the impact to conformance with the Planning and Zoning Code would be reduced to less than significant.*" The Determination Letter's Findings on pages 76 and 102 mimic this nonsense, finding that the granting of the reduced parking through entitlements is a mitigation measure that would reduce the impacts to "less than significant."

Mitigation measures must be roughly proportional to the impacts of a project (CEQA Guidelines, § 15126.4, subd. (a)(4)(B).). Nothing in CEQA states that a variance to an agency code is prima facie evidence of the lack of a significant impact. A city cannot apply a threshold of significance or regulatory standard "in a way that forecloses the consideration of any other substantial evidence showing there may be a significant effect." Communities for a Better Environment v. California Resources Agency (2002) 103 Cal. App.4th 98, 114. Here, in violation of CEQA, that is exactly what has been done.

Related case CPC 2007-515-GPA-ZC-HD-CU-CUB-ZV-ZAA-SPR-SPE-SPP also included as Entitlement Condition #8 the requirement that:

> "A sign shall be posted at the entrance to the parking structure and a notice shall be printed on any parking tickets issued indicating that for the purpose of promoting fuel efficient compact cars and to discourage the unnecessary use of SUV's and oversized vehicles for consumer purposes, there are a limited number of parking spaces available in this parking garage."

The City cannot claim as a mitigation measure a condition that merely seeks to change behavior based on guilt. Since the Advisory Agency deviated from its established condominium parking policy merely to be consistent with a faulty City Planning Commission action, its grant of a reduction in required parking is without merit.

"*Abuse of discretion...is established if the agency has not proceeded in a manner required by law or if the determination or decision is not supported by substantial evidence.*" Association for a Cleaner Environment v. Yosemite Community College dist. (App. 5 Dist. 2004) 10 Cal. Rptr.3d 560

Attached at **Exhibit 11** please find further objections to the City's faulty parking analysis.

## VIII. THE APPROVED SUPERGRAPHICS WILL CREATE SIGNIFICANT AESTHETIC AND LIGHT & GLARE IMPACTS.

The Supergrahic Signage Project Permit Compliance approval by the City Council at its July 25, 2008 hearing for the Sunset/Gordon development involves an exception allowing two supergraphic signs placed on the eastern and southern faces of the proposed 23-story tower: the east-facing sign would measure 1,931 square feet, and the south-facing sign would be 1,250 square feet, for a total 3,181 sq. ft. of supergraphic signage.

The City Planning Commission at its March 13, 2008 hearing for the Project denied an exception to permit a supergraphic sign on the south-facing façade of the proposed 23-story tower. In its May 13, 2008 Determination Letter, the Commission found that a supergraphic sign on the southern façade would "increase 'visual clutter,'" would not protect the character defining features of the 1924 Peerless Motor Company Building, would set a precedent in the signage use district, would create a traffic safety hazard, and would be inconsistent with the principals, intent, and goals of the Specific Plan.

The Planning Commission's July 29, 2008 Determination Letter incorrectly refers to the placement of the Supergraphic signage as on the eastern and western ends of the tower in its analysis of Light and Glare impacts (p. 59). The Determination Letter makes no reference to the signage in its analysis of impacts to Aesthetics (p.39).

Placing Supergraphic signage on the southern façade of the proposed 23-story tower would create a significant aesthetic impact for residents south of Sunset Blvd., obscuring and distracting from the world-famous views of the Hollywood Hills. Additional significant intrusions of light and glare would also impact this community. These potentially significant impacts are not adequately analyzed in the Advisory Agency's Findings, nor are any adequate mitigation measures proposed. Instead, the Findings merely imply that the signage will somehow blend in with the existing illumination.

The Determination Letter's Findings are therefore inadequate, and the potentially significant environmental impacts of the Supergraphic signage must be properly analyzed, per CEQA.

## IX. CONCLUSION

If approved as proposed, the Sunset/Gordon project will act as a catalyst for unprecedented change on a citywide scale. It would in essence signal an acceptance on behalf of our City government for an abject disregard of both Zoning laws and established Advisory Agency policy, and it will forever alter the City's legal authority to enforce compliance with the Code and Subdivision Map Act.

The Project as proposed would create a myriad of significant adverse environmental impacts upon this community that are not properly analyzed in the required CEQA studies, and both the Project's EIR and the supplemental Findings do not represent a "good faith effort at full disclosure," in violation of CEQA. The failure to include relevant information precludes informed decisionmaking and informed public participation, thereby thwarting the statutory goals of the CEQA process and preventing proper analysis of the merits of the tentative tract application and its consistency with the requirements of Government Code §66474.

As residents of an established Hollywood neighborhood of mostly historic, single-family homes, the members of the La Mirada Ave. Neighborhood Association ask that the City Council recognize the negative impacts associated with this and similar projects inconsistent with our community's land use and planning, and vote to uphold our appeal of the Advisory Agency's approvals for the Sunset/Gordon

project. We further request that the Project's environmental studies be rewritten to properly analyze its deficiencies, and then redistributed to the public for additional commentary. Only then will the document properly fulfill its mandate under CEQA "*... to inform the public and its responsible officials of the environmental consequences of their decisions before they are made.*"

The La Mirada Avenue Neighborhood Association reserves the right to submit additional comments and objections through the close of the administrative proceedings related to the Project.

Thank you for your time and consideration of this matter.

Doug Haines, for the
La Mirada Avenue Neighborhood Association

# Exhibit 1

DRAFT

PRESERVATION AGREEMENT

FOR

GTO SUNSET LLC PROJECT

**THIS PRESERVATION AGREEMENT** ("**Agreement**") is entered into on May _____, 2006, by and between HOLLYWOOD HERITAGE, INC. ("**HHI**"), a California Non-Profit Corporation and GTO SUNSET LLC ("**DEVELOPER**"), a California Limited Liability Company. HHI and the Developer may be herein referred to individually as "**Party**" or collectively as the "**Parties.**"

## RECITALS

**WHEREAS,** the Developer is developing land in the City of Los Angeles for a mixed-use development consisting of 124 for-sale condominium units, approximately 9,810 square feet of local-serving ground-floor retail, approximately 36,923 square feet of office on the third and fourth floors, and a parking structure with both above and below grade parking (collectively, the "**Project**") on real property located at 5935 Sunset Boulevard;

**WHEREAS**, current land uses on the Project site include the Old Spaghetti Factory restaurant building (the "**OSF Building**"), which was previously the KNX Radio studio and other uses;

**WHEREAS**, the OSF Building is not currently listed or designated as a historical landmark by the City of Los Angeles, the State of California, or the United States Government;

**WHEREAS**, HHI has asked the Developer to retain and re-use the OSF Building in the Project;

**NOW, THEREFORE,** incorporating the foregoing recitals herein, HHI and Developer mutually agree as follows:

1) **Preserved Structure**. As shown in greater detail on the Project site plan, attached hereto as **Exhibit A**, and incorporated herein by reference, the Developer agrees to preserve and restore a portion of the OSF Building in the Project ("**Preserved Structure**") as follows:

   a) The front portion of the existing OSF Building, including (i) the entire front facade on Sunset Blvd, (ii) the north and south return walls extending back approximately 48' from Sunset Blvd. to the rear masonry wall in the entry room and (iii) the rear masonry wall.

a) The Sunset and Gordon facades would remain fully exposed and be restored based on the 1929-1934 photos (the "**Historic Photos**") provided by HHI attached hereto as **Exhibit B**, and incorporated herein by reference, including parapet roof tiles and Doric columns; and

b) The north and east preserved facades will be incorporated into the new structure and not remain exposed other than an approximately 7 feet portion of the east façade extending from Sunset Blvd. to the setback of the new ground floor retail; and

c) The significant features of the reception room to be preserved are (i) the ceiling and exposed wood trusses, (ii) the two north – south demising walls that separate the Preserved Structure into three interior spaces, and (iii) the fireplace in the north wall at the rear of the reception room.

d) The first two floors of the Project would be setback further from Sunset Blvd. than the Preserved Structure to allow the old facades to be spatially separate. The third and fourth floors of the Project would float above the façade, supported by necessary structural columns that will penetrate the Preserved Structure in a manner similar to that depicted by the conceptual structural plan attached hereto as **Exhibit C** and incorporated herein by reference; and

e) The residential portions of the Project above the OSF Building would be set back from Sunset Boulevard approximately 20 feet.

2) **Allowed Use of Preserved Structures.** The Developer has sole and absolute discretion to use the Preserved Structures in the Project in any manner or form of commercial use that the Developer deems appropriate, subject only to any necessary approvals from the City of Los Angeles (the "**City**").

3) **Covenant Not To Impede or Oppose Project; Use of this Agreement by Developer.** HHI hereby acknowledges that the Preserved Structures represent a significant contribution by the Developer to the mission of HHI. In consideration for the Developer agreeing to preserve the Preserved Structures within the Project, HHI agrees on behalf of itself and its members as follows:

a) HHI agrees that it and its affiliates, and the agents, attorneys, and officers or it or any of its affiliates, shall not (a) directly or indirectly challenge, impede, or contest the approval, entitlement, implementation, construction, funding, operation, or transfer of the Project, or any activities of Developer, any other governmental agency, related to the Project's historic resource impacts generally or impacts of the Project upon the historic value of the OSF Building specifically, (b) urge other persons to do so, or (c) cooperate in any such efforts by any person or entity; and

b) HHI covenants and agrees that it shall forever refrain from instituting, prosecuting, maintaining, financing, proceeding on, participating in, encouraging, supporting, or advising or recommending to be commenced or prosecuted, any

lawsuit, action or proceeding (judicial, arbitral, or administrative) which arises out of or is or may be, in whole or in part, based upon, connected with, or related to the Project's historic resource impacts generally or impacts of the Project upon the historic value of the OSF Building specifically. The Parties acknowledge and agree that this Agreement is a complete defense to any such lawsuit, action, or proceeding which may be instituted by, on behalf of, or at the behest of HHI at any time in which any claim which arises out of or is or may be, in whole or in part, based upon, connected with, or related to the Project's historic resource impacts generally or impacts of the Project upon the historic value of the OSF Building specifically; and

c) HHI agrees that the Developer may include this Agreement in Project applications and technical reports, and the Developer may reference the existence and content of this Agreement in public statements.

4) **City of Los Angeles Project Approvals; Project Changes.** The Parties acknowledge that multiple approvals are required from the City or from other governmental agencies in order to develop the Project. The Parties further acknowledge that Project site plans and Project characteristics may undergo changes requested by the City or any other governmental agency during the Project approval process ("**City Modifications**"). Such City Modifications shall not constitute a breach or otherwise justify termination of this Agreement unless:

a) City Modifications materially prevent or preclude the requirements for the Preserved Structures set forth in Paragraph 1 of this Agreement; or

b) Or City Modifications necessitate amendment or modification of the requirements for the Preserved Structures set forth in Paragraph 1, but the Parties cannot in good faith reach agreement regarding amendment or modification of the requirements for the Preserved Structures; or

c) The Developer concludes based upon its commercially reasonable judgment that City Modifications render preserving the OSF Building commercially infeasible.

5) **Amendment; Complete Agreement.** All amendments and supplements to this Agreement must be in writing and executed by HHI and Developer. All understandings and agreements between the Parties regarding the OSF Building and the Project are merged in this Agreement, which alone fully and completely expresses the Agreement of the Parties regarding the OSF Building and the Project. This Agreement has been entered into after full investigation of the facts by both Parties and neither Party has relied on any statement or representation not embodied in this document. This Agreement has been drafted through a joint effort of the Parties and their counsel and therefore shall not be construed against either of the Parties as the draftsperson.

6) **Assignment.** The Developer may, in its sole and absolute discretion, assign this Agreement in its entirety to any successor or assign to the Developer's interest in the Project.

7) **Attorneys' Fees.** In the event of any controversy, claim or dispute relating to the rights and obligations granted under this Agreement or the alleged breach thereof, each Party shall be responsible for its own attorneys' fees and costs.

8) **Governing Law.** This Agreement shall be governed under the laws of the State of California.

9) **Counterparts, Headings and Defined Terms.** This Agreement may be executed in several counterparts each of which shall be an original, but all of such counterparts shall constitute one such Agreement. The headings used herein are for convenience only and are not to be construed to be part of this Agreement.

10) **Waiver.** The waiver by one Party of performance of any obligation of the other Party shall not invalidate this Agreement, nor shall it be considered to be a waiver by it of any other obligation contained in this Agreement.

11) **Notices.** All notices or other communications required or permitted hereunder shall be in writing, and shall be personally delivered (including by means of professional messenger or air express service) or sent by registered or certified mail, postage prepaid, return receipt requested, and shall be deemed received upon the date or receipt hereof, delivered to the following addresses.

| | |
|---|---|
| Developer: | GTO Sunset, LLC<br>100 Wilshire Blvd. Suite 1270<br>Santa Monica, CA 90401<br>Attn: Fred Shaffer |
| with copy to: | Armbruster & Goldsmith, LLP<br>10940 Wilshire blvd., Ste. 2100<br>Los Angeles, CA 90024<br>Attn: R.J. Comer, Esq. |
| HHI: | Hollywood Hertiage, Inc.<br>1824 N. Curson Ave.<br>Hollywood, California 90078<br>Attn.: Robert Nudelman, President |

Notice of change of address shall be given to all Parties by written notice in the manner detailed in this Agreement.

12) **Third Parties.** Nothing contained in this Agreement, expressed or implied, is intended to confer upon any person, other than the Parties hereto.

13) **Termination.** This Agreement may only be terminated by either Party upon material breach of the Agreement by the other Party, or upon the occurrence of any of the events set forth in Paragraphs 4a, 4b, and 4c, above, or the Developer may terminate this Agreement if the Developer abandons development of the Project.

14) **Effective Date & Term.** This Agreement shall become effective upon being signed and dated by both Parties and shall remain in effect until terminated by either party pursuant to Paragraph 13 above.

**IN WITNESS WHEREOF,** this Preservation Agreement is hereby deemed executed and effective on the date first written above.

"HHI" HOLLYWOOD HERITAGE, INC., a California Non-Profit corporation

By:_____
Name: Robert Nudelman
Title: President

"Developer" GTO Sunset, LLC, a California Limited Liability Company

DRAFT

By:_____
Name:_____
Title:_____

# Exhibit 2

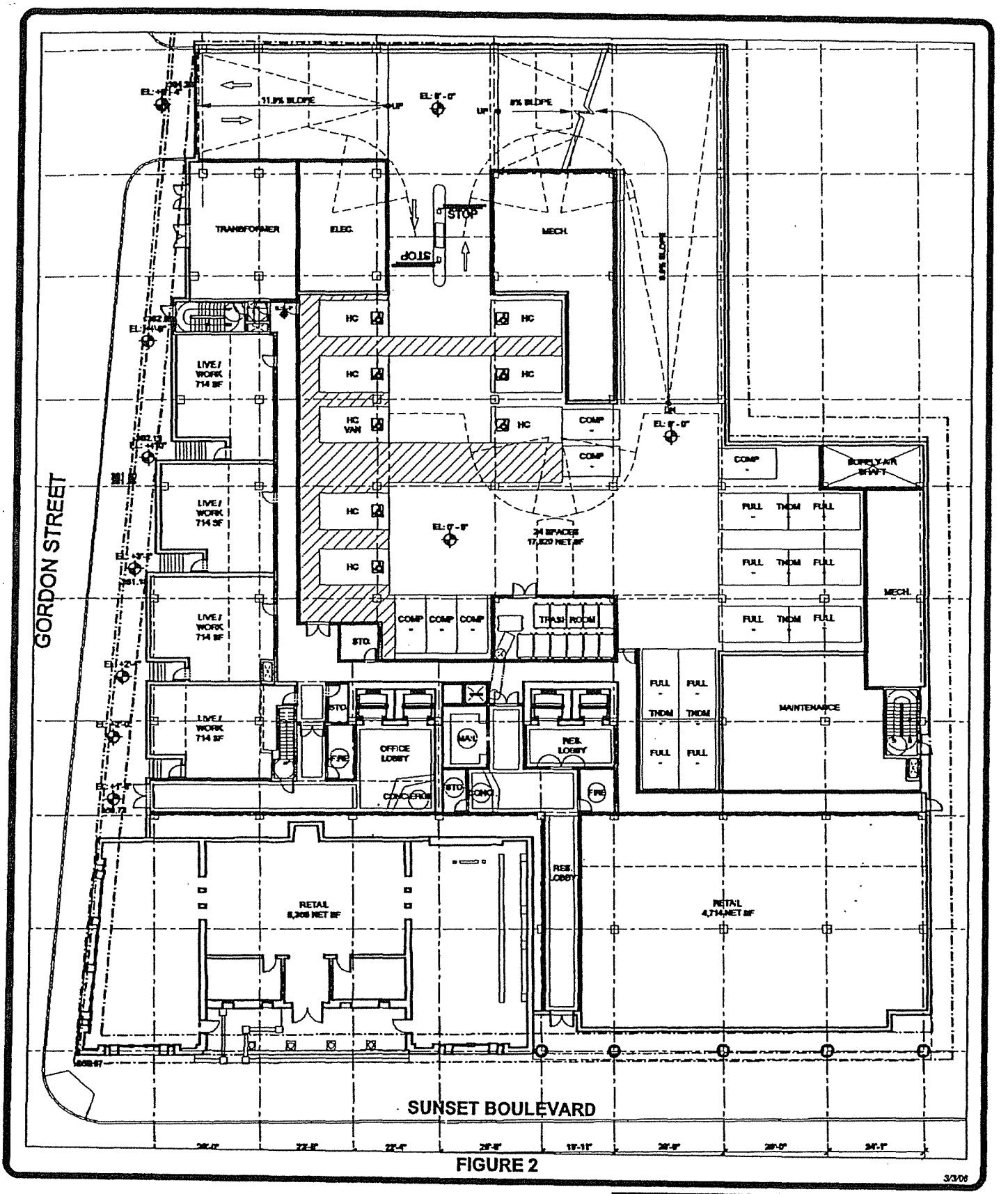



FIGURE 2

3/3/06

**PROJECT SITE PLAN**

Overland Traffic Consultants, Inc.
27201 Tourney Road #206, Santa Clarita, CA 91355
(661)799-8423 v, (661)799-8456 f, OTC@overlandtraffic.com



**ATTACHMENT 1**
CEN06-3261 Sunset & Gordon MU

ITY OF LOS ANGELES
DE RTMENT OF CITY PLANNING
SUBDIVIDER'S STATEMENT

For Office Use Only
(1) Case No._____

(5) Date of Filing_____

(2) Tract No. **065731** /X / Vesting / / Tentative

The following information is required by the various City departments; failure to furnish it completely will delay action and result in the issuance of a notice of incomplete application.

(3) Street address of property (per Room 460, City Hall)

**5939 Sunset Blvd., Los Angeles, CA 90028**

Map reference location

(4) Zoning Atlas Book No. _____ Page (CWS) _____ Grid _____

(6) Census Tract No. **1910.00** District Map No. **147 A 191**
Thomas Bros. Map: Page No. **593** Grid No. **G 4**

(7) Proposed number of lots. **1**

(8) Tract area: **1.161** net acres within tract border; **1.609** gross acres to Centerline.
**50,578** net square feet after required dedication.

(9) Tract proposed for:

| (10) | Units/ Sq. Ft. | Parking | + | Guest Parking * |
|---|---|---|---|---|
| Single-Family- (SF) | | | | |
| Apartments- (APT) | _____ | NA | | _____ |
| Condominiums- (C) | **124** | **248** | + | **16** |
| Condominium Conversion- (CC) | _____ | _____ | + | _____ |
| Commercial- (CM) | **46,733** | **94** | + | _____ |
| Industrial- (IND) | _____ | _____ | | _____ |
| Stock Cooperative- (SC) | _____ | _____ | | _____ |
| Commercial Condo Conversion- (CMCC) | _____ | _____ | + | _____ |
| Industrial Condo Conversion- (INDCC) | _____ | _____ | | |
| Commercial Condominiums- (CMC) | **25** | _____ | | |
| Industrial Condominiums- (INDC) | _____ | _____ | | |
| Reversion to Acreage – (RV) | _____ | _____ | | |
| Other (specify) _____ (0) | _____ | _____ | | |

(11) Number/ type of units to be demolished **(1) a portion of the existing Spaghetti Factory building.**

(12) Community Plan area **Hollywood** Council District # **13**

(13) Community planning designation **Highway Oriented Commercial**

* Multiple dwelling projects only

(14) The existing zone is 4-1-SN & [Q] R4-1VL ,The proposed zone is [Q] RAS4-2DSN approved under City Planning Case No._____ on _____ by the ( ) City Planning Commission and/or ( ) City Council (CF No._____).

a. Has the tract map been filed to effectuate a zone change?
Yes ( ) " No (X ).

b. Is a building line/zone boundary adjustment/or a zone change to a more restrictive zone incident to a subdivision being requested?
Yes ( ) No (X )

c. Is an application for. a zone change to a less restrictive zone incident to a subdivision being concurrently filed?
Yes ( ) No (X )

d. Has the property been considered at a public hearing for a Conditional Use ( ) Variance ( ) Other (specify)__No__
Under Case Nos.:_____

(15) Are there any oak, trees on this property? Yes ( ) No (X )
How many?_____

If yes, how many are 8 inches or more in diameter?_____
How many absolutely must be removed?_____

Are there other trees 12 inches or more in diameter? Yes ( ) No (X )

If yes, how many?_____. How many must be removed?_____
Indicate type and trunk diameter of each tree, and whether the tree is to be retained or removed, on a tree map superimposed on the tentative map (Attach. a list, if necessary)

(Notice of incomplete. application will be issued if the tree information is not included).

(16) Is proposed tract in a slope stability study (hillside) area?
Yes( ) No(X )
In a fault rupture study area? Yes ( ) No (X )

(17) Is subdivision within the vicinity of the Mulholland Scenic Parkway?
Yes( ) No (X )

(18) Is proposed tract in a flood hazard area, hillside area, floodway, or mudprone area? Yes ( ) No ( X )
Filing requirement: submit the hillside and flood hazard area data sheet.

(19) Are there any existing or formerly used gasoline, oil, gas pipelines, or wells within the project site? Yes ( ) No ( X ). Show all easements on tentative tract map.

(20) Is more than one final ap unit proposed? Yes ( ) No (X ) yes, attach a sketch showing each unit on lease.

(21) Tenant information for demolitions and conversions (attach CP-6345).

(22) Is the project in a horsekeeping (K) district? Yes ( ) No (X )
Is the project within a plan-designated horsekeeping area? Yes ( ) No (X )
Is the project in an RA or more restrictive zone? Yes ( ) No (X )

(23) If the tract is for condominium or cooperative conversion purposes, list:

a. Anticipated range of sales prices_____
b. Anticipated sales terms to tenants_____
Note: Attach separate sheet, if necessary.
c. Number of existing parking spaces_____ A certified parking plan is required for all conversions.

(24) Is a haul route approval being requested at this time? Yes ( ) No ( X )

(25) Has a Land Development Counseling Session taken place? Yes ( ) No ( X )
If so, what is LDCC No. _____?

(26) Describe your proposal briefly here or on an attached sheet:
**A new building is proposed for the new construction of 116 condominium units, 8 joint live/work units, 46,733 square feet of commercial / retail space. The commercial / retail space will be sold as 25 separate commercial condominium units. A portion of the existing Spaghetti Factory building will be preserved.**

I certify that the statements on this form are true to the best of my knowledge.

Signed T Shoff _____ _____

Date 5/5/06 _____ Date

RECORD OWNER(S)
(From Latest Adopted Tax Roll)

Name **GTO Sunset, LLC**
Address **100 Wilshire Blvd., St. 650**
City **Santa Monica, CA 90401**
Phone **(310) 314-4880**

Name _____
Address _____
City _____
Phone _____

SUBDIVIDER

Name **GTO Sunset, LLC**
Address **100 Wilshire Blvd., St. 650**
City **Santa Monica, CA 90401**
Phone **(310) 314-4880**

ENGINEER OR LICENSED SURVEYOR

Name _____
Address _____
City _____
Phone _____

Name **Hall & Foreman, Inc.**
Address **20950 Warner Center Ln., St. A**
City **Woodland Hills, CA 91367**
Phone **(818) 251-1200**

Office:
Downtown [X]
Van Nuys [ ]

259408

Date 5-12-06

Department of City Planning
Los Angeles

# City Planning Request

NOTICE: The staff of the Planning Department will analyze your request and accord the same full and impartial consideration to your application, regardless of whether or not you obtain the services of anyone to represent you.

This filing fee is required by Chapter 1, Article 9, L.A.M.C.

| | | | | |
|---|---|---|---|---|
| Applicant | GTO Sunset LLC | | | |
| Representative | R.J. Comer | | | |
| Project Address | 5935 Sunset Blvd | | | |
| Telephone Number | 310-314-4680 | | | |
| **Case Number and Description** | **Task** | **SubTask** | **Ordinance Fee** | |
| APCC-2006-4117-ZC-HD-ZAD-SPR | | | $ 13,694 | 00 |
| | | | $ | |
| ENV-2006-4118-EAF | | | $ 637 | 00 |
| | | | $ | |
| | **Sub Total Fees Paid** | | $ 14331 | 00 |
| OSS Surcharge - 2% | | | $ 287 | 00 |
| Development Surcharge - 6% | | | $ 860 | 00 |
| Operating Surcharge - 7% | | | $ 1003 | 00 |
| Expediting Fee | | | $ | |
| Bad Check Fee | | | $ | |
| Miscellaneous/Photocopy | | | $ | |
| | | | $ | |
| **TOTAL FEES PAID** | | | $ 16,481 | 00 |

[X] Cash
[X] Check # 0967
( ) Money Order #

Council District Hollywood
Plan Area 13

Processed by R. C.
*Print & sign*

LA Department of Building and Safet
LA 01 08 161022 05/12/06 02:08PM

| | |
|---|---|
| PLAN & LAND USE | $14,33 |
| ONE STOP CITY PL | $2[illegible] |
| DEVELOPMT SURCHG | $86 |
| OPERATING SURCHG | $1,0[illegible] |
| Total Due: | $16,4[illegible] |
| Check: | $1,0[illegible] |
| Check: | $1,5[illegible] |
| Check: | $11,2[illegible] |
| Credit Card: | $2,7[illegible] |

White - Applicant Canary - Return to Planning Pink - Building & Safety Golden Rod - Master Copy
Form CP 7107 (Rev. 5/05)

FORM GET. 160A (Rev. 1/82)

FILE

# CITY OF LOS ANGELES
## INTER-DEPARTMENTAL CORRESPONDENCE

5935 Sunset Blvd.
DOT Case No. CEN 06-3261

Date: August 7, 2006

To: Hadar Plafkin, City Planner
Department of City Planning

From: Mike Bagheri, Transportation Engineer
Department of Transportation

Subject: **TRAFFIC IMPACT STUDY FOR THE PROPOSED SUNSET AND GORDON MIXED-USE DEVELOPMENT LOCATED AT 5935 SUNSET BOULEVARD (ENV-2006-4118-EAF/VTT65731)**

The Department of Transportation (DOT) has reviewed the traffic study, prepared by traffic consultant Overland Traffic Consultants, Inc., dated April 2006, for the proposed Sunset and Gordon Mixed-Use development located at 5935 Sunset Boulevard (Attachment 1). Per the DOT Traffic Study Policies and Procedures Revised March 2002, a significant impact is identified as an increase in the Critical Movement Analysis (CMA) value, due to project related traffic, of 0.010 or more when the final ("with project") Level of Service (LOS) is LOS E or F; an increase of 0.020 or more when the final LOS is LOS D; or an increase of 0.040 or more when the final LOS is LOS C. The study analyzed nine intersections and determined that none of the study intersections would be significantly impacted by the project related traffic (Attachment 2). Except as noted, the study adequately evaluated the project related traffic impacts on the surrounding community.

## DISCUSSION AND FINDINGS

### Project Description

The project consists of 144 condominium dwelling units, 10,455 gross square feet of office space and 10,455 gross square feet of ground floor retail/restaurant space, which will be a mix of uses such as a coffee/tea/sandwich shop, a restaurant and specialty retail. The project site is currently occupied by a 13,500 square foot restaurant (Old Spaghetti Factory), which will be removed although some portions of the existing structure may be retained. Access to the project will be provided by a full-access driveway on the east side of Gordon Street near the northerly property line. The project will provide parking on

two-way operation. A minimum 40-foot reservoir space should be provided for all gated driveways. All delivery truck loading and unloading will take place on-site with no trucks backing into or out of the project site from any adjacent street.

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

Attachments

cc: Alison Becker, Council District No. 13
Bob Camou, Hollywood-Wilshire District, DOT
Taimour Tanavoli, Citywide Planning Coordination Section, DOT
Carl Mills, Central District, BOE
Liz Culhane, Overland Traffic Consultants, Inc.

*P:\Letters\CEN06-3261_sunset & gordon mixed-use_5935 sunset_ts.wpd*

Table 8
Future (2009) Traffic Conditions With Project

| No. | Intersection | Peak Hour | Future Without Project CMA | Future Without Project LOS | Future With Project CMA | Future With Project LOS | | IMPACT |
|---|---|---|---|---|---|---|---|---|
| 1 | Hollywood Bl & Bronson Ave | AM | 0.755 | C | 0.772 | C | + | 0.017 |
| | | PM | 0.882 | D | 0.887 | D | + | 0.005 |
| 2 | Hollywood Bl & 101 Fwy SB Ramps | AM | 0.662 | B | 0.682 | B | + | 0.020 |
| | | PM | 0.822 | D | 0.826 | D | + | 0.004 |
| 3 | Hollywood Bl & 101 Fwy NB Ramps | AM | 0.746 | C | 0.765 | C | + | 0.019 |
| | | PM | 0.777 | C | 0.783 | C | + | 0.006 |
| 4 | Sunset Bl & Gower St | AM | 0.884 | D | 0.899 | D | + | 0.015 |
| | | PM | 0.992 | E | 0.996 | E | + | 0.004 |
| 5 | Sunset Bl & Gordon St | AM | 0.471 | A | 0.568 | A | + | 0.097 |
| | | PM | 0.487 | A | 0.505 | A | + | 0.018 |
| 6 | Sunset Bl & Bronson Ave | AM | 0.655 | B | 0.699 | B | + | 0.044 |
| | | PM | 0.733 | C | 0.737 | C | + | 0.004 |
| 7 | Sunset Bl & Wilton Pl | AM | 0.534 | A | 0.541 | A | + | 0.007 |
| | | PM | 0.639 | B | 0.640 | B | + | 0.001 |
| 8 | Santa Monica Bl & Bronson Ave | AM | 0.632 | B | 0.641 | B | + | 0.009 |
| | | PM | 0.717 | C | 0.718 | C | + | 0.001 |
| 9 | Hollywood Bl & Gower St | AM | 0.734 | C | 0.745 | C | + | 0.011 |
| | | PM | 0.725 | C | 0.727 | C | + | 0.002 |

Trip Generation
5935 Sunset Boulevard
Mixed-Use Project

| ITE Code | Description | Size | Daily Traffic | AM Peak Hour Total | AM Peak Hour In | AM Peak Hour Out | PM Peak Hour Total | PM Peak Hour In | PM Peak Hour Out |
|---|---|---|---|---|---|---|---|---|---|
| | **Proposed Project** | | | | | | | | |
| 934 | Coffee/Sandwich Shop | 1,200 sf | 1,330 | 219 | 116 | 103 | 47 | 22 | 25 |
| | Pass-by Credit | 50% | (665) | (110) | (58) | (52) | (24) | (11) | (13) |
| | Internal Capture | 20% | (133) | (22) | (12) | (10) | (5) | (2) | (3) |
| | Subtotal Coffee/Sandw | | 532 | 88 | 46 | 41 | 19 | 9 | 10 |
| 932 | Restaurant | 4,028 sf | 512 | 46 | 24 | 22 | 44 | 27 | 17 |
| | Pass-by Credit | 20% | (102) | (9) | (5) | (4) | (9) | (5) | (3) |
| | Internal Capture | 20% | (82) | (7) | (4) | (4) | (7) | (4) | (3) |
| | Subtotal Restaurant | | 328 | 29 | 15 | 14 | 28 | 17 | 11 |
| 814 | Specialty Retail | 5,227 sf | 232 | 7 | 4 | 3 | 14 | 6 | 8 |
| | Pass-by Credit | 10% | (23) | (1) | (1) | 0 | (1) | (1) | (1) |
| | Internal Capture | 10% | (21) | 0 | (0) | 0 | (1) | (1) | (1) |
| | Subtotal Spec. Retail | | 188 | 6 | 3 | 3 | 11 | 5 | 6 |
| 710 | Office | 40,076 sf | 441 | 63 | 55 | 8 | 60 | 10 | 50 |
| 230 | Condominium | 124 units | 727 | 55 | 9 | 46 | 64 | 43 | 21 |
| | **Subtotal Proposed** | | **2,216** | **241** | **128** | **112** | **182** | **84** | **98** |
| | **Previous Use** | | | | | | | | |
| 932 | Restaurant | 13,500 sf | 1,717 | 0 | 0 | 0 | 148 | 90 | 58 |
| | Pass-by Credit | 20% | (343) | 0 | 0 | 0 | (30) | (18) | (12) |
| | **Subtotal Existing** | | **1,374** | **0** | **0** | **0** | **118** | **72** | **46** |
| | **NET TRIPS** | | **842** | **241** | **128** | **112** | **64** | **12** | **52** |

March 29, 2006

CITY OF LOS ANGELES
DEPARTMENT OF CITY PLANNING

## ENVIRONMENTAL ASSESSMENT FORM

EAF Case No.: ENV 2006-4118-EAF ZA Case No.: _____ APCC ~~CPC~~ Case No.: 2006-4117-ZC-VV ZAD-S
Council District No.: 13 Community Plan Area: Hollywood Community Planning Area
PROJECT ADDRESS: 5939 West Sunset Boulevard, Los Angeles, California 90028

Major Cross Streets: West Sunset Boulevard and Gordon Street
Name of Applicant: GTO Sunset LLC, Richard Solares
Address: 100 Wilshire Blvd. Suite 650, Santa Monica, California 90401
Telephone No.: (310) 314-4880 Fax No.: (310) 314-4801 E-mail: rsolares@gtodevelopment.com

| OWNER | APPLICANT'S REPRESENTATIVE (Other than Owner) |
|---|---|
| Name: GTO Sunset LLC, Richard Solares | Name: Christopher A. Joseph & Associates, Craig Fajnor (Contact Person) |
| Address: 100 Wilshire Blvd.Ste.650 Santa Monica,CA 90401 | Address: 11849 W. Olympic Blvd. Ste.101, LA, CA, 90064 |
| Telephone No: (310) 314-4880 | Telephone No: (310) 473-1600 |
| Signature: | Signature: (Applicant's Representative) |

The following Exhibits are required (3 copies of each exhibit and 3 Environmental Assessment Forms for projects in Coastal & S.M. Mtn. Zones): All Exhibits should reflect the entire project, not just the area in need of zone change, variance, or other entitlement.

**NOTE: The exhibits are IN ADDITION TO those required for any case for which the Environmental Assessment Form is being filed.**

A. **2 Vicinity Maps:** (8½" x 11") showing nearby street system, public facilities and other significant physical features (similar to road maps, Thomas Brothers Maps, etc.) with project area highlighted.
B. **2 Radius/Land Use Maps:** (1" = 100') showing land use and zoning to 500 feet (100 feet of additional land use beyond the radius for alcoholic beverage cases); 100' radius line (excluding streets) okay for Coastal building permits 300' for site plan review applications.
C. **2 Plot Plans:** showing the location and layout of proposed development including dimensions; include topographic lines where grade is over 10%; tentative tract or parcel maps where division of land is involved to satisfy this requirement, and the location and diameter of all trees existing on the project site.
D. **Application:** a duplicate copy of application for zone change, (including Exhibit "C" justification) batch screening form, periodic comprehensive general plan review and zone change map, variance, conditional use, subdivider's statement, etc.
E. **Pictures:** two or more pictures of the project site showing walls, trees and existing structures.
F. **Notice of Intent Fee:** a check in the amount of $25 made out to the **County of Los Angeles** for the purpose of filing a Notice of Intent to Adopt a Negative Declaration as required by § 15072 of the State CEQA Guidelines.

ENVIRONMENTAL ASSESSMENT
APPROVED BY: _____ DATE: _____

APPLICATION ACCEPTED
BY: R. Conner DATE: 5-12-06

RECEIPT NO.: 259408 V

## I. Project Description:

Briefly describe the project and permits necessary (i.e.,Tentative Tract, Conditional Use, Zone Change, etc.) including an identification of phases and plans for future expansion:
See Attachment A.

Will the project require certification, authorization, clearance or issuance of a permit by any federal, state, county, or environmental control agency, such as Environmental Protection Agency, Air Quality Management District, Water Resources Board, Environmental Affairs, etc.? If so, please specify:
No.

## II. Existing Conditions:

A. Project Site Area 50,524 square feet
Net and Approximately 1.14 Gross Acres Approximately 1.16
B. Existing Zoning C4-1-SN, [Q]R4-1VL
C. Existing Use of Land Restaurant
Existing General Plan Designation Highway Oriented Commercial
D. Requested General Plan Designation No change
E. Number 1 type Restaurant and age ± Approx. 60 years of structures to be removed as a result of the project. If residential dwellings (apts., single-family, condos) are being removed indicate the: number of units: N/A and average rent: N/A
Is there any similar housing at this price range available in the area? If yes, where?
N/A

F. Number 1 Trunk Diameter 12 inches and type Palm Tree of existing trees.
G. Number 1 Trunk Diameter 12 inches and type Palm Tree of trees being removed (identify on plot plan.)
H. Slope: State percent of property which is:
100% Less than 10% slope ____ 10–15% slope ____ over 15% slope
*If slopes over 10% exist, a topographic map will be required. Over 50 acres, 1" = 200' scale is okay.*
I. Check the applicable boxes and indicate the condition on the Plot Plan. There are natural or man-made drainage channels, rights of way and/or hazardous pipelines crossing or immediately adjacent to the property, or none of the above.
J. Grading: (specify the total amount of dirt being moved)
N/A 0-500 cubic yards.
45,000 cy if over 500 cubic yards. indicate amount of cubic yards.
K. Import/Export: Indicate the amount of dirt being imported or exported 45,000 cy.

**Projects involving import/export of 1000 cubic yards or more are required to complete a Haul Route Form and Haul Route Map.**

If the project involves more than one phase or substantial expansion or changes of existing uses, please document each portion separately, with the total or project details written below. Describe entire project, not just area in need of zone change, variance, or other entitlement.

## III. Residential project (if not residential, do not answer)

A. Number of Dwelling Units-
Single Family N/A Apartment N/A or Condominium 124
B. Number of Dwelling Units with:
One bedroom 36 Two bedrooms 80 (8 penthouse)
Three bedrooms ____ Four or more bedrooms 8 Live/work
C. Total number of parking spaces provided 358 (all uses)
D. List recreational facilities of project Fitness room, club room, pool
E. Approximate price range of units $ Market rate to $ ____
F. Number of stories 13, height 143 feet.
G. Type of appliances and heating (gas, electric, gas/electric, solar) Gas
Gas heated swimming pool? Gas
H. Describe night lighting of the project Indoor lighting, parking structure lighting, security lighting
(include plan for shielding light from adjacent uses, if available)
I. Percent of total project proposed for: Building 90%
Paving ____
Landscaping 10%
J. Total Number of square feet of floor area 160,539

## IV. Commercial, Industrial or Other Project (if project is only residential do not answer this section). Describe entire project, not just area in need of zone change, variance, or other entitlement.

A. Type of use retail and office
B. Total number of square feet of floor area 47,568
C. Number of units if hotel/motel N/A
D. Number of stories ground, 3rd, and 4th height ____ feet.
E. Total number of parking spaces provided: See above
F. Hours of operation 24 hours Days of operation 7 days a week
G. If fixed seats or beds involved, number N/A
H. Describe night lighting of the project indoor, parking structure, security
(Include plan for shielding light from adjacent uses, if available)
I. Number of employees per shift Approximately 12
J. Number of students/patients/patrons N/A
K. Describe security provisions for project security lighting
L. Percent of total project proposed for: Building 90%
Paving N/A
Landscaping 10%

### Historic/Architecturally Significant Project

Does the project involve any structures, buildings, street lighting systems, spaces, sites or components thereof which may be designated or eligible for designation in any of the following: (please check)

- ☐ National Register of Historic Places N/A
- ☐ California Register of Historic Resources N/A
- ☐ City of Los Angeles Cultural Historic Monument. N/A
- ☐ Within a City of Los Angeles Historic Preservation Overlay Zone (HPOZ) N/A

## V. Hazardous Materials and Substance Discharge

Does the project involve the use of any hazardous materials or have hazardous substance discharge? If so, please specify. No

A. Regulatory Identification Number (if known) N/A
B. Licensing Agency N/A
C. Quantity of daily discharge N/A

## VI. Stationary Noise Clearance: A clearance may be necessary certifying the project's equipment (e.g., air conditioning) complies with City Noise Regulations.

Some projects may require a Noise Study. The EIR staff will inform those affected by this requirement.

## VII. Selected Information:

A. Circulation: Identify by name all major and secondary highways and freeways within 1,000 feet of the proposed project; give the approximate distance(s):
Hollywood Freeway 1/4 mile east of project site.
B. Air: All projects that are required to obtain AQMD permits (see AQMD Rules and Regulations) are required to submit written clearance from the AQMD indicating no significant impact will be created by the proposed project.*
C. Noise: Projects located within 600 feet of railroad tracks indicate the number of trains per day:**
Day 7 AM–10 PM N/A
Night 10 PM–7 AM N/A

## VIII. Mitigating Measures:

Feasible alternatives or mitigation measures which would substantially lessen any significant adverse impact which the development may have on the environment. Mitigation Measures to be discussed in the Draft EIR

* Contact the South Coast Air Quality Management District at 572-6418 for further information.

** For information, contact:

| | |
|---|---|
| Southern Pacific Train Dispatcher | 629-6569 |
| Union Pacific Engineering | 725-2313 |
| Santa Fe Train Master | 267-5546 |

## APPLICANT/CONSULTANT'S AFFIDAVIT

## OWNER MUST SIGN AND BE NOTARIZED;

## IF THERE IS AN AGENT, THE AGENT MUST ALSO SIGN AND BE NOTARIZED

| | |
|---|---|
| I, FRed Shaffer<br>Owner (Owner in escrow)*<br>(Please Print) | I, CRAIG FAUNOR, CHRISTOPHER A JOSEPH & ASS<br>Consultant*<br>(Please Print) |
| Signed: FRED SHAFFER<br>Owner | Signed: Craig Faunor<br>Agent |

being duly sworn, state that the statements and information contained in this Environmental Assessment Form are in all respects true and correct to the best of my knowledge and belief.

State of California, County and City of Los Angeles

| | |
|---|---|
| Signed: Shannon Matthews<br>Notary | Signed: Jacqueline R. Lyons<br>Notary |
| Subscribed and sworn to before me this<br>5th day of May, 20 06<br>(NOTARY or CORPORATE SEAL) | Subscribed and sworn to before me this<br>1st day of May, 20 06<br>(NOTARY) |

* If acting for a corporation, include capacity and company name.

SHANNON NICOLE MATTHEWS
Commission # 1505434
Notary Public - California
Los Angeles County
My Comm. Expires Aug 3, 2008

JACQUELINE R. LYONS
Commission # 1617090
Notary Public - California
Los Angeles County
My Comm. Expires Nov 17, 2009

# INITIAL STUDY ASSESSMENT FORM (ISAF) FOR TRAFFIC IMPACTS

EAF Case No.: ENV-2006-4118-EAF
Existing Zone: C4-1SN and [Q]R4-1VL
Project Address: 5939 West Sunset Boulevard
Requested Zone: [Q]RAS4-2DSN

Project Description: Zone Change from C4-1SN and [Q]R4-1VL to [Q]RAS4-2DSN deleting the existing [Q] Qualified Classification and replacing it with a new [Q] Qualified Classification to establish a specific standard that portions of the building be limited to office space. Change to Height District 2 with a D Development Limitation limiting the project to a floor area ratio of 4.5:1; Zoning Administrator's Determination for shared parking approval for residential guest parking, office parking, and retail parking to be shared. Residential parking will be provided at 2 spaces per unit; Yard Variance to allow the upper floors of the project (floors 4 and 5) to be built at the lot line; Site Plan Review the project exceeds the threshold of 50 new dwelling units; Vesting Tentative Tract Map No. 065731 (being filed separately.) all in conjunction with the construction of a mixed-use development on parcels presently occupied by the one-story spaghetti factory building and surface parking lot. The project would incorporate parts of the facade and interior of the existing Spaghetti Factory building into the retail component of the project. The mixed-use development includes approximately 124 residential units, including 8 live/work units, located above a parking garage, 9,805 square feet fo retail uses, and 37,763 square feet of office uses with hours of operation 24 hours 7 days a week. The proposed residential units would be contained within one tower, 13-stories tall. The proposed project would include two levels of subterranean parking and four levels of above ground parking which would provide a total of 358 parking spaces. The project would also include off-site signage. Removal of one Palm tree and approximately 45,000 cubic yards of dirt.

Applicant/Agent: GTO Sunset LLC, Richard Solares  Tel. #: 310 314-4880
Prepared by City Planning: Anita C. Bizzell  Date: 7/31/06  Tel. #: 213-978-1356

Preliminary Trip Generation

| *Land Use* / *Proposed Use* | *Size* | *Trip Generation* | | |
|---|---|---|---|---|
| | | Daily | AM Peak Hour | PM Peak Hour |
| | | | | |
| ***SEE ATTACHED LETTER*** | | | | |
| *Previous Use* | | | | |
| | | | | |
| *NET TRIPS* | | *842* | *112* | *52* |

## POTENTIAL TRANSPORTATION & CIRCULATION IMPACTS

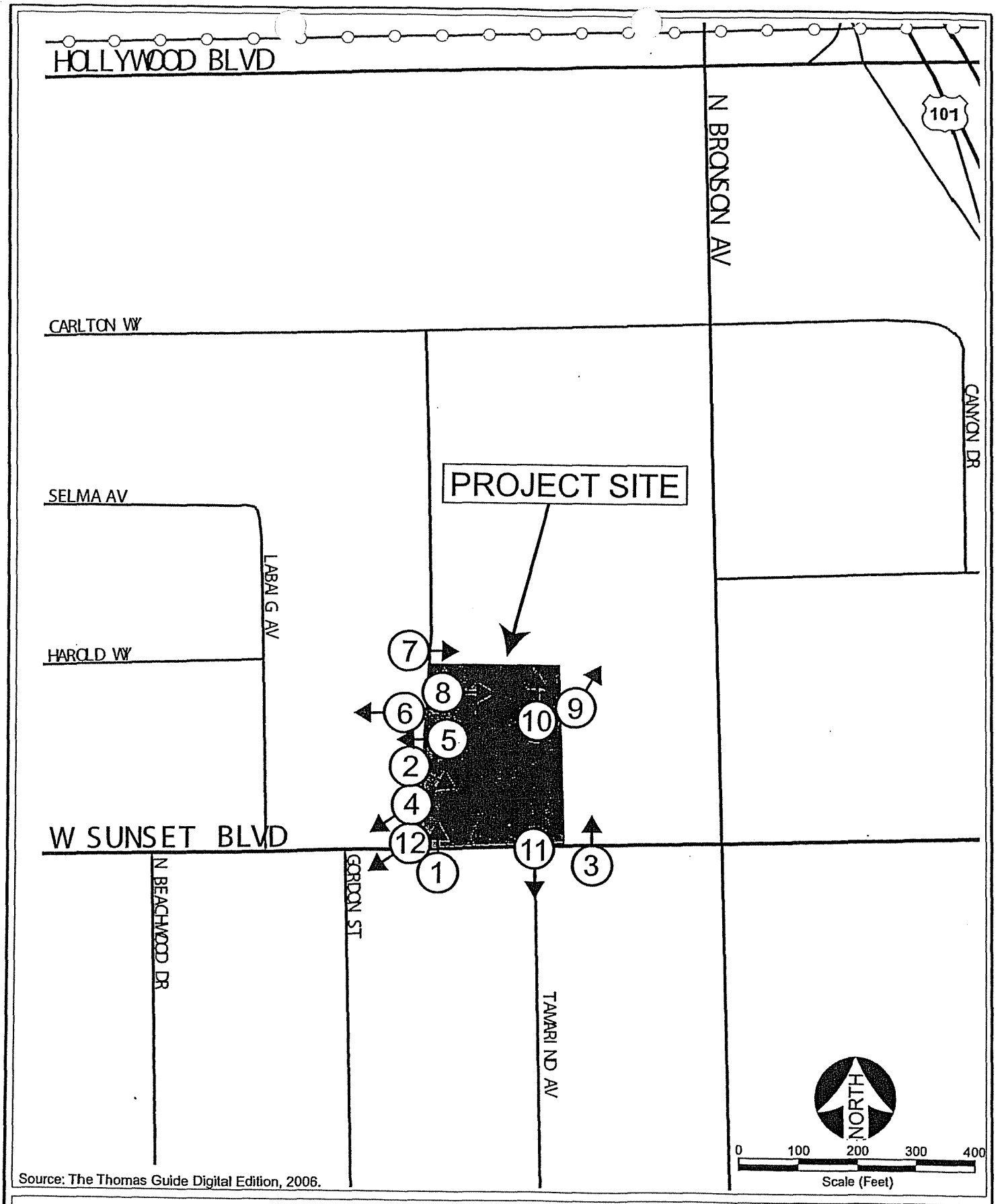
Traffic Study: ☐ Not Required; ✓ Is Required *
Transportation Ordinance Area: ☐ Yes; ✓ No

| Would the project: | Potentially Significant Impact | Potentially Significant Unless Mitigated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to ratio capacity on roads, or congestion at intersections)? | ☐ | ✓ | ☐ | ☐ |
| b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? | ☐ | ✓ | ☐ | ☐ |
| c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | ☐ | ☐ | ☐ | ✓ |
| d. Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | ☐ | ☐ | ☐ | ✓ |
| e. Result in inadequate emergency access? | ☐ | ☐ | ✓ | ☐ |
| f. Result in inadequate parking capacity? | ☐ | ☐ | ✓ | ☐ |
| g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? | ☐ | ☐ | ✓ | ☐ |

**COMMENTS:** Submit a parking and driveway plan to LADOT's Construction Services Center at 201 N. Figueroa St, Room 400 (#3), for review and approval. Check with Bureau of Engineering for any street widening and/or highway dedication requirements.

*Note: A traffic study was submitted and reviewed by DOT (letter attached).

ISAF Prepared by: LADOT: Weston Pringle  Date: 8/11/06  Tel.#: 213-972-8482



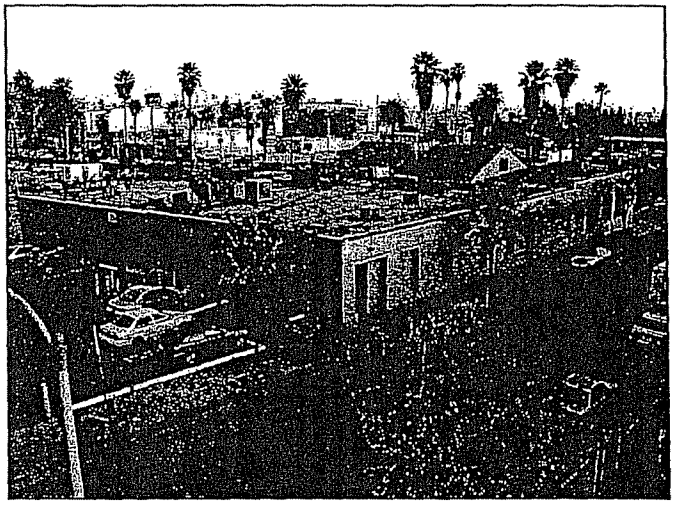

Source: The Thomas Guide Digital Edition, 2006.

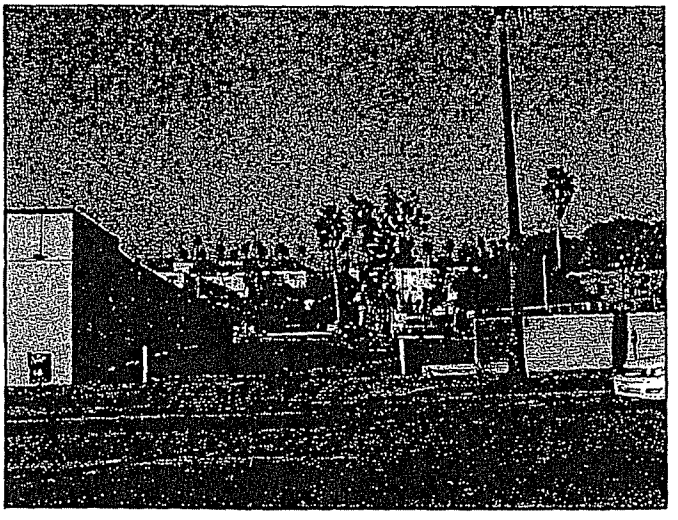
CHRISTOPHER A. JOSEPH & ASSOCIATES
Environmental Planning and Research

Figure 1
Photograph Location Map

**View 1**: View looking across Sunset Boulevard toward The Spaghetti Factory building located on the Project Site.

**View 2**: View looking from Gordon Street toward The Spaghetti Factory building and adjacent north parking lot located on the Project Site.



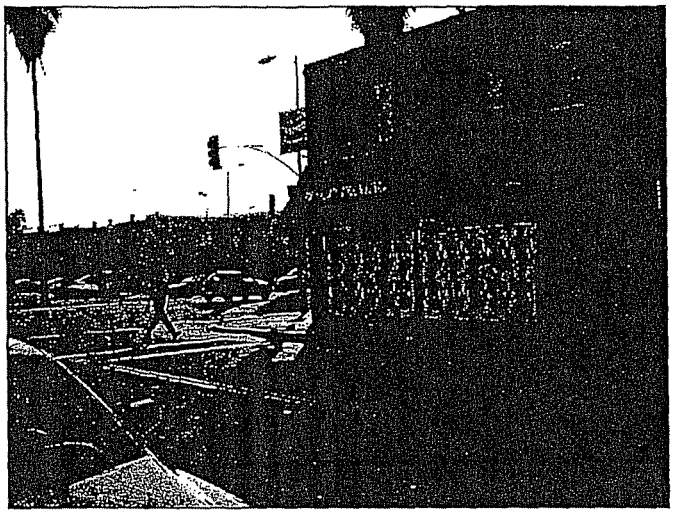


**View 3**: View looking east toward the Spaghetti Factory building and adjacent parking lot located on the eastern portion of the Project Site along West Sunset Boulevard.

Source: Christopher A. Joseph & Associates, 2006.

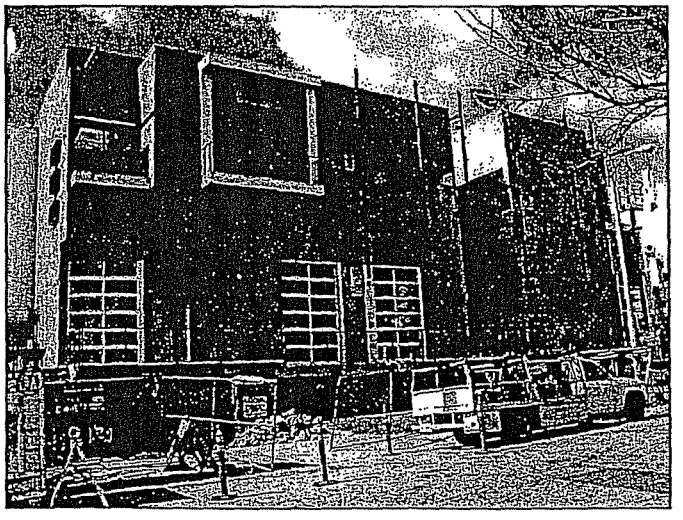
CHRISTOPHER A. JOSEPH & ASSOCIATES
Environmental Planning and Research

Figure 2
Views of the Project Site
Views 1-3



**View 4**: View looking southwest toward the two-story retail building located across Gordon Street.

**View 5**: View looking west toward the surface parking lot and two-story residential building located directly west of the Project Site across Gordon Street.

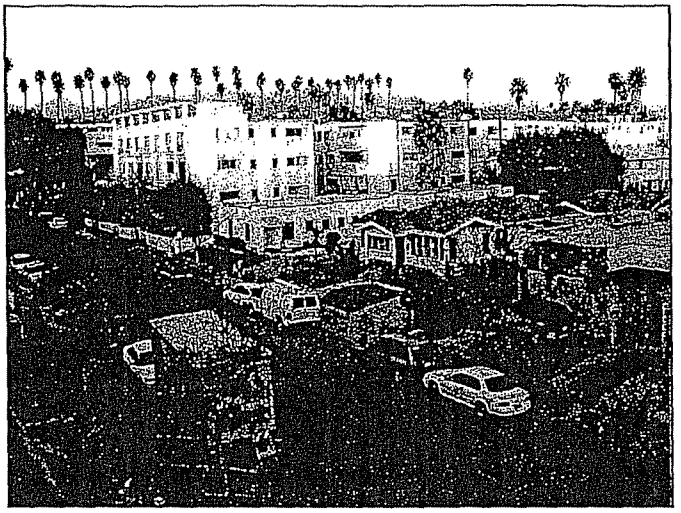


**View 6**: View looking west toward the two-story residence located across Gordon Street.

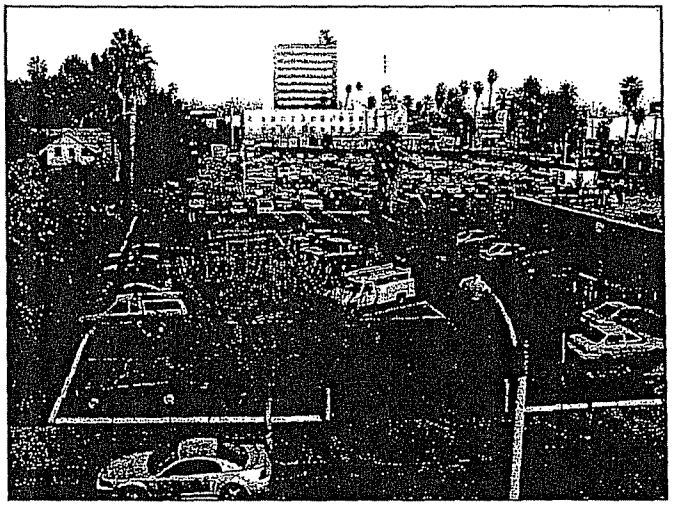
Source: Christopher A. Joseph & Associates, 2006.

CHRISTOPHER A. JOSEPH & ASSOCIATES
Environmental Planning and Research

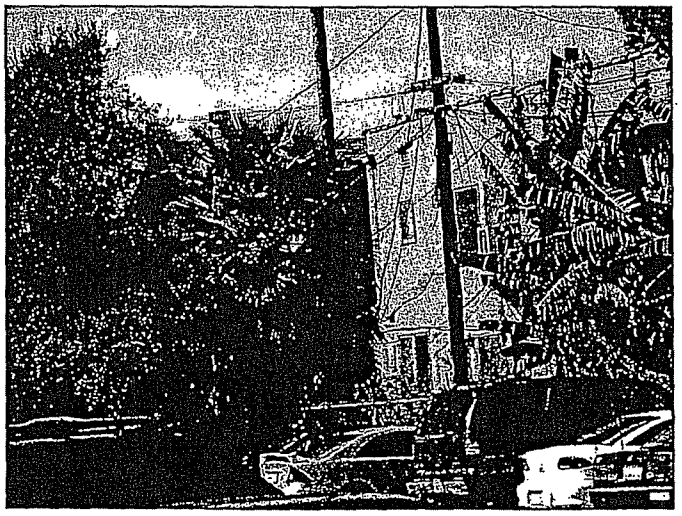
Figure 3
Views of Surrounding Land Uses
Views 4-6



**View 7**: View looking northeast towards the surrounding residential uses north of the Project Site.



**View 8**: View looking east toward the trees and bushes marking the north boundary of the Project Site.

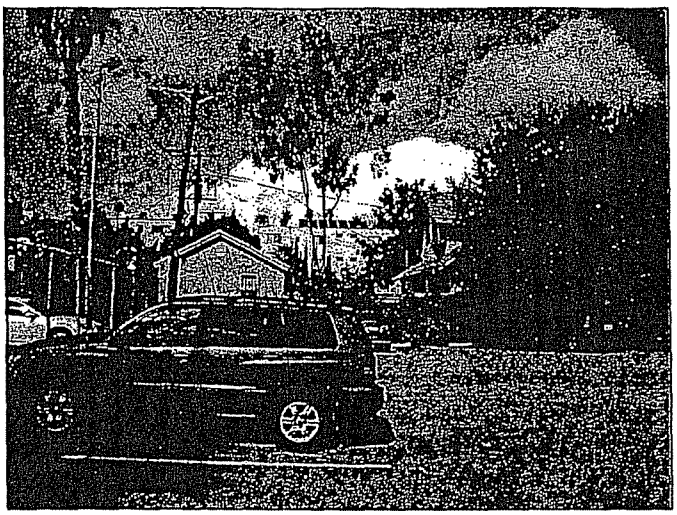


**View 9**: View looking toward two-story residential apartment court located northeast of the Project Site.

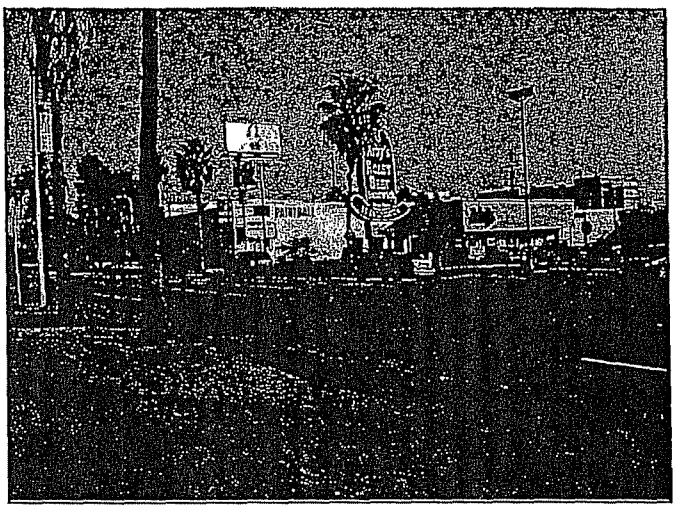
Source: Christopher A. Joseph & Associates, 2006.

CHRISTOPHER A. JOSEPH & ASSOCIATES
Environmental Planning and Research

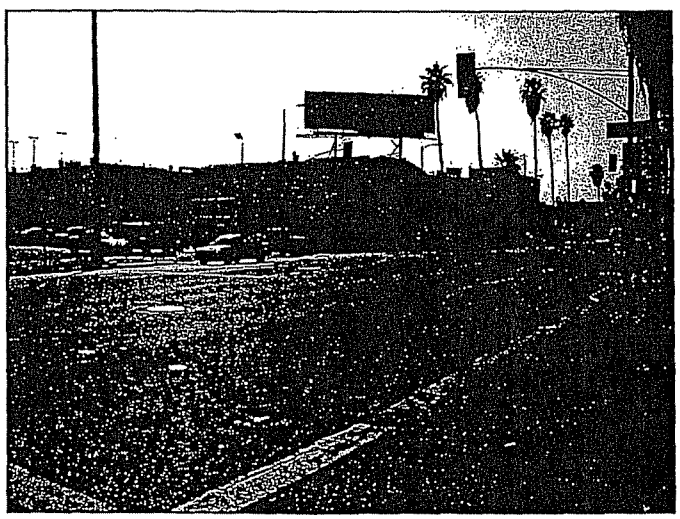
Figure 4
Views of Surrounding Land Uses
Views 7-9



**View 10**: View looking north toward the one-story residential use located adjacent to the Project Site.



**View 11**: View looking southeast of the Project Site toward the one- and two- story commercial uses located on the south side of West Sunset Boulevard.



**View 12**: View looking southwest toward the two-story commercial use located across West Sunset Boulevard.

Source: Christopher A. Joseph & Associates, 2006.

CHRISTOPHER A. JOSEPH & ASSOCIATES
Environmental Planning and Research

Figure 5
Views of Surrounding Land Uses
Views 10-12

# ATTACHMENT A

## ENVIRONMENTAL SETTING

The project site is located at 5939 West Sunset Boulevard, Los Angeles, California, 90028. The project site is located in the Hollywood community and the Hollywood Redevelopment Plan area of the City of Los Angeles. The project site is bounded by Gordon Street to the west, West Sunset Boulevard to the south, a parking lot to the east, and residential uses to the north.

### Description of the Project Site and Existing Land Uses

The project site consists of three rectangular parcels and a portion of a fourth that front West Sunset Boulevard, and two lots that front Gordon Street. The combined gross lot area of the parcels is approximately 50,524 square feet. The project site is currently developed with a surface parking lot and the Old Spaghetti Factory restaurant.

## DESCRIPTION OF THE PROPOSED PROJECT

Development of the project site includes construction of a mixed-use development on parcels presently occupied by the one-story Spaghetti Factory building and surface parking lots. The project would incorporate parts of the façade and interior of the existing Spaghetti Factory building into the retail component of the project. The mixed-use development includes approximately 124 residential units, including 8 live/work units, located above a parking garage, 9,805 square feet of retail uses, and 37,763 square feet of office uses. The proposed residential units would be contained within one tower, 13-stories tall. The proposed project would include two levels of subterranean parking and four levels of above ground parking which would provide a total of 358 parking spaces. The ground floor would include retail uses, parking and live/work residential units. The second floor would include parking and residential uses. The third and fourth floors would include office uses, parking and residential uses. The remaining floors would be developed with residential uses. The proposed project would also include off-site signage.

### Electronic Message Display

The proposed project includes the construction of electronic message display signs. These signs include wall signs or theater marquee signs, that display still images, scrolling images, or moving images, including video and animation, utilizing a series or grid of lights that may be changed through electronic means, including cathode ray, light emitting diode display (LED), plasma screen, liquid crystal display (LCD), fiber optic, or other electronic media or technology.

**Supergraphic Signs**

The proposed project includes the construction of supergraphic signs. These signs consist of an image which is applied to and made integral with a wall, or projected into a wall or printed on vinyl mesh or other material.

**Land Use and Zoning Designations**

The project site is zoned is C4-1SN (Commercial zone) and [Q]R4-1VL (Residential zone). The Sunset parcels are zoned C4, which is a commercial designation in Height District 1, which allows a 3:1 FAR. However, the project site is located in the Hollywood Community Plan (the "Community Plan") area and the Community Plan map footnote limits FAR to 1.5:1. The Community Plan designation is Highway Oriented Commercial. On April 21, 2005 Deputy Director of Planning Robert Sutton issued an interpretation that allows utilization of the maximum FAR of an underlying RAS zone regardless of the Community Plan footnote limitation. The SN designation represents a signage overlay district.

The Gordon parcels are zoned R4, which is a multiple density residential zone with a density of 1 unit per 400 square feet of lot area. The parcels are in the 1VL Height District. The 1VL limits building heights to a maximum of three stories and 45 feet. The project site is also subject to a Q restriction that further limits the density to 1 unit per 600 square feet of lot area. The Community Plan designation is Highway Oriented Commercial.

**Signage District**

The proposed project is located in the Hollywood Signage Supplemental Use District ("SN"). According to the SN, signage is an important part of Hollywood's architectural history. Marquees on movie palaces, gracefully lettered rooftop signs, projecting signs extending above roof lines, and the Hollywood Sign are the insignia of Hollywood's famous entertainment district. The SN ordinance was enacted to acknowledge and promote the continuing contribution of signage to the distinctive aesthetic of Hollywood Boulevard, as well as control the blight created by poorly placed, badly designed signs throughout Hollywood.

## DISCRETIONARY ACTIONS REQUIRED

The proposed project will require discretionary actions (e.g., approval or disapproval) by the City of Los Angeles Department of Planning. The Initial Study would be provided as an informational document to inform the general public and the decision-makers of the potential environmental impacts that may occur as a result of the proposed project. Implementation of the proposed 5939 Sunset Boulevard project may require the following discretionary approvals:

- A zone change from C4-1SN and [Q]R4-1VL to [Q]RAS4-2DSN pursuant to LAMC sections 12.11.5, 12.32F, 12.32G2, and 12.32H. LAMC section 12.32B authorizes the owner of property to apply for a change of zone. The applicant also proposes to delete the existing [Q] Qualified Classification and replace it with a new [Q] Qualified Classification to establish a specific standard that portions of the building be limited to office use. As part of the zone change request and pursuant to LAMC section 12.32F, the applicant proposes a change to Height District 2 with a D Development Limitation limiting the project to a floor area ratio of 4.5:1.

- The applicant is requesting a shared parking approval pursuant to LAMC section 12.24X20 for residential guest parking, office parking, and retail parking.

- The applicant is requesting a front yard variance pursuant to LAMC section 12.27 to allow the upper floors of the proposed project (floors 4 and 5) to be built at the lot line.

- The applicant is requesting approval of a Vesting Tentative Map (VTM) pursuant to LAMC section 17.15. The VTM is being separately considered by the Deputy Advisor Agency.

- At a future date, not in conjunction with project approvals enumerated above, the applicant intends to seek approval of a signage program. The particular approval required for the sign program is not know at this time, but may include, but not be limited to, an Exemption from the Hollywood Supplemental Use District, an agreement with the Community Redevelopment Agency, or a statutory development agreement with the City of Los Angeles.

- Other approvals (as needed), ministerial or otherwise, may be necessary, as the City finds appropriate, in order to execute and implement the project. Such approvals may include, but are not limited to: Community Redevelopment Agency findings and design review; landscaping, lighting and signage in accordance with the City of Los Angeles Department of Building and Safety; City of Los Angeles Department of Transportation permits for driveways/curb cuts; storm water discharge permit; issuance of permits from the City of Los Angeles Department of Building and Safety that may include permit approvals for grading, approval of the haul route for the export of demolition debris and import and export of soils, approvals for foundations, retaining walls, and structural improvements; vehicular access from Gordon Street; installation and hookup approvals for public utilities and related permits. Additional discretionary or ministerial action may include sewer and water hook-up permits from the City of Los Angeles Department of Water and Power.

No federal or state approvals are required for the proposed project. However, implementation of the project would include coordination and review by state and regional responsible or trustee planning agencies for various aspects of the project; including but not limited to, the following:

- Los Angeles Police Department.

- California Regional Water Quality Control Board (RWQCB), and
- South Coast Air Quality Management District.

# Exhibit 3

# nd at the tinder mercy ord-breaking dry spell

and grasslands by the L.A. County Fire Department found that the moisture level in plants is the lowest in 26 years. And that doesn't count the large amount of brush that has already died.

Of equal concern to firefighters is the wind. Typically, Southern California records 30 days of Santa Ana winds a year. But over the last 12 months, the region saw more than 100 days of Santa Anas. On Friday, the National Weather Service again issued a red flag fire warning for forest and mountain areas.

"We've never seen anything like this," said Burbank Fire Capt. Ron Bell. "The Griffith

[See Dry, Page A25]

and, if so, whether their imprisonment amounts to "unlawful confinement" from which a federal judge might free them. The court is to hear arguments next term, which begins Oct. 1.

Court personnel said it had been 60 years since justices had rejected an appeal petition and then reversed themselves and voted to hear the claim.

The switch may reflect frustration among the court's more liberal and centrist members over the Bush administration's handling of the Guantanamo issue, according to civil liberties lawyers who have been battling with the government.

Three years ago, the court ruled that the hundreds of prisoners at the U.S. military facility

PAUL STEWART *Pool Photo*

**INVESTIGATION:** *Police say the two parked Mercedeses full of explosives are "clearly linked."*

# London car bombs renew fears

## Explosives are defused in two vehicles left in the theater district days before the anniversary of the transit blasts.

By JANET STOBART
*Times Staff Writer*

LONDON — Police defused two car bombs packed with gasoline and nails Friday after they were found in the heart of the crowded theater and tourist district, generating renewed fears of terrorism and prompting a police clampdown that created near gridlock through much of the city center.

The failed attack, using what authorities said were a pair of explosives-packed Mercedeses, came two days after Gordon Brown became prime minister and barely a week before the second anniversary of the devastating July 7 suicide bombings on the London transit system.

The normally thriving Piccadilly Circus area, nearby Haymarket and Park Lane, a major artery, were closed for the day, leaving bewildered tourists and Londoners walking unfamiliar streets searching for their hotels, cars or the quickest alternative routes home.

The first bomb was found by officers and explosives experts called to the Tiger Tiger nightclub in the Haymarket at 1 a.m., after an ambulance crew treating a club-goer reported seeing smoke inside a parked silver Mercedes.

Investigators found a large number of nails, several containers of gasoline, and propane gas cylinders primed to explode in the car, said Deputy Assistant Commissioner Peter Clarke, head of Scotland Yard's counter-terrorism command.

"If the device had detonated, there could have been significant

[See London, Page A5]

# Near the rails but on the road

## Billions have been spent on transit-friendly housing, but it appears people aren't leaving their cars behind.

By SHARON BERNSTEIN and FRANCISCO VARA-ORTA
*Times Staff Writers*

TV cameras in tow and champagne at the ready, a dozen of the county's most powerful civic leaders — including the mayor of Los Angeles, L.A. City Council members and county supervisors — touted the latest and glitziest new development in Hollywood: the planned W Hotel and apartments at the storied corner of Hollywood and Vine.

This project, they pledged at the groundbreaking earlier this year, would restore a sagging neighborhood while also minimizing traffic — an important promise in increasingly gridlocked Hollywood.

"People could live here and never use their cars," declared MTA Chief Executive Roger Snoble at the February event.

It's a vision expressed frequently by local government officials, who see building large mixed-use developments next to mass transit lines as a key solution for not just the region's traffic congestion but also its spread-out geography and reputation for being unfriendly to pedestrians.

In Los Angeles alone, billions of public and private dollars have been lavished on transit-oriented projects such as Hollywood & Vine, with more than 20,000 residential units approved within a quarter mile of transit stations between 2001 and 2005.

But there is little research to back up the rosy predictions. Among the few academic studies of the subject, one that looked at buildings in the Los Angeles area

[See Transit, Page A18]

## Inside Today's Times

**New tensions build**

**Pressure by**

**His name is Rain**

# Transit's lack of convenience cited

[Transit, from Page A1]

showed that transit-based development successfully weaned relatively few residents from their cars. It also found that, over time, no more people in the buildings studied were taking transit 10 years after a project opened than when it was first built.

Los Angeles, with its huge geographic footprint and its limited public transportation system, can't offer residents of these developments the kinds of sophisticated transit networks available in cities like Washington, D.C. — or even smaller ones like Portland — where transit-oriented projects are believed by many to be working.

The Times decided to examine driving habits at four apartment and condominium complexes that have already been built at or near transit stations in South Pasadena, North Hollywood, Pasadena and Hollywood.

Reporters spent two months interviewing residents, counting cars going out of and into the buildings and counting pedestrians walking from the projects to the nearby train stations.

The reporting showed that only a small fraction of residents shunned their cars during morning rush hour. Most people said that even though they lived close to transit stations, the trains weren't convenient enough, taking too long to arrive at destinations and lacking stops near their workplaces. Many complained that they didn't feel comfortable riding the MTA's crowded, often slow-moving buses from transit terminals to their jobs.

Moreover, the attraction of shops and cafes that are often built into developments at transit stations can actually draw more cars to neighborhoods, putting an additional traffic burden on areas that had been promised relief.

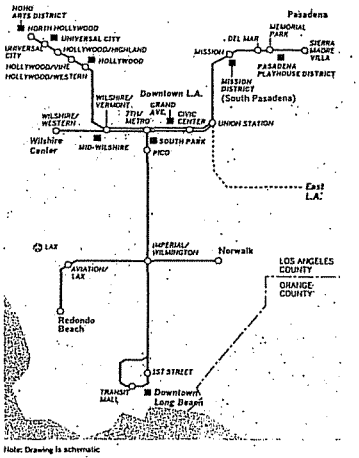
Harry Cosmatos, a Kaiser Permanente radiation oncologist, is exactly the type of educated, upscale commuter that planners and transportation experts want to draw via transit-oriented developments.

## Trains and automobiles

In the hope of luring commuters from their cars, officials are counting on large transit-oriented complexes with residential units near rail stations.

■ Some areas of existing or planned transit-oriented projects

—○— Light-rail lines and stops ···· Gold Line extension




Note: Drawing is schematic

*Source: Metropolitan Transportation Authority, Times reporting*

MARK HAPER *Los Angeles Times*

In 2005, he purchased a townhouse in a project built partly atop the Mission Meridian Gold Line station in South Pasadena.

He works at Kaiser Sunset, which is at a Red Line stop in Hollywood.

He loves his new home, with its craftsman touches and picturesque South Pasadena setting, in arguably the best-designed transit-oriented development in the region.

Cosmatos also likes the Gold Line — it reminds him of the village train near where he went to medical school on Long Island.

But the 36-year-old physician nevertheless drives to work.

The train?

"It's not for me," he said. "Maybe for other people, but not for me."

It takes two trains and at least 45 minutes to get to work on the Gold and Red lines, Cosmatos said.

Driving is 15 minutes faster, he said, and more convenient.

The problem — reluctantly recognized by some of transit-based development's most influential boosters — is that public transportation in Southern California is simply not convenient enough: Either it takes too long to get places or, more important, doesn't take people where they want to go.

The region's transit system is limited, experts say, because it was built on two assumptions that have since proved untrue: that most traffic was generated by commuting trips and that most people worked downtown.

Nowadays, people nationwide are driving so much to take their children to school, run errands and engage in other activities that these trips far outstrip commuting, according to federal transportation statistics.

To make matters worse, almost all of the transit-oriented construction that has so far been approved in the L.A. area is for housing rather than job centers or the village-style shopping areas that planners had originally envisioned.

> The train is 'not for me. Maybe for other people, but not for me.
>
> HARRY COSMATOS, *who lives and works by rail stops but drives to his job*

this could mean that tens of thousands of residents will be clustered near train stations they only occasionally use. For most shopping, schools and jobs, they'll still get in their cars.

Film student Isaiah Eller is a good example of the quandary.

The 21-year-old left two cars behind in Michigan, figuring he wouldn't need them when he moved to the Mark apartment building in Hollywood last year.

Just two blocks away from the Hollywood and Vine Red Line station in a neighborhood with plenty of restaurants and shops, Eller considered the vintage building of 101 units a perfect place to live without a car.

But after just a few months, he says he's so frustrated trying to get around Los Angeles on public transportation that he's thinking of bringing both vehicles out from the Midwest.

Using the system here took too long, didn't go where he needed and was unpleasant, he said.

"I've only ridden the bus three times, and that was enough," Eller said.

He's not alone. Although several residents of his building said

[See Transit, Page A10]

# Doubt cast on rationale for transit-oriented projects

(Transit, from Page A18)

they had given up their cars, about 30 of the 54 cars in the garage pulled out during morning rush hour.

But, such realities haven't stopped or even slowed the wave of projects planned or under construction.

Huge developments in the pipeline include the L.A. Live and Grand Avenue projects downtown and hundreds of units around Metro stations in Hollywood, North Hollywood and the Mid-Wilshire areas.

Countywide, massive apartment and condominium complexes have been developed in Pasadena, South Pasadena, Long Beach and elsewhere.

Backers — who include planners, elected officials and builders — say such development is the best way to avoid a traffic meltdown as 6.3 million anticipated new residents crowd Los Angeles, Orange, Riverside, San Bernardino and Ventura counties over the next 30 years.

Moreover, the developments are appealing to young people and empty nesters because they have a neighborhood feel that traditional sprawling subdivisions often lack, said Gail Goldberg, planning director for the city of Los Angeles.

"You're seeing in California a whole trend toward moving into more urban settings," she said. "People like to walk around and go to a coffee shop, go to the movies. That is a very desirable way to live."

But does that mean people will stop using their cars?

Two related studies, both conducted by UC Berkeley and Cal Poly Pomona, show that people who live near transit tend to use it more than people who don't. But the number is still minuscule compared with the number who drive.

Residents were more likely to use transit only if it took less time than driving, if they could walk to their destinations from the transit stop when they arrived, if they had flexible work hours and if they had limited access to a car.

Otherwise, researchers said, most people tend to drive — particularly if they get free parking at their workplaces.

At the Pacific Court and Bellamar apartments in Long Beach, researchers found, just 6.3% of residents said they used the Metro Blue Line to go to work in 2003. More than 78% of the residents of the transit-based projects said they never used the line.

"The dilemma we have is the destinations," said Robert Cervero, a UC Berkeley urban planning professor who is coauthor of the two studies of transit-oriented developments.

Even though more people are living near transit stations, he said, in Southern California work and school sites are not necessarily near train and bus stops.

That's different from the older East Coast cities, where the urban grid is closely connected to the local transit system.

"That to me is the big difference as to why transit-oriented housing works a lot better in other parts of the world," Cervero said.

In other words, he and others said, in Southern California, the new, denser transit-based housing projects could actually lead to more congestion rather than less.

Take the development where Cosmatos, the cancer doctor, lives.

Before the 57-unit project was built, the land on which it stands held two bungalows, according to South Pasadena officials. If each household had two cars, that would mean a maximum of four cars going in and out each day.

But on the four days The Times counted cars entering and leaving the complex, the picture was quite different. From 6 to 9 a.m. on four weekdays earlier this year, 50 to 60 cars left the residents' parking lot. An additional 75 pulled into the streets around the development on each of the mornings so their drivers could patronize the coffee shop that is built into the project. Still more vehicles — about 50 by 9 a.m. — pulled into a parking lot at the development for people who drive there to use the nearby Gold Line station.

There is another issue facing transit-oriented development: Regional statistics gathered by the Southern California Assn. of Governments show that job centers are moving away from transit lines rather than toward them.

That's exactly what happened for construction industry worker Eric Johnson, who moved to South Pasadena's Mission Meridian project with the intention of taking the Gold Line to his job downtown.

But a few months ago, his company moved to Sun Valley — far from a transit line. So now Johnson drives.

The Times found similar results at the other locations surveyed.

At Academy Village in North Hollywood, which sits about a third of a mile from the North Hollywood transit station, about 120 cars left the building each morning, while fewer than half a dozen residents set off on foot.

In Pasadena, a 250-unit building sits directly over the Del Mar Gold Line station; it was two-thirds leased when The Times did its survey. Of 225 people who got off the train on a recent morning, just one; Cheanell Henderson, headed toward the apartment complex.

She loves the convenience of taking the Gold Line. But she's not so sure about her fellow residents. "I save a lot of money on expenses," Henderson said. "I haven't met any neighbors on the train yet."

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Every year, on this day, a parade of people come fro everywhere and take advantage of this Yearly Giant One-Day Clearance Sale! Look how low these prices are and all these extraordinary Free offers th come with them...you'll se why! Join us. It is worth th drive from wherever you ar
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FREE PADDING SAVE $4.50 sq. yd.
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HUGE VARIETY OF THE LATEST

# Exhibit 4

IN THE CANNES: FOUNDAS FROM FRANCE, MANO A MANU CHAO PHIL NOIR: SPECTOR BY THE SHORT HAIRS

# LAWEEKLY

JUNE 1-7, 2007 / VOL. 29 / NO. 28

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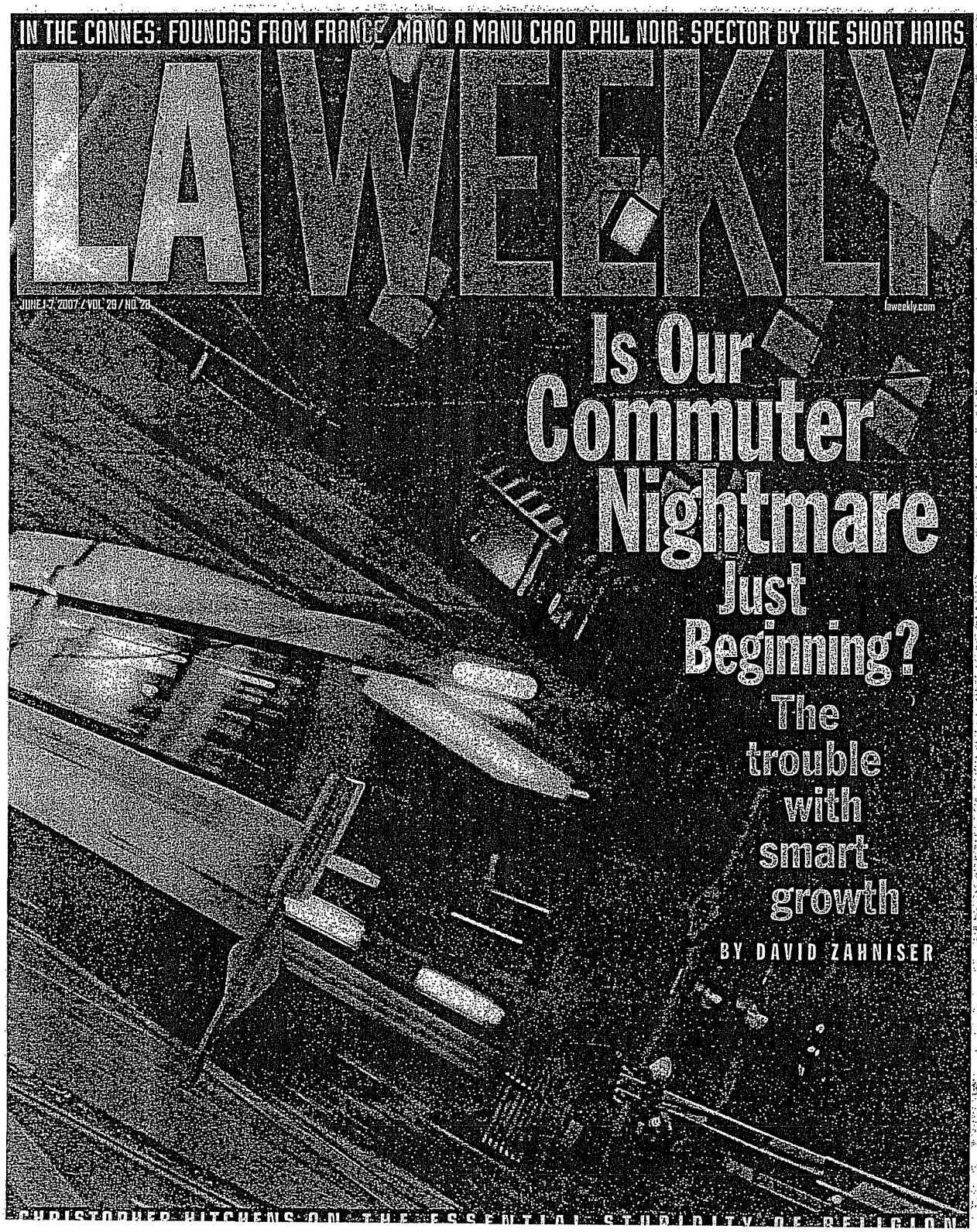


## Is Our Commuter Nightmare Just Beginning?

### The trouble with smart growth

BY DAVID ZAHNISER

CHRISTOPHER HITCHENS ON THE ESSENTIAL STUPIDITY OF RELIGION

# What's Smart About Smart Growth?

## City Hall's plan for the future expects you to give up the yard, the car – and learn to love density

BY DAVID ZAHNISER

We are not moving. We, the passengers of the Metropolitan Transportation Authority's No. 304 bus, are not moving. The traffic signal up ahead is green. But we are not moving because we sit behind a constellation of brake lights, a seemingly endless chain of cars lined up end to end as far as the passengers can see.

The No. 304 bus is heading east on Santa Monica Boulevard in rush-hour traffic, inching its way out of Century City and into Beverly Hills. Because traffic is terrible, as it so frequently is on the Westside, the bus is nowhere near to being on schedule. After all, it spent 27 minutes traveling in a straight line from Lincoln Boulevard to the 405 freeway — a pace of 7.5 miles per hour.

"It's always like this," declares passenger Sharon Tohline, who takes the No. 304 each day to her job at Koning Eisenberg, an architecture firm in Santa Monica. Because her firm specializes in environmentally friendly design, and because her 7-year-old Mazda has seen better days, Tohline decided to do her part and hop on the bus. Now, she has a commute that consumes three hours each day.

The bus on Santa Monica Boulevard isn't just slow, by the way. It is also smelly. Wretchedly smelly. One passenger asks out loud whether someone vomited. In reality, the odor comes from the disheveled man with a ponytail in the third to last row, who grins incoherently as he sways to 50 Cent's "In Da Club" playing on a nearby stereo. The stench is violating, so powerful that passengers have emptied out the seats on each side of the smelly, drugged-out man.

Tohline is philosophical about the situation, making jokes about indignities suffered on other commutes, like the day passengers swiftly concealed a mystery odor by spraying perfume. The 26-year-old native of Louisiana also makes sure her hours on the bus aren't wasted time. She has an iPod, the preferred device of the bus passenger, and she has books. Many books. Tohline has read 30 of them since she started taking the bus in February — Jonathan Safran Foer's *Everything Is Illuminated*, Nicole Krauss' *The History of Love* and, most recently, Marisha Pessl's 514-page *Special Topics in Calamity Physics*. "I polished it off in a week," she says.

If the bus is moving slowly now, wait a few years.

Huge development projects are planned for Santa Monica Boulevard, in a district of Los Angeles known as Century City. The Related Companies recently demolished the St. Regis Hotel to build a 42-story condominium tower. Westfield, the shopping-mall giant, is planning a 42-story skyscraper that combines shopping with condos. And JMB Realty, based in Chicago, recently received the go-ahead to build two 47-story condo towers and a 12-story loft on nearby Constellation Boulevard.

The elites who control L.A. real estate have two words to describe the changes in store for Century City: smart growth. When planners talk about smart growth in Century City, they mean high-density housing in a job center. When lobbyists talk about smart growth in Century City, they mean luxury condos surrounded by walkable streets. Even Los Angeles City Councilman Jack Weiss, who does not hide his boredom with certain planning issues, rhapsodized in January that Century City will one day behave like a village, not an intimidating cluster of skyscrapers. In other words, smart growth.

Los Angeles leaders are pinning their hopes on smart growth, the utopian planning vision that seeks to halt the suburban sprawl that comes with endlessly expanding cities. Politicians, planners and policy types say smart growth, sometimes described as "new urbanism," will relieve the region's housing shortage, diminish its traffic woes and solve L.A.'s overall unlivability.

Real estate developers have caught on, using the phrase shamelessly to gain public support for enormous developments, from a hillside subdivision near Santa Clarita to the Westside's Playa Vista, the massive, 5,800-home development near Marina del Rey. In a city where growth was once a dirty word, smart growth is the spoonful of sugar that suddenly makes bigness palatable.

Conceived a decade ago as a way to protect open space, smart growth relies on a few major precepts. One is that the car is bad. Another is that cities should be composed of villages, where residents walk to their amenities — shops, restaurants, a decent dry cleaner. To make those places walkable, housing and businesses are concentrated in the same multistory buildings, according to the smart-growth doctrine. And to discourage cars further, those "mixed use" buildings are placed on big streets with frequent public transit, like Santa Monica Boulevard.

With a real estate boom serving as the spark, smart-growth projects have spread like wildfire, rising near subway and light-rail stations. Hollywood is adding thousands of condos and apartments along the Metro Red Line. Koreatown is ground zero for hundreds of new multistory homes and offices near the subway. Little Tokyo is a magnet for four- and five-story condo projects, largely because of a Metro Gold Line station slated to open in 2009.

And Union Station, the 1939 train depot and Los Angeles icon, is now hidden by apartments on two sides — a situation viewed as a disaster by L.A. design purists.

Beyond this construction near the area's few rail lines, the city's many bus corridors are also attracting apartments, lofts, town homes and condos — La Brea Avenue and Lincoln Boulevard, Vine Street and Ventura Boulevard, Western Avenue and Washington Boulevard. Higher-density housing is being recommended for any corner where a bus arrives every 15 minutes or less.

And that leads to one huge problem: For all the talk of a subway to the sea, Los Angeles is a bus town. For each mile of rail operated by the Metropolitan Transportation Authority, there are 40 miles of bus routes. And in 2007, the average speed of the widely used orange bus is just 11.7 miles per hour. Buses, which will

serve in many ways as the backbone for smart growth, are stuck in traffic along with everybody else.

If smart growth is about changing behavior — getting people to give up the car, the backyard, the five-bedroom house on a cul-de-sac — then planning gurus are taking a tremendous gamble in Los Angeles, the city that made sprawl the urban form of the 20th century.

Smart-growth enthusiasts believe motorists will become so fed up sitting in traffic that they will abandon their cars for a substandard transit system. The bus, in particular, provides a series of indignities: the lone screaming passenger who makes everyone else miserable; televisions that noisily broadcast commercials for gym equipment; the ban on beverages and food. (You can bring a travel mug on the bus; you just can't drink from it.) And despite all that inconvenience, MTA daily passes are set to double in price — to $6 in 2009.

Advocates of smart growth are making a second risky bet, arguing that once someone makes a home in a condo or a multistory apartment building, he or she will work nearby — reducing the number of cars on traffic-choked streets. Or, as a newsletter published in 2005 by the Los Angeles Area Chamber of Commerce put it: "More [transit] funds and smart growth are key to correcting L.A.'s traffic woes."

So here's an unpleasant thought: Unless enough people can be persuaded to change their behavior, the L.A. traffic nightmare will be much, much worse under smart growth — miles and miles of high-density neighborhoods, with public transportation no one but the poorest residents will use, or tolerate.

Smart-growth advocates say they aren't worried. The city will need density either way, they say, just to qualify for federal funding that pays for rail. If traffic gets worse in the short term, neighborhoods will finally rise up and demand the light-rail and subway lines that could transform Los Angeles into a functioning city, says Gloria Ohland, vice president for communications with Reconnecting America, an organization that promotes rail and transit-oriented development.

"Traffic, which is the problem, is also the solution," Ohland says. "So I would argue, boost the density in Century City. Build it out to the max. And then, there will be the constituency to build a subway down Wilshire Boulevard."

Ohland and many other smart-growth backers assume that at some unknown point, the number of commuters who abandon their cars will reach a critical mass and the city will become more livable. But no one knows precisely when — or if — that will happen. To make it work, they will need commuters like Tohline, the 26-year-old office worker who gave up her car.

With a three-hour daily commute, Tohline could easily succumb to the boredom and get back behind the wheel. After all, no subway will reach Century City for at least a decade. And even if it does, that subway will come from Koreatown, not from the Hollywood neighborhood where Tohline lives.

Asked how long she can last on the bus, Tohline pauses. "I don't know yet," she says, as her bus heads past the skyscrapers of Century City. Even the upbeat commuter on the No. 304 is no sure thing.

## The Unnerving New Map

Los Angeles has always had an uneasy relationship with growth. The archetypal boom-and-bust town, L.A. repeatedly sees its real estate market surge and recede, with each growth spurt followed by a period of financial pain. Transportation was the catalyst for one of the earliest booms, with newcomers flooding into the city after fares on the transcontinental railroad from the Midwest to L.A. dropped to $1 per ticket. Land values soared — until a bank crisis caused a collapse in 1888.

For much of the 20th century, growth was considered good in Los Angeles. The city accommodated its continual influx by creating the most extensive trolley network in the nation. It was dismantled after World War II, replaced by the "Motor Coach" — General Motors' halfhearted marketing term for the bus — and by the sprawling freeway system.

With the freeways came discontent, as traffic choked the Westside and then much of the city. The symbol of anti-growth ire was Proposition U, which voters easily passed in 1988. Proposition U shifted L.A.'s planning equation from unbridled growth to "slow growth," by limiting the height of buildings on major boulevards to 45 feet and cutting in half each commercial building's "floor area ratio" — a formula used to determine the mass of a building. Then, in the wake of the 1992 riots, a crushing recession stopped development almost completely, and growth slowed on its own.

**Do you live in R-1, the most protected zoning in L.A.? Check at http://zimas.lacity.org/search.asp**

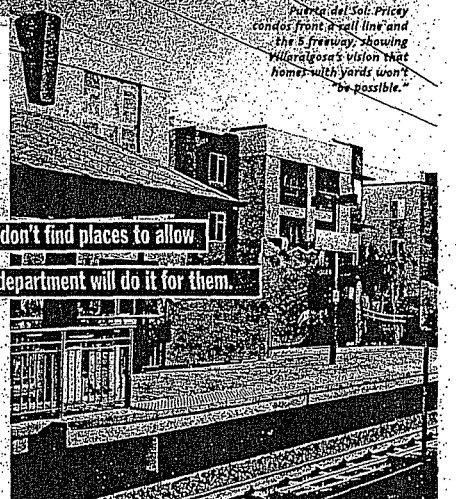
But at the start of this decade, and without much public notice, slow growth was replaced by the concept of "smart growth," as Los Angeles city planners quietly urged elected officials to put "mixed use" projects on major boulevards, with retail on the ground floor and housing up above.

The first push for higher-density housing came in 2002, during the administration of Mayor James Hahn, when the Los Angeles City Council passed — with little scrutiny — a law allowing projects with affordable housing to exceed existing density limits by more than one-third if they were near a rail station or any of the city's dozens of bus routes.

Months later in 2002, again with little public involvement, the council went further, voting unanimously to create a smart-growth zoning designation — "Residential Accessory Services" — that allows developers to build projects twice the size previously allowed if they combine housing and businesses in the same building.

On low-rise commercial avenues and boulevards like Ventura, La Brea and Pico, developers suddenly found that by adding housing, they could blow past the growth limits voters established under Proposition U. Prop. U, after all, only capped the size of commercial and industrial buildings.

*Density Dean: Councilman Eric Garcetti promises that "smart" growth designs will improve L.A.*



*Puerta del Sol: Pricey condos front a rail line and the 5 freeway, showing Villaraigosa's vision that homes with yards won't "be possible."*

**L.A. neighborhoods are being warned that if they don't find places to allow the new density, the city's planning department will do it for them.**

The results can be seen all over the city, with construction pits and steel girders marking where the development rules have abruptly changed.

Mayor Antonio Villaraigosa, elected in 2005, says smart-growth strategies will produce "elegant density," multistory buildings that are embraced by neighborhoods. But County Supervisor Zev Yaroslavsky, who campaigned for Prop. U, has a more skeptical view, saying the Department of City Planning found a way to circumvent the electorate.

"There's nothing elegant about busting the limits that have been in place on the Westside, that I got in place in my district," Yaroslavsky says. "And it isn't elegant to the people who thought they were protected by the restraints we put in place 20 years ago in those neighborhoods."

Eight thousand housing units — accommodating thousands of new residents — have been approved in the past three years using the new smart-growth zoning, says Jane Blumenfeld, a 16-year veteran of the planning department. To help her employees understand where she believes that zoning makes sense, Blumenfeld created a map that shows every place in Los Angeles that sits within 1,500 feet of a major transit stop — that is, a transit stop at which a bus or train arrives every 15 minutes during afternoon rush hour.

The map is, to put it mildly, jarring. (See page 44.) On it, nearly every boulevard north of the Santa Monica Freeway and south of the Santa Monica Mountains and Hollywood Hills appears as though it could be converted to smart-growth zoning. A huge swath of South Los Angeles and several pockets of the San Fernando Valley are also prime candidates.

Why? Because nearly every boulevard has a bus. "We want to build housing near transit, as opposed to building it where there's no ability to reach transit," says Blumenfeld, who oversees citywide planning strategies. "South of the mountains, there's pretty much transit everywhere."

Blumenfeld cautions that the map is only a guide, and can't be used to force density on the few remaining areas still designated R-1, or single-family, where no more than one house can be constructed on a residential lot.

The new higher density, she says, will go primarily in places permitted in each neighborhood's community plan.

Community plans are official documents now being updated, with varying levels of community input, all over Los Angeles. First up in the battle over adding new density to their community plans are West Los Angeles, Sunland-Tujunga, Westlake and parts of South Los Angeles.

Barring another Prop. U–style voter revolt against development, Los Angeles residents won't be given a choice. For the past few years, the neighborhoods have been warned: If they don't find places to allow density, the planning department — and the 15 City Council members — will find those places for them.

Hollywood resident Lucille Saunders is not quite ready to see her city remade on such a dramatic scale. A volunteer with the Melrose Neighborhood Association, she has been combating a proposal for an outsize 219-unit apartment building on La Brea Avenue. Minutes after she testified at City Hall, Saunders took one look at the map and gasped. "It's a travesty," she declares. "It just seems as though this is opening the entire city, the entire central city, to whatever the developers want."

Saunders' group was prepared to allow a three-story apartment complex on La Brea. But when the developer announced his desire for seven stories and an exemption from height limits, her group hired a lawyer — and a lobbyist. After spending thousands of dollars, the Melrose Neighborhood

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Association persuaded city officials to prepare a full environmental impact report on the project, a move that delays but does not stop the seven-story tower.

With so many bulked-up buildings springing up on major boulevards, some politicians are seeing a resurgence in restlessness over new construction. Councilman Weiss, whose district includes Century City and much of the Westside, has been targeted for recall by a handful of neighborhood groups. And Supervisor Yaroslavsky, who pushed for "slow growth" initiatives two decades ago as a city councilman, says traffic is so bad that he no longer travels to certain parts of his district in the late afternoon.

Yaroslavsky blames not only Los Angeles, but smaller cities like West Hollywood and Santa Monica, for allowing developers to go for projects that were "previously unacceptable."

"There is a revolt that is now surfacing in various parts of Los Angeles, and rightly so," Yaroslavsky says. "Communities [will] never be able to compete with the real estate lobby. All they have is their political power and their voice. And they need to be heard."

## The Chicken and the Egg

Los Angeles is the birthplace of trends — the freeways of the 1950s, the anti-tax movement of the 1970s, the gourmet pizzas of the 1980s. But when it comes to smart growth, the city finds itself atypically at the tail end of a

movement that originated in smaller, rural states as a way to protect open space.

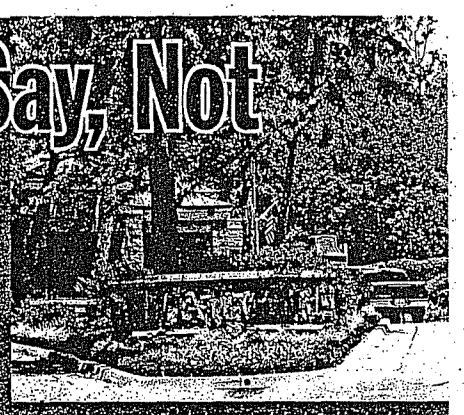
Smart growth arose in the mid-1990s in Colorado, where then-Governor Roy Romer faced an outcry over new housing subdivisions gobbling up farmland around Denver, Boulder and other midsize cities. Romer warned during his 1994 re-election campaign that the Rocky Mountain State was looking more like Los Angeles, the nation's poster child for traffic and bad planning.

In Los Angeles, planners and affordable-housing advocates pushed smart growth not so much to save open space but to address traffic and a lack of reasonably priced housing. Only a few years earlier, home buyers in San Bernardino and Riverside counties were delighted to find four-bedroom homes on cul-de-sacs for less than $300,000. Yet their commutes dragged on for as much as two hours.

"If we put people at the urban fringe, their only transit option is the car," says Beth Stecker, policy director with the L.A.-based Livable Places, a nonprofit group that favors smart growth. "There's no bus service here. . . . They find someplace they can afford to buy, but they have a long, hellish commute. So if we can give people a place where they can have a choice of taking

# Do as We Say, Not as We Do

## Smart growth's biggest boosters still love suburban living



*Five-bedroom guard shack: Pushing hard to erect multistory housing, smart-growth advocate Henry Cisneros keeps a home in exclusive Bel Air Crest.*

Itsy one principle provides the underpinning for smart growth. It's density — putting multistory homes around rail stations, on bus corridors and at the heart of urbanized areas.

So why are so many smart-growth advocates avoiding density in their own lives?

Take Henry Cisneros, a board member with Smart Growth America. The onetime head of the federal Department of Housing and Urban Development came to Los Angeles a decade ago to work for the Spanish-language channel Univision — and immediately found a home in the plush, gated community of Bel Air Crest.

Cisneros, who now runs a company that builds entry-level housing, says that when his family moved, it was thinking heavily about crime — the 1997 North Hollywood bank shootout and the slaying of Ennis Cosby, the son of actor Bill Cosby. He also insists that he was not the driving force behind the decision on where to live.

"It's the place my wife found," he says. "We didn't know the community very well. It's what she chose, and given that I traveled a lot, and we did not know L.A., I felt it was the right thing to do by the family at the time."

Cisneros now splits his time between L.A. and San Antonio, leaving his daughter and son-in-law as the main occupants.

Many other high-density housing advocates have also avoided the multistory lifestyle they say Los Angeles so desperately needs.

Take developer Nick Patsaouras, a onetime board member with the Metropolitan Transportation Authority who heads the firm Polis — Greek for "city." Patsaouras, who designs apartment buildings around rail stations, lives in a single-family neighborhood in Tarzana and would need to walk one and four-fifths miles from his hillside home to find the nearest bus.

Then there's Los Angeles Planning Commissioner Mike Woo, founder of the Smart Growth China Institute, which urges the largest nation in the world to embrace "sustainable transportation and urban planning alternatives instead of duplicating the mistakes of the developed world."

Woo lives on a hillside in Silver Lake where every home is zoned R-1 — a planning designation meant to keep apartments and condos far away. "This is one of the best neighborhoods in L.A. — other than [its lack of] bus access," he says.

Consider also Pasadena architect Stefanos Polyzoides, a guru of new urbanism, who has designed transit-oriented housing developments around the Metro Gold Line. Polyzoides lives in a leafy section of Pasadena less than a block from San Marino — which prohibits all construction of apartments. His street has not only restrictive single-family zoning but also signs that bar anyone from parking without a permit.

Polyzoides, who has not only a house but also an 83-year-old Caltech observatory on his land, gives a pithy explanation for his low-density lifestyle choice: "I can afford it," he says. "And (b), I think I'm doing a tremendous favor to my city by adopting a historic building that I am taking care of."

Of course, there's nothing inherently bad about living in a single-family neighborhood, or an L.A. County suburb, or the Inland Empire — the archetypal center of five-bedroom homes with four-car garages. But smart growth is at its heart a movement that is asking Americans — including Los Angeles's residents — to change their behavior by giving up cars, backyards and single-family homes.

Smart growth argues that riding transit, walking to stores and — perhaps most subversive — living more closely together can be a good thing.

So how can you sell people on a product that you won't buy yourself? Even worse, how can you convincingly sell a product that you think only the poor, people with no other options, should buy?

Density brings people together, for better and for worse. In four-story apartments and 80-unit condo complexes. Zoning, both good and bad, separates them. In Los Angeles, living in an R-1 neighborhood frequently means joining the elite. Nothing is more sacred in L.A. politics than the voters in R-1 neighborhoods.

That might explain why two-thirds of the Los Angeles City Council live in single-family homes, from Councilman Tom LaBonge, who lives in Silver Lake, to Councilman Jack Weiss, whose family resides in Bel Air. Councilman Ed Reyes, who complains more than anyone about the effect of zoning on Los Angeles, lives in Highland Park in an R-1 neighborhood.

Reyes said he recently thought about living in a high-rise, but his wife wouldn't go for it.

Similarly, seven out of nine citywide planning commissioners — charged with fulfilling Mayor Antonio Villaraigosa's vision of "elegant density" — live in single-family homes, most of them in highly restricted R-1 neighborhoods. That group ranges from Woo to transportation planner Diego Cardoso, who serves as the Metropolitan Transportation Authority's representative at Rail-Volution, a smart-growth group trying to create transit-oriented development.

Cardoso lives in an R-1 section of Westchester, a neighborhood so far from MTA headquarters that he must drive a car to his office. Patsaouras, who has a large bus plaza near Union Station named after him, commutes daily from his home in Tarzana to his office downtown. But he insists that his family takes public transportation to heart, since his wife rides transit to her own downtown job and his son takes the bus to UCLA. "I'm very proud," he declares.

Much more typical is Jane Usher, the planning commission president, who lives in tree-lined Windsor Square. Usher, whose commission is pushing new transit-oriented development, has not taken a bus in three years — and when she did, it was in London.

Usher describes her neighborhood, a place with plenty of R-1 protections, as a peaceful oasis. But the Villaraigosa appointee also argues she won't be in that neighborhood forever, that one day she will move into the housing she is currently working to create.

"I'm absolutely expecting that I will reach a point in time that I will want to live in multiple-density housing," she declares. "This has been a delightful place to raise two little boys, but I do not think it is the only solution for me."

—D.Z.

the train or the bus, or biking or walking to work, then that's better."

Mayor Villaraigosa jumped on the smart-growth bandwagon soon after his election, telling business leaders that if the city wants to keep moving, then freeways and single-family homes will need to be things of the past.

"A lot of us grew up with the idea of a three-bedroom house with large backyards and front lots. We have to recognize that that's not going to be possible," Villaraigosa said in remarks covered by the *Los Angeles Daily News*.

Villaraigosa, who is driven around town in a GMC Yukon, has a hilltop home in Mount Washington and at least four years of free rent at the mayoral mansion in Windsor Square, a neighborhood lined with streets zoned for highly restrictive R-1, or single-family homes. Shortly after his election, Villaraigosa selected nine people to carry out his development vision at the Los Angeles City Planning Commission.

Seven of his nine planning commissioners also live in single-family homes, nearly all on streets that enjoy the most restrictive zoning in Los Angeles — prohibiting apartments or multifamily housing of any kind. Even as they try to change the behavior of the city's residents, planning commissioners have been loath to alter their own.

Heading the commission is Jane Usher, a lawyer who is, like the mayor, a resident of leafy Windsor Square. With Usher at the helm, the commission unveiled a 14-point manifesto last month that demands a smart-growth approach: a walkable city, jobs near housing, and density near transit, to name a few.

A onetime aide to former Mayor Tom Bradley, Usher wants Los Angeles to become much more dense, arguing that more residents, grouped more closely, are needed in order to maximize the use of a transit system that will one day crisscross L.A. — including expanded Metro Rapid bus service and the Metro Gold Line to East Los Angeles, the Expo Line to Culver City, and the subway to the sea so often mentioned by Villaraigosa.

"It is a chicken-and-an-egg problem," she says. "If those [rail lines] are just the nearest things on the horizon, and other projects follow, then there will be a point in time when L.A. has a real train system. And my belief is, buildings that are built today need to anticipate that real train system and need to support it."

And in the interim?

"In the interim, there's going to be traffic," Usher adds.

The chicken-and-egg problem is, in fact, all over the city. Places that are getting rail frequently don't have density, and the places with density frequently don't have rail. Playa Vista, billed as smart-growth, is adding 5,846 homes along Jefferson Boulevard but is miles from a rail stop.

The Metro Gold Line extension to East Los Angeles, slated to open in 2009, ends at a McDonald's, a Chevron and two huge mini-malls — places that house businesses like Manny's El Loco and Los Pollos No. 2. Los Angeles County officials bought land on nearby Atlantic Boulevard to ensure that multistory housing gets built, but right now those lots lie fallow.

The prospect of a new rail line excites 22-year-old Michael Cowie, waiting on a Sunday afternoon for the arrival of the Metro Rapid bus on Atlantic Boulevard. But even so, he is one of those transit riders who doesn't believe people will change their ways. Standing in the hot sun, he says it's obvious that anyone who has a car will choose to drive it. "Everyone hates the bus," he declares.

The chicken-and-egg problem makes it unclear when either commuters or bus riders will find relief under smart-growth. It looks unlikely in 2009, when the Metro Gold Line reaches East Los Angeles. Or 2014, when the rail line along Exposition Boulevard finally reaches Santa Monica.

Perhaps it will be 2016, the earliest realistic date for the subway to the sea. "This is about an evolution, not a revolution," says Ohland, the communications vp with Reconnecting America. "It's taking a really long time to go from car-oriented to transit-oriented, and in between there's a lot of uncomfortable places."

## The Hollywood Problem

The MTA's 156 bus crawls up Highland Avenue on a Monday afternoon in April, fighting through evening rush-hour traffic as it passes streets known around the world — Melrose Avenue, Sunset Boulevard, Hollywood Boulevard. An exhausted-looking jogger, running inexplicably in the right

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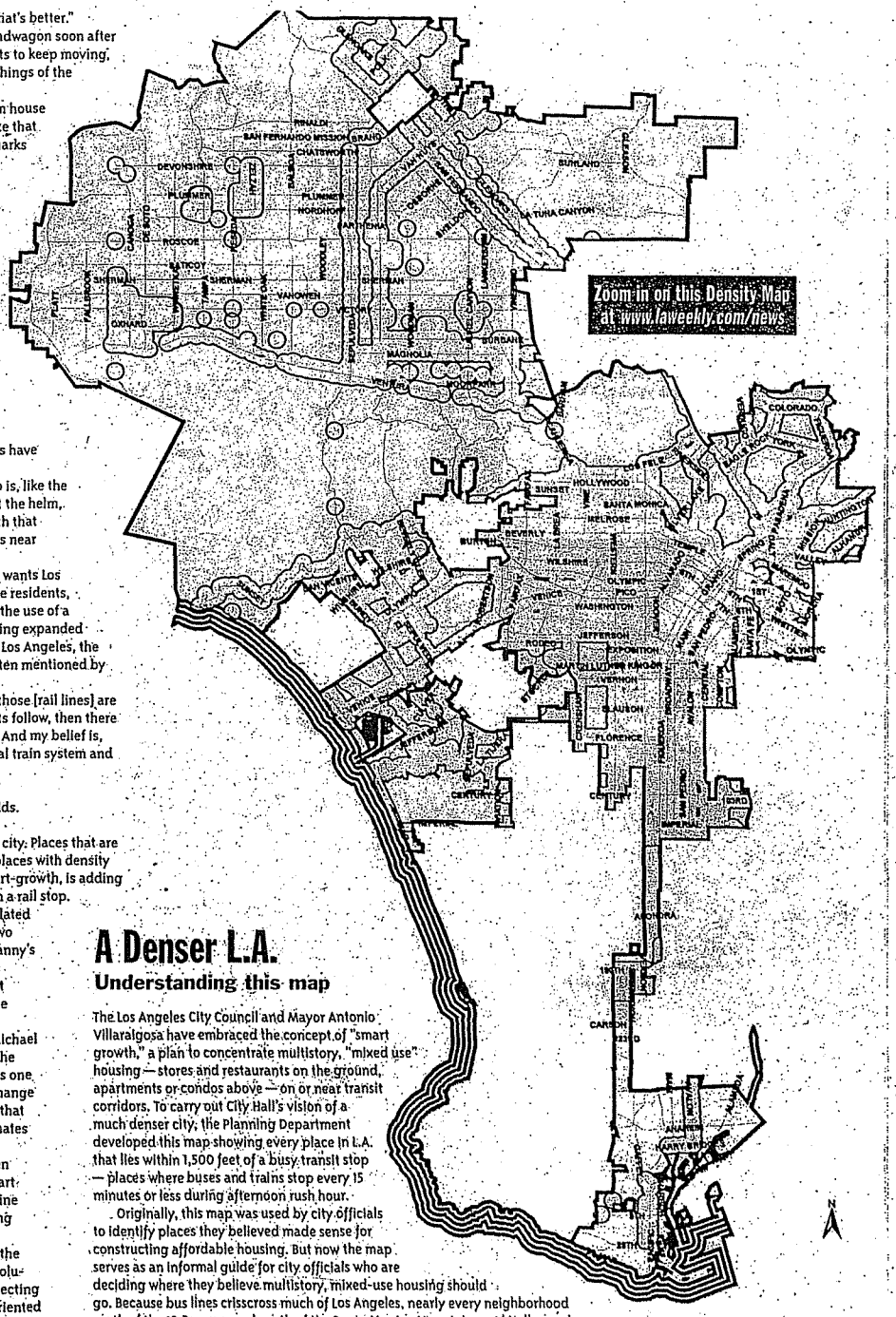


## A Denser L.A.

### Understanding this map

The Los Angeles City Council and Mayor Antonio Villaraigosa have embraced the concept of "smart growth," a plan to concentrate multistory, "mixed use" housing — stores and restaurants on the ground, apartments or condos above — on or near transit corridors. To carry out City Hall's vision of a much denser city, the Planning Department developed this map showing every place in L.A. that lies within 1,500 feet of a busy transit stop — places where buses and trains stop every 15 minutes or less during afternoon rush hour.

Originally, this map was used by city officials to identify places they believed made sense for constructing affordable housing. But now the map serves as an informal guide for city officials who are deciding where they believe multistory, mixed-use housing should go. Because bus lines crisscross much of Los Angeles, nearly every neighborhood north of the 10 Freeway and south of the Santa Monica Mountains and Hollywood Hills, as well as three big swaths of the Valley, are included in their determinations.

City planners say that existing single-family neighborhoods with highly restrictive R-1 zoning — in places such as Eagle Rock, Hancock Park, Cheviot Hills and the Encino hills — won't be forced to absorb these multistory projects, but all other areas are in play.

Even as an informal guide, this transit map shows just how extensive the transformation to multistory housing might be under the new smart-growth planning mantra. Even if only a fraction of the development occurs, that sweeping change will affect all of Los Angeles.

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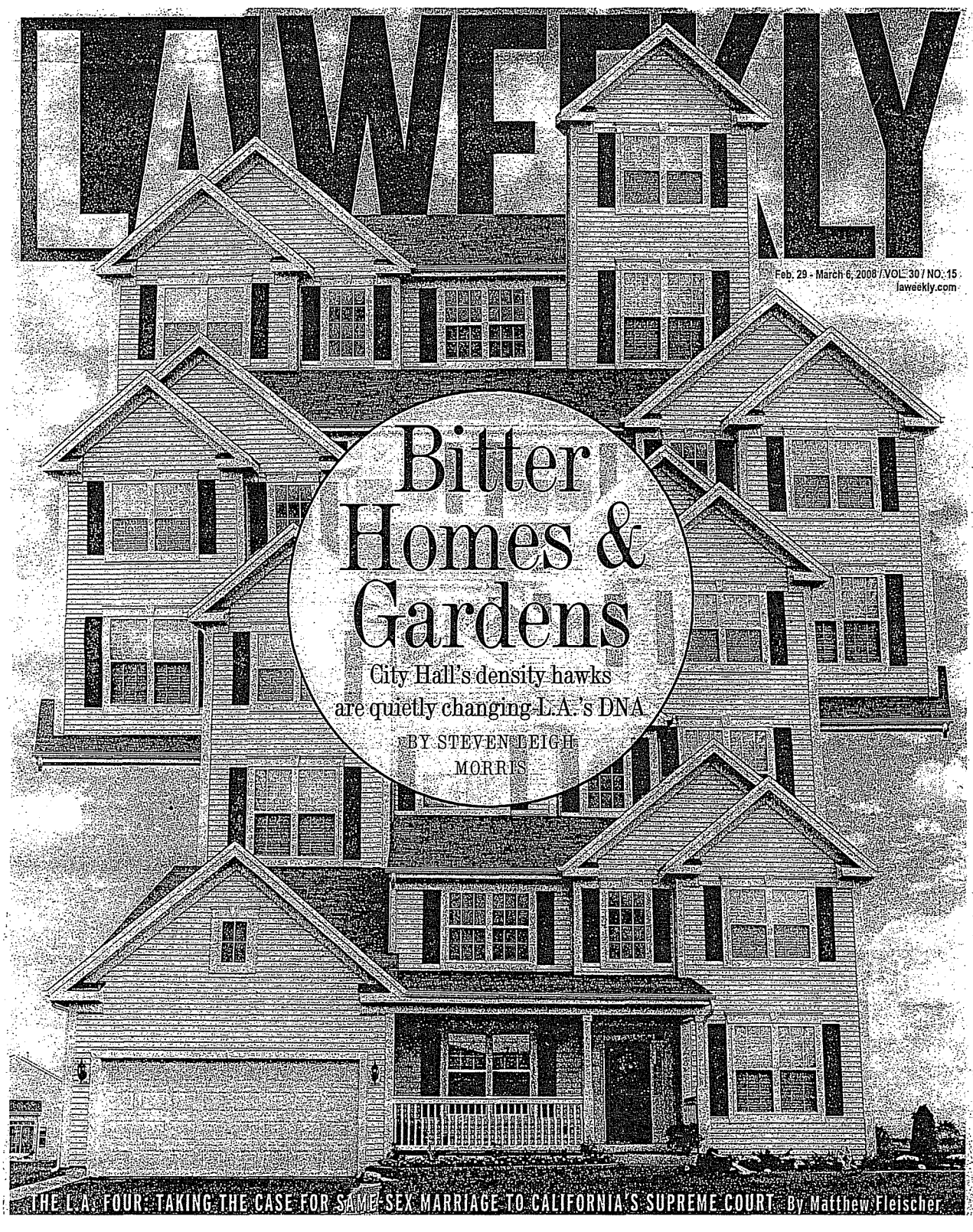

# Bitter Homes & Gardens

## City Hall's density hawks are quietly changing L.A.'s DNA

BY STEVEN LEIGH MORRIS

THE L.A. FOUR: TAKING THE CASE FOR SAME-SEX MARRIAGE TO CALIFORNIA'S SUPREME COURT By Matthew Fleischer

# City Hall's "density hawks" are changing L.A.'s very DNA. With or without you.

BY STEVEN LEIGH MORRIS

Soon after taking the job of director of the Los Angeles Department of City Planning in 2006, Gail Goldberg made a declaration that let slip how City Hall is allowing developers to pursue a building frenzy straight out of the storied tale *Chinatown*.

Said Goldberg, newly arrived here from a similar post in San Diego: "In every city in this country, the zone on the land establishes the value of the land. In Los Angeles, that's not true.

"The value of the land is not based on what the zone says . . . It's based on what [the] developer believes he can change the zone to.

"This is disastrous for the city.

"Disastrous.

"Zoning has to mean something in this city."

Goldberg probably wishes she hadn't said that, not necessarily because she got reprimanded by L.A.'s famously vindictive Mayor Antonio Villaraigosa, but because Los Angeles City Supervisor Zev Yaroslavsky has repeated her words in public, over and over. Yaroslavsky, who represented the city's affluent Westside District 5 as a councilman until 1994, has been staging a one-man campaign to slow City Hall's feverish promotion of density — a quiet war on the large swaths of suburbia and few hunks of countryside remaining inside the city limits.

With little debate, a trio of new "density enabling" ordinances (a real mouthful, known as the Downtown Ordinance, the Parking Reduction Ordinance and the Senate Bill 1818 Implementation Ordinance) has rolled through Goldberg's Planning Department and ended up in the ornate council chambers on City Hall's second floor.

The first two were easily approved, and the SB 1818 Implementation Ordinance passed on February 20, with only council members Dennis Zine, Janice Hahn, Bill Rosendahl and Tom LaBonge opposed. On paper, the three ordinances will let developers bypass the city's fundamental zoning protections — and profoundly alter the livability, look and essence of L.A.

> "[. . .]"
> —Antonio Villaraigosa, ducking the *Weekly* for five months regarding his growth plans

This is no small thing. The rules for how Angelenos wanted to fashion their city were arduously, sometimes bitterly, negotiated among homeowners, developers, environmentalists and politicians in the mid-'80s, led by then city councilmen Joel Wachs, Marvin Braude and Yaroslavsky. Those core rules today hold tremendous power, creating a blueprint that dictates which Los Angeles neighborhoods should be preserved — and which should be dramatically built up.

Yet in contrast to the boisterous civic debate launched by city and community leaders in the 1980s, the Villaraigosa administration has grown accustomed to only tepid public interference and awareness. Through aide Gil Duran, the mayor has for five months ducked *L.A. Weekly*'s routine questions about his agenda's potential consequences city wide — much taller and fatter residential buildings than zoning law allows, significantly less green space, obliteration of residential parking in some complexes and removal of older, less expensive housing. (Hours before the *Weekly* went to press, Deputy Mayor Helmi Hisserich finally responded, lashing out at "heads in the sand" sentiments and warning that "the city is not going to stop growing.")

On the City Council itself, the likes of Wachs and Braude are long gone, replaced by avidly prodensity council members such as Jan Perry, Council President Eric Garcetti and Wendy Gruel, who rarely say no to grand construction plans and work in tandem with obscure regional planning commissions that routinely override zoning rules in favor of developers and property owners.

Yaroslavsky, silent for the first two years of Villaraigosa's reign, now snaps, "These density-hawks at City Hall are trying to undo 20 years of our work."

The constant overriding of zoning protections has indeed been relentless — a binge of "zoning variances" and "zone changes" granted by longtime Zoning Administrator Michael LoGrande, a little-known official who is the rear admiral of a prodensity flotilla inside City Hall that long predates Villaraigosa's administration.

The variances and zone changes — quite simply, permissions to skirt existing rules — are granted on a case-by-case basis, and LoGrande hands them out like candy. LoGrande did not return numerous phone calls from the *Weekly*. Four biweekly Planning Department reports, randomly selected by the *Weekly* from March, June, September and December 2007, show that requests to increase housing density or square footage rolled in at about 260 annually, slowing only as the mortgage crisis hit. Retired Zoning Administrator Jon Perica explains that while the sought-after density increases are subjected to design, environmental and compatibility review, "the Planning Department historically approves about 90 percent."

For anyone paying attention, and very few people are, LoGrande's decisions — buttressed by the rulings of seven area planning commissions populated with Villaraigosa's appointees — are why some corners of the city are taller and more congested than 10 years ago, even neighborhoods whose legally binding zoning plans were supposed to achieve the opposite.

In the 1960s, a city growth cap of 4.2 million was established as the peak load for Los Angeles' infrastructure and services. This allowed for urban centers like Century City, Warner Center and downtown, while protecting single-family neighborhoods. Three years ago, Perica warned, "growth beyond 4.2 million people would require that existing single-family neighborhoods and lower-density residential areas would have to be 'up-zoned' in the future for more intense multistory density." He added pointedly, "Residents didn't want Los Angeles to look like other higher-density Eastern cities, like Chicago and New York."

Nonetheless, the agendas of builders, land speculators, the chambers of commerce, the Planning Department and elected leaders have produced a virtually nondebated tectonic shift since the residential real estate turnaround of 2002, much increased under Villaraigosa. The shift is pushing L.A. from its suburban model of single-family homes with gardens or pools — the reason many come here — toward an urban template of shrinking green patches and multistory buildings of mostly renters.

To be sure, not everyone sees this in the negative light that people such as *The New Geography* author and social critic Joel Kotkin ("We remain an increasingly suburban nation") and Yaroslavsky do. Downtown developer Tom Gilmore scoffs that Kotkin and other defenders of suburbia and single-family dwellings "take that notion of urbanism and say, 'Oh my god, they're going to do that to your neighborhood too! They're going to make everything a "heat island"!' "

To Gilmore, the attitude in Ventura County and cities such as Santa Barbara, Rohnert Park, Sonoma, Healdsburg, Tracy and Dublin, all of which have enacted residential-growth limits to stop urbanization, denies the inevitable.

"Growth is not an option," says Gilmore. "We can grow with care, with thought and creativity, or we can grow the way we've grown for 150 years. I don't think the Planning Department has got it all right, but I'm happy they've got a template we can argue about."

But his notion of a grand civic debate under way is a façade. The public have little idea what is being allowed even in their immediate area. Downtown insiders such as Ed Reyes — a city councilman and chairman of the powerful Planning and Land Use Management Committee — working with Villaraigosa's handpicked department heads like Goldberg and mayoral appointees like former Councilman Mike Woo (on the Planning Commission) aren't engaging Angelenos in any serious discussion of their "template." And the mayor is assiduously avoiding a public debate in which he might be forced to justify his vision.

Their template could force urbanism onto all but the most protected enclaves of Los Angeles. The truly protected spots are "RI-zoned" — or single-family-residential only — 318,602 of the city's roughly 1.4 million housing units. The other 75-plus percent of housing units in Los Angeles — including thousands of homes in single-family neighborhoods that residents assume are RI when they are not — could potentially be "up-zoned" for apartment towers and condos. Some of the most vulnerable areas are the eastern and western ends of the San Fernando Valley — the last quadrants containing some open space.

Of 16,874 housing units built the year after Villaraigosa was elected, 86 percent were multifamily — the vast majority of those rentals. Established homeowner neighborhoods — the glue that historian and former California State Librarian Kevin Starr once noted helped hold L.A. together, even in bad times — are an afterthought; the Brookings Institute reports that L.A. is suffering a middle-class decline more pronounced than in any other urban area in America.

To be fair, some of the mayor's focus has been on truly "underutilized" areas — nearly 100 developments of 100,000 square feet or larger are proposed or approved on sites like the old Sears warehouse in Boyle Heights, land in Marlton Square in South Los Angeles, and the aging Valley Plaza in North Hollywood. Councilwoman Gruel and Council President Garcetti tout this "proactive lead from the mayor."

But there's another side: Around Vanowen and Balboa in the San Fernando Valley over the past decade, ranch homes on spacious lots have made way for apartments, condos or McMansions. Hillsides from Hollywood to Mount Washington are so overbuilt that cars are ordered off the streets on "red-flag days." Along Miracle Mile, beautiful

▸▸

Spanish Colonial duplexes that since the 1920s have housed middle-class families sit unprotected from the urbanization steamroller.

Zev Yaroslavsky is a shrewd, politically left-of-center politician and a "slow growth" advocate with two adult children. Now 59, he's been married to health-care and child-care activist Barbara Yaroslavsky for 36 years. Born in Boyle Heights, then home to Jewish immigrants, Yaroslavsky grew up in the Fairfax District, ran track at Fairfax High, and put himself through UCLA (he has a master's in British imperial history) by teaching Hebrew in Long Beach — and playing professional poker.

He knew the gambling had to stop when he was elected to the City Council in 1975. Before he was sworn in, he paid a last visit to his favorite Gardena casino, the Normandie, sidling up to a group of Jewish matrons who said, "Zev, we know you're going to be an honest politician because you never bluff." He remembers thinking, "No, I just look like I never bluff."

Today, he says Los Angeles desperately needs a subway to the sea. But 23 years ago, his was the loudest voice against tunneling under the Westside after a 1985 explosion of naturally occurring methane gas ripped through the Ross Dress for Less near Fairfax. He and Westside Congressman Henry Waxman fought the use of federal funds for the line, and won.

Some critics said Yaroslavsky really shut down the subway plan in anger over waste and corruption in the Metropolitan Transit Authority. In any case, even in 1996, when new technologies dramatically reduced the tunneling risks, Yaroslavsky blocked funding.

Longtime Westsiders remember it was Yaroslavsky who ushered through the huge expansion of the Westside Pavilion in 1986, despite community outrage over gridlock. Developer Gilmore is one of many pro-growthers who blame "Zev" for so disrupting the old mass-transit scheme that today the Westside is "incredibly dense" and has "the worst traffic in the city," but Yaroslavsky tires of getting blamed for inevitable development pressures in his former Council District 5.

It is, after all, some of the city's priciest and most sought-after housing real estate, running from Palms to Encino and including Westwood and UCLA. It's something of a City Hall tradition to blame Yaroslavsky: Even back in 1987, Mayor Tom Bradley's spokesman Fred MacFarlane, in *The New York Times*, blamed the congestion on him. In the same story, an L.A. businessman noted, "Right now, any slow-growth candidate who does not get arrested for molesting children can get elected." But how times have changed.

Yaroslavsky counters today's dominant voice of pro-growthers in City Hall by saying that had he not halted the $300-million-per-mile subway, Los Angeles could never have afforded to create the popular Orange Line bus lanes in the Valley or the Gold Line light rail from downtown to Pasadena. Sounding like the old Yaroslavsky, he tells the *Weekly*, "In all corners of the city, a revolution is brewing against the pack mentality at City Hall."

One of the issues that most sticks in his craw is the aforementioned SB 1818 Implementation Ordinance. Not exactly a household phrase, the ordinance lets developers build new apartment buildings 35 percent larger than the protective local zoning allows — if developers agree to include some below-market "affordable" units in these buildings.

But does it actually produce cheaper housing — its main aim? Yaroslavsky points to a development on Sepulveda in Westwood where a developer wiped out 31 apartments rented mostly to UCLA students for $1,500, erecting 59 condos with mortgages of about $3,000 a month. He recalls scornfully, "The developer says to me, 'Those [$1,500-a-month] units weren't affordable anyway.' " Yaroslavsky retorted, "How many of those students can afford your condos after they graduate?" And the trend is spreading. In Miracle Mile, he says, "On Ridgeley and Sixth, there's four parcels of rent-controlled units. One day I'm jogging there, and they're gone!"

Under the SB 1818 Implementation Ordinance, the now-destroyed lower-cost apartments on Ridgeley and Sixth can be replaced with a luxury tower that ignores low-growth zoning — as long as the owner agrees to rent 10 to 20 percent of the apartments at "affordable" prices. The developer can now charge the current market rate (of about $2,300 a month for a two-bedroom apartment) for the rest of the units he builds at Ridgeley and Sixth — far higher than the rents in the now-destroyed building, and enough for a mortgage in most cities.

Fumes Yaroslavsky of this "affordable" housing, "The whole thing's a fraud. It's a wolf in sheep's clothing."

Yaroslavsky's passion dates from the mid-'80s, when homeowners associations howled at a wave of construction from Hauser Boulevard to La Brea Avenue on both sides of Sixth Street in Miracle Mile that destroyed beloved, picturesque Spanish Colonial rentals boasting wrought-iron stairs, cozy alcoves and tile work from the 1920s.

The Bradley administration's urbanization frenzy ushered in shoddy, higher-density, four- and five-story apartment blocks with quickly decaying stucco veneers that looked like they'd been airlifted from Beirut. Indignation generated a wave of grassroots activism. Groups such as the Detroit Street Coalition and Not Yet New York pressured avidly pro-growth City Council President John Ferraro, and Bradley, to protect neighborhoods.

Angry citizens won a huge victory with approval of 35 legally binding land-use plans citywide, now known as "Community Plans." Largely shaped by residents, Community Plans made it harder for developers to roll through medium-density neighborhoods such as Miracle Mile. Community Plans protected the suburban character of low-density areas being eyed by developers near big streets like Florence, Reseda, Vanowen, La Brea and South Broadway.

But here's the clincher: SB 1818 trumps restrictions built into the Community Plans because it's state law. Each Community Plan is slowly being revisited by the Planning Department in negotiations among homeowners, renters, business owners, and city planners, so that neighborhoods conform to projected growth. Right now, 12 city planners (plus support staff) are redoing a big batch of Community Plans including Boyle Heights, Central City, Granada Hills, Hollywood, San Pedro, South Central (redubbed Southeast), South L.A., Sunland-Tujunga, Sylmar, West Adams, West L.A. and Westlake.

In this top-down process, the Planning Department contacts each affected neighborhood council (after notifying the City Council member who oversees that neighborhood) that changes are in the wind — usually to densify the neighborhood.

Some areas face unusually dramatic growth, not because their Community Plan calls for it, but because city planners got $1 million from the prodevelopment Southern California Association of Governments, combined with Proposition A transportation funds and property taxes, to research and plan extremely dense new neighborhoods near train stations in mostly poor areas along Exposition Boulevard in South Los Angeles, along Soto and Indiana streets on the Eastside, and near Gold Line stations in Chinatown, Lincoln Heights and Cypress Park.

Wes Joe, of the Silver Lake Neighborhood Council, says that his Community Plan was rewritten in 2004, just before Goldberg got here from San Diego, so Silver Lake won't be up for review for some time. Joe says city officials contacted one in five Silver Lake households that year to help redo the Community Plan, and those meetings drew the "usual array of Anglo homeowners" in a neighborhood that's also heavily Latino. Steve Leffert, the president of Lake Balboa Neighborhood Council in the Valley, says that Lake Balboa's two adjacent Community Plans were rewritten in 1993 and 1994, and he's heard nothing from the Planning Department — yet.

The ostensible purpose of Community Plans is to manage the growth that is now officially capped at 4.2 million before city services — like sewerage and local roads — are strained beyond capacity. Perica points out that the current population of 3.9 million doesn't include the 300,000 to 400,000 undocumented residents who make up 10 percent of the city, some living in 50,000 to 70,000 illegally adapted garages and storage spaces, according to the Department of Building and Safety. "Keep that in mind the next time you're stuck in traffic," Perica says. And the planning that exists for that shadow population doesn't begin to address the scale of the problem.

Some residents are stunned by the way the city is trying to circumvent the intent of the Yaroslavsky-sponsored slow-growth measure known as Proposition U, embraced in a landslide vote in 1986, which cut in half the size of buildings allowed on commercial strips adjacent to residential areas.

Voters ushered in Prop. U after then Mayor Bradley, Council President Ferraro and prodeveloper council members like Pat Russell embraced wildly inappropriate projects. Westwood Village was targeted for massive growth, and a huge trash-burning facility, Lancer, was pushed in South L.A. One flash point came with the $43 million, six-story Encino Terrace Center office tower, which now looms over an attractive Encino neighborhood, wiping out privacy below and casting a permanent shadow.

Prop. U aside, North Hollywood and Hollywood are now targeted for 20-to-35-story skyscrapers that include a mix of residential on the upper floors and commercial on the bottom. The 35-story Columbia Square building will tower over Sunset Boulevard at Gower Street. Such skyscrapers represent dramatic — and virtually undebated — departures for Hollywood and the Valley. Neither skyscraper site is protected by Prop. U, which doesn't apply to Hollywood, downtown or the Metro Rail site in North Hollywood.

Beyond what's in store for Hollywood and the Valley, Yaroslavsky also believes that the SB 1818 Implementation Ordinance places treasured, low-slung neighborhoods such as the Fairfax District's historic rental corridor at risk. But since the mayor is ducking public discussion, Yaroslavsky, a powerful elected official, finds himself instead debating two little-known, if influential, city employees who serve at Villaraigosa's pleasure — Goldberg and Senior City Planner Jane Blumenfeld.

"This is where Gail Goldberg is missing the boat," Yaroslavsky explains of the threats to established, steady neighborhoods. For example, in the Fairfax District, where SB 1818's incentives allow developers to blow past existing zoning, "You've just increased the chance of demolition and redevelopment from impossible to probable."

Though Goldberg counters that the new law doesn't threaten the Fairfax District, in a moment of candor she agrees that SB 1818 is an unavoidable state law that's "a terrible fit for Los Angeles." Blumenfeld, too, concedes that it's "draconian . . . but we're trying to make it work."

But Yaroslavsky says it was Blumenfeld, not the state, who pushed the new densities well beyond the state requirements to "35 percent more density," and Blumenfeld then "laid out all the 'findings' to approve it."

Villaraigosa isn't part of this growing rancor. His own

iews are unknown, aside from his repetitive claim that the construction crane is the official bird" for Los Angeles.

Meet Jane Blumenfeld, the object of Yaroslavsky's scorn and senior planner for the city of Los Angeles. After receiving her bachelor's in istory from the University of /isconsin, and then a master's in ity planning from the University f Pennsylvania, she came here in 978, working as a lanning adviser for layor Bradley, just s young ouncilman aroslavsky was shering through rop. U to halt ommercial high- ses near homes.

After spending ome years in the eal estate business, lumenfeld worked s chief of staff to ormer Cou[illegible]man like Feue ejoined ti[illegible]ining epartment in 2001. . small woman with quick wit propelled y spurts of sarcasm, lumenfeld appears bit stunned by the harges Yaroslavsky odges against her, like an elf reacting to the roar of a bear.

"All right . . . all right," she says calmly. "Let's just take a ook at *his* work."

Blumenfeld leads me through a maze of hallways in City lall, to an inner office where she points to a color-coded map. See that?" she says, pointing out that 83 percent of the ommercial parcels in the city are marked — indicating Prop. U s in force. "It's not physically possible to build growth there, ecause Zev has blocked it with Proposition U."

But that's not true. In 2002, under Mayor James Hahn and /ith virtually no public scrutiny, the City Council watered down rop. U, creating a new land zone confusingly dubbed Residential Accessory Services." In such zones, projects can be loubled in size if the developer merely agrees to mix housing nits with businesses. In another nod to developers, and calling : "smart growth," the council decided that projects with "afford- ble" housing can be one-third bigger than permitted if they are /ithin 1,500 feet of a bus stop. Together with SB 1818, much of L. . is now op[illegible]to multistory construction. (See map accompa- ying the [illegible]ersion of this story.)

To Blu[illegible]id, those neighborhoods are under-utilized transit corridors." She also denies Yaroslavsky's charge that airfax — as well as other stable villages that make up L.A. — is hreatened by SB 1818. Developers still find that "land is xpensive, lumber is expensive. The [state] law's been in effect or almost three years, but we've not seen any projects on airfax."

"So why write these incentives into the new law?" 'aroslavsky retorts. "The city can't keep talking out of both ides of its mouth."

City leaders first learned of plans to mandate denser :alifornia cities in a 1996 memo from the State Department of lousing and Community Development. But Yaroslavsky insists ie didn't hear about SB 1818 until last summer, when a mole rom the city's Planning Department leaked him a draft of the lan for apartment buildings 35 percent bigger than allowed.

"We were appalled," Yaroslavsky says. So the county upervisor again became the town crier. Prodensity groups egrudgingly credit him for pressuring the council to ban hese higher buildings next to or across alleys from R1 (single amily) homes. But other neighborhood protections, such as a engthy appeals process, were stripped away.

"This all comes from the stupidity of doing these things ehind closed doors," Yaroslavsky says. "Now everybody's eighing in. They didn't know what was going on. Now the ilver Lake Neighborhood Council is picking this all apart, and ightly so."

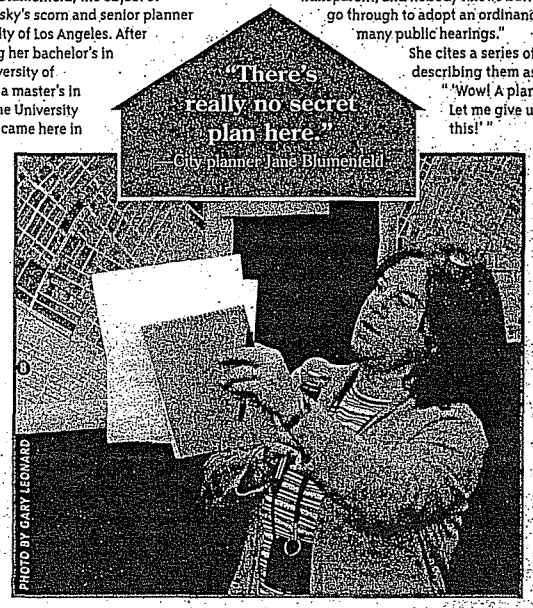

PHOTO BY GARY LEONARD

On hearing Yaroslavsky's version, Blumenfeld rolls her eyes. "There's really no secret plans here," she says. "We don't do anything in this department that's not superpublic and transparent, and nobody knows better than Zev the steps we go through to adopt an ordinance. There were many, many public hearings."

She cites a series of committee meetings, describing them as poorly attended: "'Wow! A plan to implement SB 1818! Let me give up my Saturday to go to this!' "

In fact, Angelenos don't have a clue what's been happening, or what's coming. In the 32 months since Villaraigosa was elected, for example, the *Los Angeles Times* and the *Daily News* have written only four stories about a plan to allow apartments without parking in order to squeeze in more units. The phrase "SB 1818" has appeared in just 14 articles. The mayor's czar of zoning variances, Michael LoGrande, is virtually unknown — mentioned just six times in Los Angeles print media in the past two years. And the "superpublic" hearings cited by Blumenfeld were attended almost exclusively by lobbyists, a few activists and the occasional curious neighbor.

"There should be a debate!" Yaroslavsky wheezes, a victim of allergies, dabbing his nose with a handkerchief.

"The proponents of the density hawks, including the director of the Planning Department, and the real estate industry, and the L.A. Area Chamber of Commerce — they had the audacity to say that they negotiated the plan [with homeowners]. Not true, there wasn't one neighborhood group that knew about it!"

Now meet Gail Goldberg, Blumenfeld's boss and philosophical cousin, and the other object of Yaroslavsky's discontent. On a Friday at 8:20 a.m., I step out of a City Hall elevator on the fifth floor, walking down an imposing corridor. There stand the double doors to the offices of the director of the Planning Department, Goldberg.

More than 30 feet back from the unattended public counter sits Goldberg's assistant, Lily Quan, the only person in the vast reception area at that hour. She looks up. "May I help you?"

"I'm with the *L.A. Weekly*, and I just got stood up by the planning director for an 8 a.m. meeting at Starbucks."

Quan offers an expression of withering condescension. "I think you're confused," she says slowly, as if to a mentally impaired person. "Your meeting is scheduled for next Friday."

"I have a copy of the e-mail, sent by you, confirming the meeting for this morning."

Quan consults her computer, tapping buttons.

"Looks like we made a mistake," she concedes. "Sorry . . . She's got a 9 a.m. appointment, so you'd only have half an hour."

"That," I say, "would be a good start," pondering how the Planning Department could have so much trouble planning a cup of coffee.

At 8:35, Quan ushers me down a small hallway. Goldberg graciously rises from the seat behind her desk to apologize, greeting me in a manner that is both warm and — since we are in City Hall — imperious.

"So what have I read of yours lately?" she asks.

"You would probably have a better idea of that than me."

"What I mean is, what have you written that might have annoyed me?"

In fact, I had recently authored a piece on the city's "Parking Reduction Ordinance," which lets developers of apartments and condos near train stations and bus stops get a waiver from the city's minimum parking-space requirements. In a radical departure, the city could allow big apartments to be constructed without parking spaces. The developer need only prove he is providing a vaguely imagined "alternative means" of transportation — potentially, anything from carpool programs to bicycle racks to walking canes and foot balm — that a local city-zoning administrator feels is a "viable alternative" to driving.

The "public-transit promoting" Parking Reduction Ordinance is not going over well with some of the very few Los Angeles residents who have heard of it.

The Silver Lake Neighborhood Council says that, among other things, the reduced-parking ordinance will eventually punish the working poor (who actually use public transit), helping to prod them out of neighborhoods where hipster, "transit-oriented" projects lacking parking would almost inevitably be paired with luxury rentals.

Developer Gilmore insists the parking-reduction waiver isn't aimed at "what's happening in Silver Lake today, but what it will look like in 20 to 30 years." Yaroslavsky responds, "I don't think Gail [Goldberg] has a clue as to the impact of what these 'incentives' will be."

When residents of Los Angeles hammered out 35 Community Plans to direct what should happen in the city's loosely connected villages, those plans did not include luxury apartments without parking or skyscraper apartments looming over neighborhoods.

"Good planning has to lead, not follow," Goldberg explains, of City Hall's quiet push to amend those Community Plans, a process she insists will emphasize the need to work together. "We need to get in front of the process with Community Plans, which we're creating right now."

Twenty years ago, Robin Kramer, then chief of staff to Eastside City Councilman Richard Alatorre, told *The New York Times*, in an almost identical comment, that the key question was how City Hall could "best manage the growth and lead it." Now Kramer is back, again as a chief of staff — but this time to Villaraigosa.

At 9 a.m., as Goldberg is preparing to greet members of the Downtown Planning Commission, she advises me of my civic responsibility as a journalist regarding the density debate:

"All I ask is that you don't scare people into paralysis."

PHOTO BY KEVIN SCANLON

The apartment-construction binge began in 2002 but dates to 1993, when the Planning Department, under newly elected Mayor Richard Riordan, rolled out the new-housing component of its General Plan. Although dozens of Community Plans attempted to mute its more dire effects, the General Plan claimed that two-thirds of the city — already the fourth most densely populated in the nation — was "underutilized."

Many found the General Plan laughable and unlikely to ever unfold. But then demographers from California's State Department of Finance and the Southern California Association of Governments (SCAG) prophesied that an inevitable county population increase of 2.5 million people by 2025 had to be met in Los Angeles by the building of far more housing.

# Exhibit 5

MTI Report 01-12

# A New Planning Template for Transit-Oriented Development

Dick Nelson
John Niles
Aharon Hibshoosh

September 2001

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College of Business
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San Jose, CA 95192-0219

Created by Congress in 1991

# EXECUTIVE SUMMARY

## PROJECT OVERVIEW

The purpose of this project is to improve the planning methodology for Transit-Oriented Development (TOD) by bringing into sharp focus the dynamics of the retail marketplace and nonwork travel demand. TOD involves increasing the density of housing, offices, stores, and services around mass transit stations in an urban region, and making pedestrian access very easy, in order to encourage more use of transit and a reduction in automobile driving. TOD is intended to influence both travel to work (commuting and business travel), as well as all of the other reasons for local travel (so-called nonwork trips, including shopping and leisure travel). Specifically, the project has sought to:

- Analyze nonwork travel demand as influenced by retail market dynamics on a national and regional level.
- Review the state-of-the-art in regional transportation planning by Metropolitan Planning Organizations (MPOs) with respect to nonwork travel.
- Create a planning template for regional transportation and land use planners who are pursuing TOD that encompasses nonwork travel.

The central Puget Sound region of Washington State (four counties making up the Seattle-Tacoma-Bremerton-Everett metropolitan area) was used as a case study for the development of the template. The nonwork travel environment of the region was mapped and analyzed, and the findings generalized to other large metro regions. Of particular interest were the myriad "retail" activities from which consumers choose their shopping and recreational destinations. As a group, these activities generate more than half of all person trips: shopping for goods and services, eating out, entertainment, recreation, culture, and other leisure pursuits.

A basic planning template was designed that generates three new kinds of data: specification of the major nonwork venues that generate travel demand and that should therefore be mapped and spatially analyzed, listing of the forces shaping urban form that need to be monitored and understood for travel generation and land-use implications, and the identification of the factors that will determine the regional (not just station-area) success of TOD in stimulating a shift from driving to mass transit patronage.

The framework for measuring the success of TOD that we use throughout this project is comparing public costs to public benefits. According to this cost-benefit framework, a necessary part of the regional planning process is comparing the estimated future benefits from TOD to the benefits from alternative investments. The most critical regional public benefits come from the expected market share shift from automobile to public transit: increased transit ridership, reduced average travel times and vehicle congestion, and measurable environmental gains such as improvement in air quality. In order for a TOD plan to be judged as successful in our framework, the plan's level of expected future benefits must be commensurate with the level of capital investments made to implement TOD. Those investments include new transit facilities and the financial incentives and other public costs incurred to shape private real estate development toward the more compact and mixed land use forms required to make TOD successful.

## NONWORK TRAVEL: IMPLICATIONS FOR TRANSIT-ORIENTED DEVELOPMENT

Travel to nonwork activities has grown steadily over the last three decades in the United States. It now accounts for about three-fourths of all household vehicle trips and four of every five person trips. Nonwork is the major travel purpose even in weekday peak periods, both morning and afternoon. As people strive to make efficient use of valuable time, nonwork trips are increasingly linked into trip chains or tours involving several stops. This is true for travel to and from work as well as for travel to purely nonwork activities. More than half of all trips from work to home involve a stop to shop, pick up a family member, or conduct personal business.

The observed growth of nonwork travel is directly related to the relentless progression of changes that have occurred in the retail and consumer services marketplace. Technological innovation, combined with increasing wealth, has produced a greater variety of business opportunities and consumer choices.

Nonwork travel, because of its magnitude, has important implications for transportation and land use policy, particularly transit-oriented development. TOD is a policy response to the impacts of metropolitan growth and its effects, including traffic congestion and travel-related environmental impacts, and to the concern that growth patterns threaten the livability of American communities.

As TOD has been implemented, it has come to mean compact, mixed-use centers made up of residential units, offices, and stores, supported by and, in turn, supporting new rail transit investments. Pedestrian movement is emphasized, and parking is limited. The number of metro areas, large and

small, that have embraced this approach to managing growth has increased over the last two decades to the point that it can be said that rail-TOD is one of the most important urban planning paradigms in the United States. Federal policies, especially the land-use criteria that must be met to qualify for "new starts" fixed-guideway transit funding, encourage TOD.

These efforts are motivated by the belief that TOD will induce more pedestrian and transit trips and will reduce both the average length and frequency of household auto travel. This is assumed to result from improved accessibility to work locations and to better proximity to nonwork venues. Further, it is suggested that if multiple centers are linked by high quality transit, access is enabled to a broad range of nonwork activities across a metropolitan region.

## SUMMARY OF FINDINGS

The research arrived at a number of key findings that support the initial project premise of a need for a new regional planning process to complement current methods.

- Although support for transit-oriented development is based, in large part, on the assumption that when venues for nonwork activities are located at TOD station areas more people will use transit, there has not been a careful analysis of the actual spatial environment for nonwork activity and the travel patterns it engenders.
- The consumer marketplace for goods, services, eating out, and leisure activities in a metropolitan region is exceedingly large, varied and geographically dispersed. For example, a map prepared by the authors (Figure 3-4) indicates the locations of approximately 1900 major nonwork destinations in the Puget Sound region, overlaid on the 21 urban centers around which TOD will be emphasized.
- The number and location of, and the spatial relationships for, the myriad nonwork venues is the result of growing prosperity, technological innovation, and a highly adaptive entrepreneurial market that seeks to satisfy consumer needs and wants.
- Nonwork activities, which now account for approximately two-thirds of all personal travel, will continue to grow in variety as wealth and prosperity spread, and as the nation becomes more ethnically diverse.
- Since the consumer marketplace for goods and services will inevitably provide many more places to go than mass transit can effectively serve, the success of TOD as measured by less automobility cannot be taken for

granted.

- Even the choice of mode for the work trip is determined in large measure by nonwork activities, as people make stops during the commute to shop, drop off and pick up family members, and conduct personal business.
- For the purpose of gauging the success of TOD, it is important to distinguish between local (station-area) benefits and costs, and corridor or regional benefits and costs.
- Academic research to date suggests that neotraditional forms of development in a station area, such as grid street patterns and compact, mixed-use centers, alone will not have a significant impact on personal travel patterns.
- A benefit-cost ratio for the TOD paradigm that is superior to other investments that increase transit market share may not be an *a priori* possibility in every metropolitan region. Regions differ greatly from each other in their existing land use pattern, travel pattern, transit corridor availability, topography, political culture, and governmental structure. One size does not fit all.
- Metro regions may discover greater net public benefits by exploring a wider range of paradigms that encompass other strategies for dealing with the large growth in automobility associated with nonwork activities.
- The current metropolitan planning process is focused on the work trip and produces a limited set of strategies that do not bracket the range of possible cost-effective alternatives that are needed to address the variety and volume of nonwork travel.
- If a broader search for cost-effective alternatives is to be carried out, a new complementary planning process is required, one that involves a much wider and deeper knowledge base and range of expertise than is typically included in the current process.
- Unlike the current process, the new planning process must be able to account for the inherent complexity of human behavior and associated land use and travel patterns, and it must address the large uncertainty attached to the prediction of future patterns and the impact of government actions on these patterns.

## RECOMMENDATIONS

In response to these findings, we recommend:

- Development and testing, in a few metro areas, of an explicit augmentation

to the metropolitan planning process that responds to complexity and uncertainty, and that deals with nonwork travel in the context of transit-oriented development.

- In response to the realities of and reasons for consumer behavior and retail industry practices as seen now and as predicted for the future, the new process should strive to specify ways that TOD can be strengthened so that consumers more often use mass transit and walking to shop and recreate. This specification would describe how and to what extent the market economy can be influenced to support TOD land use patterns.
- If, on the other hand, the recommended augmentation to the process reveals that transit investments and government policies cannot realign the market to yield a larger transit market share in the urban travel market, then the planning process should direct attention to the specification of paradigms other than TOD.

A Backcasting Delphi process, previously used to predict the efficacy of transportation and land use strategies outside the US, can be a useful supplement to the current method. It is expected that each metro region that uses the process will elaborate on the basic template to meet their specific circumstances and needs. The process would have the following key characteristics and elements:

- Defining the problem in terms of desirable behavior change to be achieved as measured by actual improvements in transportation system performance and environmental externalities, as opposed to simply providing options for behavior change.
- Focusing on choice of mode for travel to nonwork activity.
- Creating a knowledge-based understanding of nonwork activity and travel trends in the region, including new trends that are difficult to quantify but that may affect future travel and land use patterns.
- Designing the process to be carried out either by the MPO as an augmentation to existing procedures, or else by a civic organization acting in parallel to complement the existing MPO process.
- Recruiting and using multidisciplinary professionals in a structured, interactive process in which they share ideas and learn from each other and educate the regional leadership and populace.
- Employing an iterative process (Backcasting Delphi) of designing feasible transportation investments and strategies with costs and risks that are justified by the likely transportation performance to be achieved.

Although the focus of the research leading to the above recommendations was on nonwork travel, we suggest that the supplementary planning process examine the growing geographic dispersion of employment sites, the diverse requirements of journeys to work and work-related travel, and the increasing linkage of work and nonwork trips in complex trip chains. In other words, all trip types in a metropolitan area should be covered in the planning process we have sketched in this report. The planning template would be useful whether or not the metro region has embarked, or plans to embark, on TOD.

The U.S. DOT should support the refinement and testing of the new planning tool through its grant process, just as it now supports conventional regional planning.

Several actions should be taken to provide empirical data and other information in support of TOD planning, whether or not it is undertaken with the recommended planning process.

- Federal and local government consumer surveys should be structured to shed more light on the reasons people choose to live in a TOD. This would help in understanding whether TOD attracts people other than current transit users.
- Similarly, surveys should identify the locations for nonwork stops on the commute trip to assist in understanding the malleability of these locations, i.e., can they be induced to relocate to station areas?
- Studies should be undertaken of how well older neighborhood commercial areas and central business districts have adapted to the changes that have occurred in the larger retail marketplace.
- Research should be conducted to identify and catalog existing and emerging retail goods and services business strategies that have demonstrated synergy with the public policy requirements (for example, floor space and parking limitations) of locating facilities within transit-oriented developments.
- Other nonwork, nonretail activities may involve personal choices that result in trips outside the household's immediate neighborhood even though there are closer opportunities. The travel patterns associated with these activities, such as visits to the family doctor, and trips to school and church, should be investigated.

# Exhibit 6

# CITY OF LOS ANGELES
CALIFORNIA

DEPARTMENT OF CITY PLANNING

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ANTONIO R. VILLARAIGOSA
MAYOR


**April 25, 2007**

## NOTICE OF PREPARATION AND

## NOTICE OF PUBLIC SCOPING MEETING

**EAF NO.: ENV-2007-819-EIR**
**PROJECT NAME:** Columbia Square
**PROJECT ADDRESS:** 6121 Sunset Boulevard, Los Angeles 90028
**COMMUNITY PLAN AREA:** Hollywood
**COUNCIL DISTRICT:** 13
**COMMENT DUE DATE: May 25, 2007**

The City of Los Angeles, Department of City Planning will be the Lead Agency and will require the preparation of an environmental impact report ("EIR") for the project identified herein. The Department of City Planning requests your comments as to the scope and content of the EIR. The Project Description and potential environmental effects are included below. Also included below are the date, time and location of the Scoping Meeting that will be held in order to solicit input regarding the content of the Draft EIR. A copy of the Initial Study prepared for the project is not attached, but is available for review at the Department of City Planning, 200 North Spring Street, Room 750, Los Angeles, CA 90012.

**PROJECT DESCRIPTION:** Apollo Molasky, the Project Applicant, proposes to develop the Columbia Square Project (proposed project) in the Hollywood community of the City of Los Angeles. The 4.68-acre project site is generally bounded by Selma Avenue to the north, Gower Street to the east, Sunset Boulevard to the south, and El Centro Avenue to the west. The proposed project would include the development of approximately 400 residential units, a 125-room hotel (including 7,000 square feet of restaurant uses), approximately 380,000 square feet of office space, 15,500 square feet of restaurant uses, and 12,000 square feet of retail space. As part of the project, the Project Applicant proposes to rehabilitate approximately 105,510 square feet of the existing CBS Complex for office space with some restaurant/retail uses. The proposed project would also include an eight-level parking facility with approximately 1,800 parking spaces; two levels of the parking facility would be subterranean. Overall, the proposed project

of the proposed project. All comments will be considered in the preparation of the EIR. **Written comments** must be submitted to this office by **Thursday, May 25, 2007**. Written comments will also be accepted at the public scoping meeting described above.

Please direct your responses to:

Jimmy C. Liao, City Planner/Project Coordinator
Environmental Review Section
Department of City Planning
200 N. Spring Street, Room 750
Los Angeles, CA 90012
(213) 978-1343 (fax)
Jimmy.Liao@lacity.org (e-mail)

S. Gail Goldberg, AICP
Director of Planning

Jimmy C. Liao

Jimmy C. Liao
City Planner, EIR Unit
Environmental Review Section

Enclosures

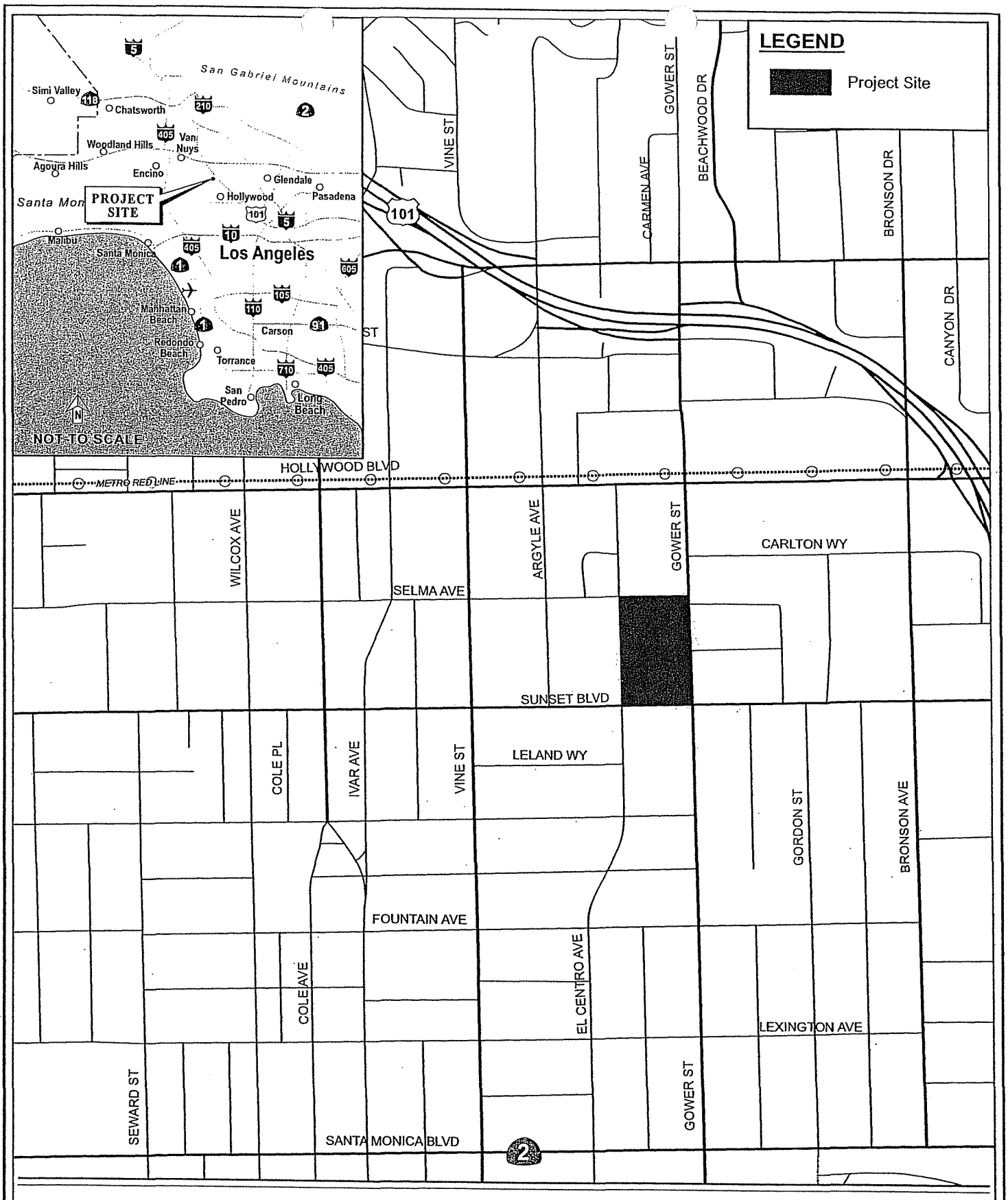
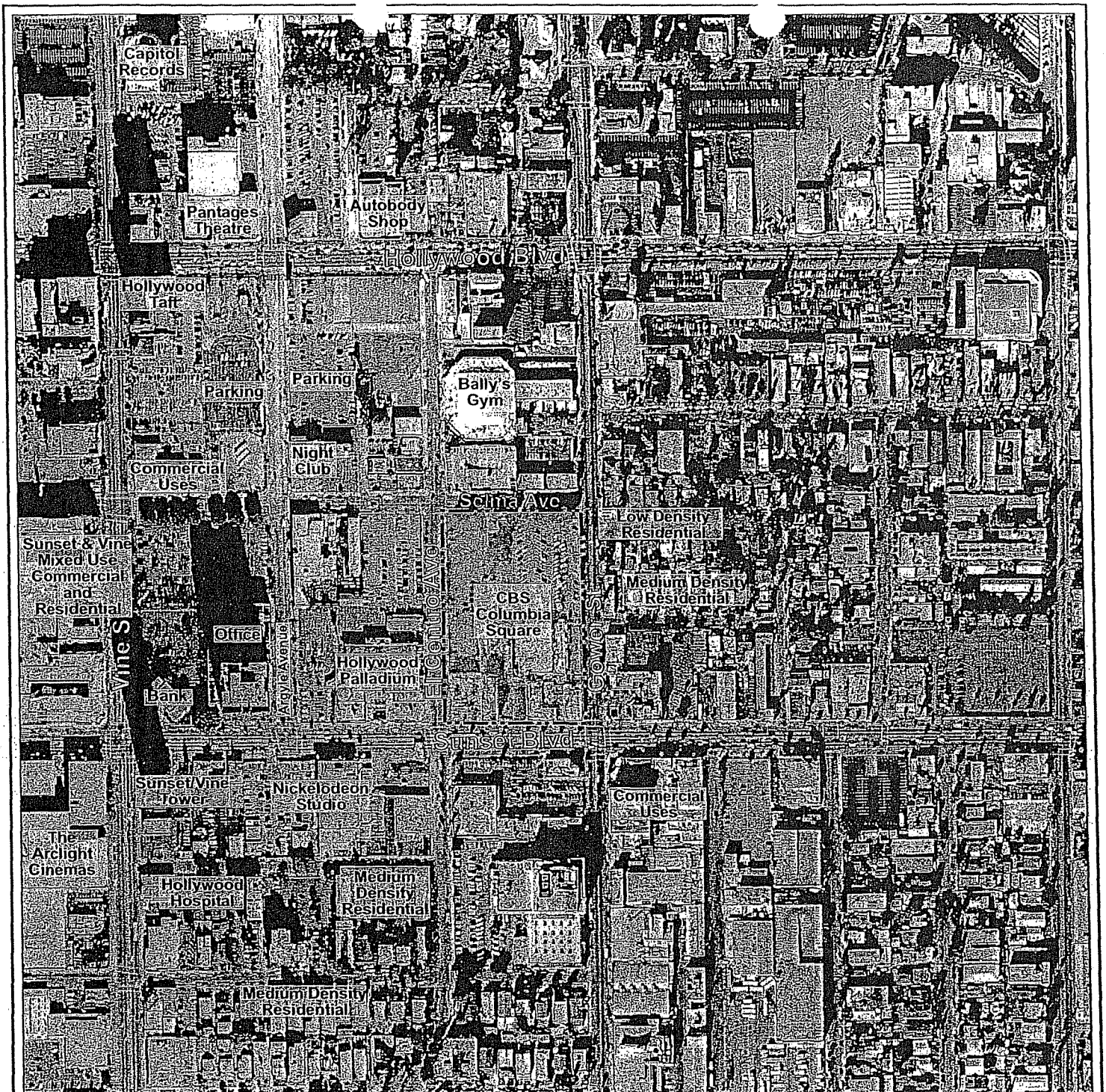



Figure A-1
**Regional and Project Vicinity Map**




Source: Google Earth Pro and Sanborn, 2006.

Figure A-2
Aerial Photograph with Surrounding Land Uses

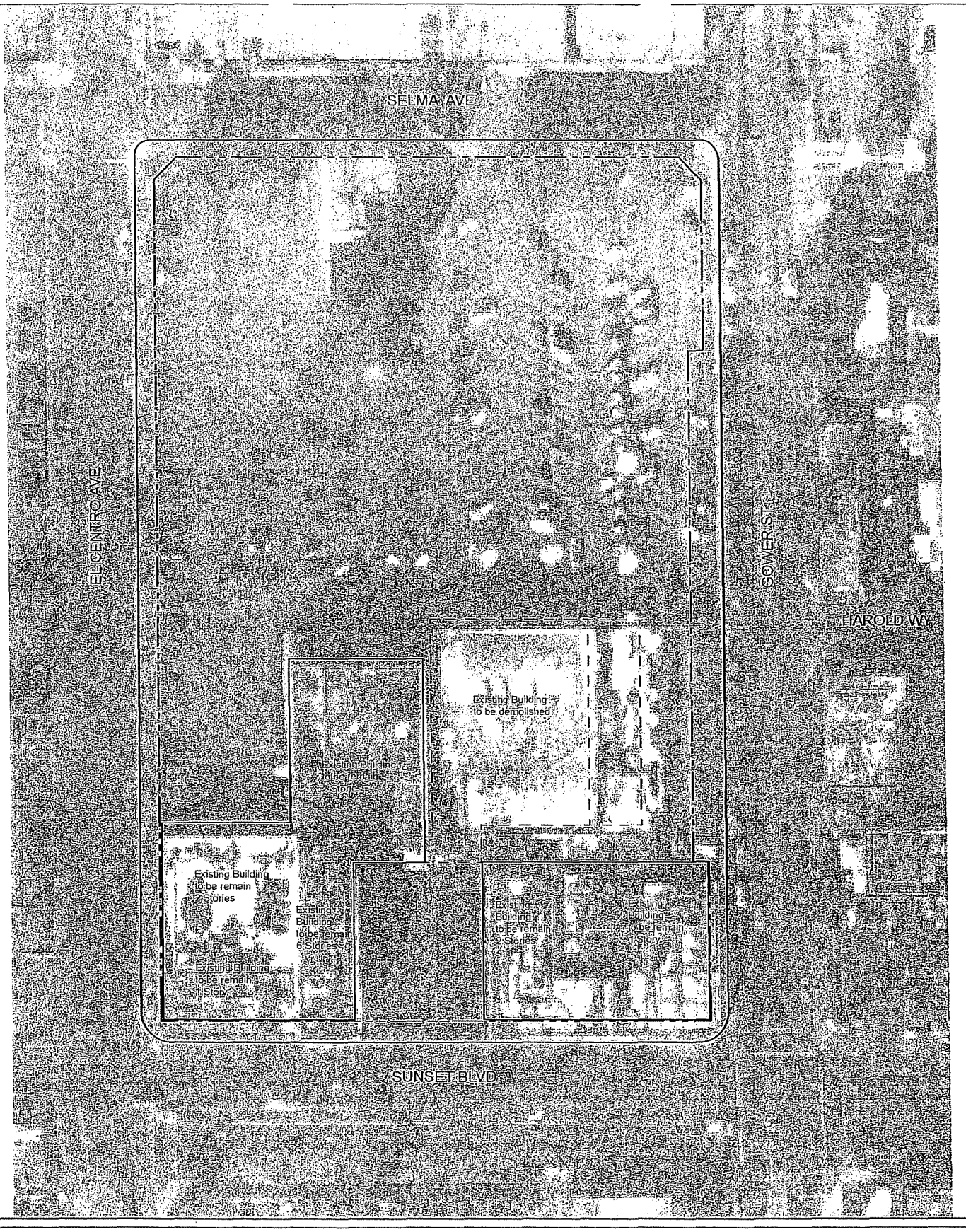



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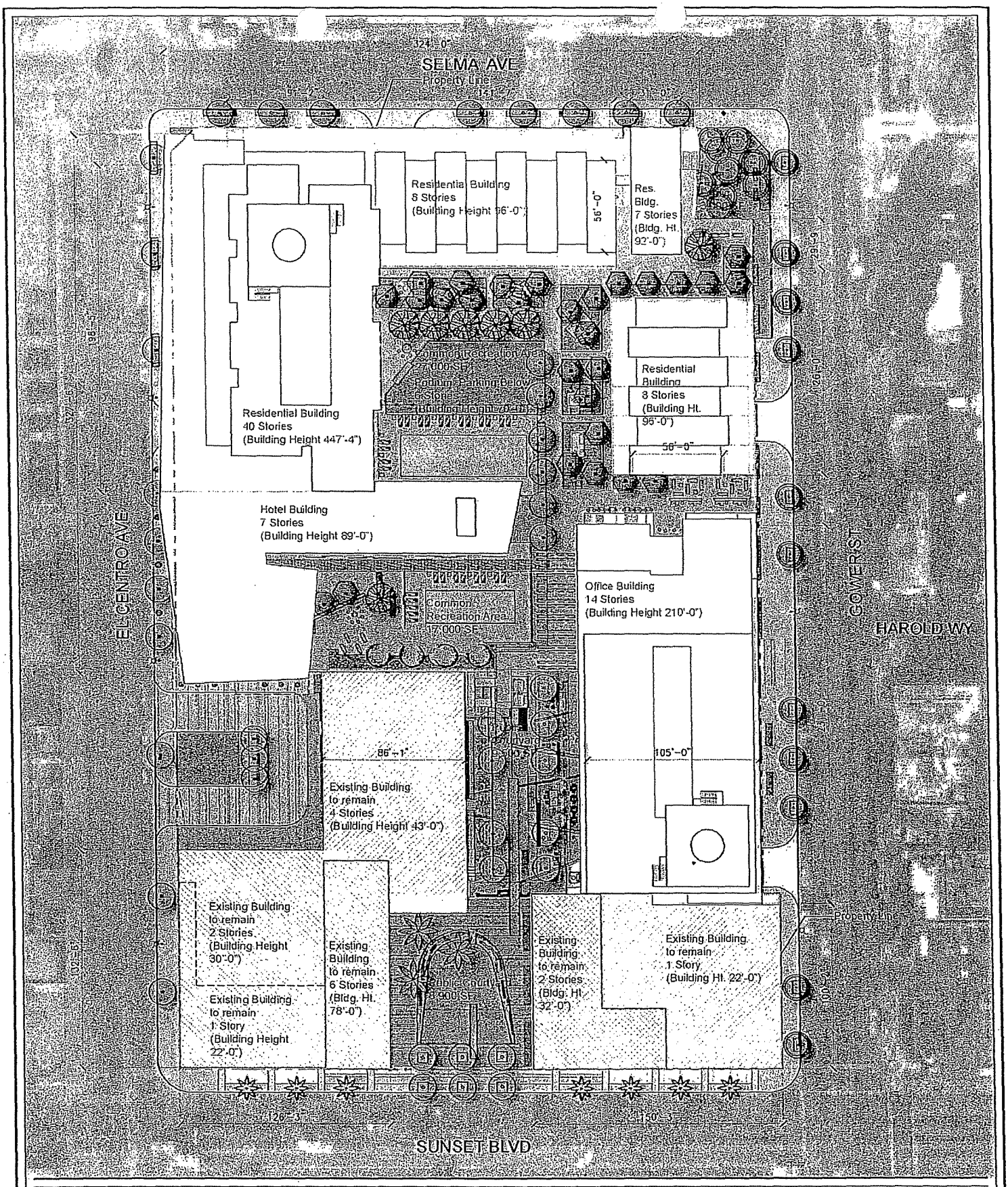
Figure A-3
**Existing Site Plan**

Source: Johnson Fain International, Inc., 2007



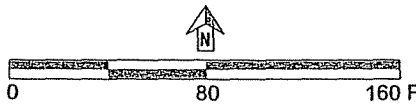



Figure A-4
**Proposed Site Plan**

Source: Johnson Fain International, Inc., March 2007.

**HOLLYWOOD'S FIRST-EVER MEGASCRAPER WOULD THROW A COMMUNITY INTO SHADOW AND DESTROY FAMOUS VISTAS OF THE HOLLYWOOD SIGN**

# Doomscraper?

A few weeks ago, on a chilly Thursday evening, Chris Shabel, a gray-haired woman with a quick smile, slowly shuffled into Studio 3 at the old CBS TV and radio complex at 6121 Sunset Boulevard, with the help of a high-end stroller that doubled as a portable chair. Over the years, the longtime Hollywood community activist has survived five heart attacks, two strokes and countless numbers of boring cocktail parties thrown by real estate developers who hoped free gin-and-tonics would win her allegiance.

Tonight's invite-only affair was no different, although the money men and their assistants kept a tense distance from her — even at 74, Shabel has the reputation of a troublemaker who defends against the push and roll of big developers by leaking embarrassing stories to the press.

Shabel, dressed in a black jacket and red blouse, stopped shuffling and took a seat on her stroller in the middle of the studio, which had recently served as the living room for the starry-eyed cast of MTV's *Real World Hollywood*. All of the sleek furniture and doodads were gone. Instead, several easels propped up poster-size drawings of a reportedly $850 million project at the site where Shabel now enjoyed a cocktail — the abandoned West Coast home of CBS, also known as Columbia Square. In the corner stood a balsam-wood model of the future, but no one was allowed to take pictures of it.

Shabel was soon joined by other neighborhood people, dressed up in jackets and ties and evening dresses. Some of them greeted her, shared a few stories and ate fancy concoctions wrapped in bacon as they stared at the modernist artist's renderings of a 40-story skyscraper and 14-story office tower with spotlights piercing the Hollywood sky.

"I've always found," Shabel said at one point, with her slight British accent, "that if you have a cocktail party *before* the project is completed, it usually spells trouble. Almost none of them end up going through."

Shabel giggled at her own time-tested wisdom and looked around the room, as if hoping the developers and their small army of consultants had heard her soft-spoken warning.

Apparently, they didn't. Mark Cassidy, president of Molasky Pacific, one of the Las Vegas–based developers of the proposed megatower at Columbia Square, continued schmoozing with various important-looking men, and his hired guns kept shaking hands. It was a night of reintroduction, after all, to remind a few dozen selected guests that the deep-pocketed folks behind the quiet plan for Hollywood's first true skyscraper, and by far the area's tallest structure ever, had not gone away.

If everything went according to plan, Columbia Square would be the largest and most expensive mixed-use project ever in the area. And much of the groundwork and lobbying would be over long before the general public heard a thing about it.

In keeping with the underground nature of the towering project, which would forever alter the skyline and obscure the Hollywood sign for thousands of people, the official Web site for Columbia Square — 6121sunset.com — says almost nothing, other than hailing the plan as "a classic Hollywood landmark updated for the 21st century." A few futuristic drawings are posted, and there's a standard mission statement of sorts, but the "project facts" section is gibberish, an alien code not intended to encourage civic debate.

Molasky Pacific and its partner, Apollo Real Estate Advisors, obviously want it this way. In Los Angeles, where developers have long held sway over a 15-member City Council that rarely says no to massive new projects, it is key to keep the public out of it as long as is legally possible. And it's why loose-tongued people like Chris Shabel can be dangerous — secret, ugly truths may rile the public and stir up political problems for the council members, each of whom oversees one of 15 separate, incredibly influential fiefdoms and who all but control the lay of the land.

The skyscraper's developer, Mark Cassidy, suddenly withdrew from a scheduled interview with the *L.A. Weekly*, thought better of that, and set it up again — then called it off for a second 32>

BY PATRICK RANGE MCDONALD

time. No reason was offered, but the timing of the events coincided with his discovery that Shabel was talking to the *Weekly*. (Cassidy, however, chatted with me for a few moments at the cocktail party, with both his lawyer and his flack close by.)

So far, invite-only cocktail parties, an uninformative Web site and the delicate handling of activists and City Council President Eric Garcetti, whose fiefdom is the 13th District and spans much of Hollywood, seem to be working. Although a 40-story skyscraper will dramatically alter the Hollywood skyline, pull far more cars into an area that's essentially inaccessible at rush hour, and loom incongruously over a historic district of early-20th-century homes, casting it into shadow most of the year, there hasn't been much outcry.

None of the neighborhood people seems to realize the builder seeks to repeal a protective 45-foot height limit on the block, switching it to a "no-limit" district.

"I live in 'downtown' Hollywood," says Maripat Donovan, who resides in a 1915 bungalow just east of Columbia Square on Harold Way and owns a large chunk of property nearby. "I know I can't resist development. I want to work with the developer to create a project that's good for the neighborhood."

Brogan Lane, who owns the boutique hotel Villa Delle Stelle, which was built in 1911 and stands only a few yards from the proposed skyscraper, says simply, "I think the developers are doing a good job." And Bob Blue, chair of the Hollywood Studio District Neighborhood Council, throws out a standard line: "We're waiting for the environmental-impact report."

All of them carry a few misgivings about the project, but for the most part, they talk a highly respectful line. In a community like Hollywood, where outspoken activists reign, the good vibes are a minor miracle, reflecting Molasky Pacific's very careful work.

City Council President Eric Garcetti must be happy. It's his vision of a Manhattan-ized Los Angeles, filled with dense housing and high-rises that probably lured the Las Vegas–based developer to Sunset Boulevard in the first place. Often earning glowing press as a new-style politician, Garcetti wheels around town in an electric-powered 2001 Toyota Rav4 and fancies himself a leader of the sustainable movement, maintaining the squeaky-clean image of someone being above politics-as-usual. But in fact, he plays the land-development game just as slyly as past council members famed for the control they enjoyed over their roughly 250,000-person duchies, unveiling plans when the deal is all but cemented, or when prodded by the media to explain.

Columbia Square is a prime example, and his near-silence in public has helped the project steam along below the radar of Angelenos, without serious debate over what shape Hollywood, and its skyline, should take.

Sometime in the early spring of 2006, Ralph Horowitz, then co-owner of Columbia Square, met with representatives of Molasky Pacific. Horowitz and developer Larry Worchell had formed Sungow — the property stands on Sunset and Gower — to buy the land in 2003 for a reported $15 million from Viacom, CBS's parent company. Now, Molasky Pacific was offering Horowitz and his partner $66 million — a staggering profit of $51 million for essentially doing *nada* with the old CBS complex and tattered city block for three years.

Horowitz says a swinging night out at a restaurant near Columbia Square had inspired him to buy the land, not any top-class insider information that property values on Sunset Boulevard might zoom into the stratosphere. "I met a waitress who gave me a good tip," he recalls cheekily. "I then got laid, I woke up in the morning, and I felt lucky."

For Molasky Pacific and Mark Cassidy, the reason to purchase Columbia Square from Horowitz was, "It's a whole block." Relaxing at last month's cocktail party, dressed in a dark suit and holding a glass of red wine, he gushed, "You can do so much with it." Especially in a town like L.A. Especially in a district whose ultimate land-use decisions are largely controlled by a pro-growther like Garcetti, a onetime suburbanite child of affluence now eager to turn large swaths of "his" district into a dense urban tableau.

Molasky Pacific, with the help of its partner, Apollo Real Estate, planned to restore the historic CBS studios as a salve to the public, and then stuff as many money-making features as possible into the proposed two towers on 4.69 acres: 100 condos and 380,000 square feet of offices in the 14-story building, and 300 condos, plus a hotel in the 40-story skyscraper, a pool, two helipads, a vast garage and probably more.

Molasky Pacific doesn't fool around. Since 1985, a press release boasts, the Las Vegas company has "developed and acquired more than 20,000 multifamily units, 2.8 million square feet of retail space and 2,000 acres of raw land."

Steven D. Molasky, whose corporate Web site shows a seemingly confident man in his mid-50s, with a bright, wide smile and thick, dark hair, owns the firm. He's a Vegas rich kid, whose father is Irwin Molasky, a legendary developer the *Las Vegas Review-Journal* profiled as one of the "first 100 persons who shaped southern Nevada." The elder Molasky studied at UCLA and moved to Las Vegas in 1951. He constructed Las Vegas' first enclosed mall and high-rise office building, the well-known Bank of America Plaza. Irwin Molasky has such deep roots in Las Vegas, Clark County named a park after him.

In October 2007, though, Steven Molasky made the news when the Nevada State Contractors Board suspended his company's license for owing seven subcontractors $1.2 million for work on a condo complex, which took a hit when the housing market slid. In February 2008, Irwin Molasky jumped into the mess and financially rescued his son, even as Steven's pricey PR handlers were preparing their Hollywood cocktail event.

The Hollywood project's genesis is a lesson in how massive developments — from Playa Vista on the Westside to the Grand Avenue Project downtown — take on an air of inevitability long before the broader citizenry is invited into the picture.

According to Molasky Pacific spokesman Brian Lewis, the firm took its audacious plans for Columbia Square to Garcetti's people at a single meeting in May 2006. But public records show the developer met with Garcetti's aides *four* times that spring. The encounters included a flurry of three meetings in a nine-day period in May, complete with a "site visit" at which Garcetti's staff was present, on May 5. And there would be more meetings to come.

At the time, Molasky Pacific was working through its "due diligence" period, in which a developer researches a property before it makes a financial commitment. For decades in Los Angeles, knowing where the City Council member–cum–land-use czar stands on a project in his or her council district has been the first, and most crucial, stage of due diligence.

Throwing down $66 million on a whim and a guess about the council member's intent simply doesn't happen.

"The first thing you do [as a developer] is make sure your plan is in line with the council member's vision," says former City Councilman Art Snyder, an originator of the City Council's closed-door, land czar–based culture, who served in the 14th District on the Eastside from 1967 to 1985. "Otherwise, you have a heck of a time getting it through the system."

Snyder is too modest. In truth, major projects are almost impossible without the council member's tacit approval. The fact that the council member usually has few, if any, credentials to make such sweeping decisions, spending much of his or her life as a teacher, cop or college lecturer, is irrelevant to his or her influence over the land in Los Angeles. "Unless the councilman says 'no,' you go ahead," Snyder explains.

Jacque Lamishaw, a land-use consultant for more than 20 years, who advises developers on how to approach City Hall, agrees, explaining, "We're telling [developers] that the do-all and end-all is your city councilman."

Going into that first meeting in the late spring of 2006 with Garcetti's people — he and his fellow council members often employ 20 or more loyalists, apiece, on the public rolls — Molasky Pacific must have felt confident. Although Garcetti's spokeswoman, Julie Wong, this week strongly downplayed his leadership of it, the councilman is a big backer of "smart growth" — a major shift toward more density that has at its center "transit-oriented development." Its feature is compact, multi-story, mixed-use housing projects to be erected within 1,500 feet of bus and subway lines citywide. The policies, embraced both by Garcetti and Mayor Antonio Villaraigosa, dramatically water down hard-won, protective zoning in almost every area of Los Angeles. (See map in online story at www.laweekly.com.)

Garcetti had also been talking up high-density projects on his own turf, like the W hotel at Hollywood and Vine, where a 296-room hotel, 350 apartments and 145 condominiums were planned. On May 5, 2005, Garcetti described the project on his blog as "truly impressive," noting that 74 rentals were considered affordable housing. The other 421 were not.

"Eric is pro-development," says Lamishaw. "If a project has affordable housing, he loves it even more."

That same year, the Clarett Group, a firm known for high-rise development in Manhattan, was seeking to build a different project nearby: more than 1,000 rental units and 175,000 square feet of retail/restaurant space near the Pantages Theater on Hollywood Boulevard. Frank Stephan,

*Loose-tongued: Though often ill, persistent activist Chris Shabel is seen as dangerous at City Hall.*

PHOTOS BY GREGORY BOJORQUEZ

*Council President Garcetti: "I haven't, in public or private, supported the project."*

**"If you have a cocktail party before the project is completed, it spells trouble."**

**— CHRIS SHABEL**

manager of the Clarett Group's West Coast operations, told *The Planning Report*, "We booked a flight, flew out here, and sat down with Eric Garcetti and his staff."

The congestion now shutting down Highland Avenue and Hollywood Boulevard, an outgrowth of the massive Hollywood & Highland project and other constant construction that has turned the district into a gridlocked destination point for urban hipsters, was not the focus of the 2005 meeting with Garcetti.

They did talk housing, 10 percent of which Clarett promised to set aside as affordable rentals. The other 900 or so apartments were expected to bring in "market-rate" rents — developer lingo for "not cheap" — in an area, according to the U.S. Census Bureau, where about 60 percent of the residents are foreign-born, 16 percent have no education beyond the sixth grade, 83 percent are renters, and the median household income is just $24,074.

"Council President Garcetti has been extremely helpful," raved Clarett in his interview. "He was supportive [of getting] City Council approval."

Molasky Pacific was undoubtedly expecting the same kind of treatment. Firm president Cassidy wouldn't comment on the specifics of its several meetings with Garcetti's staffers. But on July 20, 2006, a few weeks after the crush of meetings in April and May, Kenneth Wynn, executive vice president of design and construction for Molasky Pacific — and brother of Las Vegas casino titan and hotel developer Steve Wynn — contributed $500 to Garcetti's campaign chest.

Garcetti does not acknowledge that his team almost certainly gave the go-ahead to the Columbia Square skyscraper in the closed-door meeting two years ago. Yet Jon Perica, a veteran former zoning administrator at the city's Planning Department, points out, "If Garcetti told them up-front, 'No, it's too big a project,' the developer wouldn't have moved ahead. That's just too much money."

Three months after the series of quiet meetings with Garcetti's people, Molasky Pacific closed the $66 million deal for Columbia Square. Then, about eight weeks later, on October 16, 2006, television producer Jon Crowley posted rumors on his blog that the old CBS buildings would be torn down.

The very next day, Crowley, who writes at www.hollywoodthoughts.blogspot.com, received anxious e-mails from both council President Garcetti and Molasky Pacific officials, rebuffing his post. "Garcetti e-mailed me personally," says Crowley, who works at Sunset Gower Studios.

It was a curious situation — a tiny blog read by just 30 people per day had set off a panic attack in the office of the busy and powerful City Council president. Clearly, Garcetti was standing on high alert.

Molasky Pacific then attended a meeting with Garcetti himself on Valentine's Day, 2007, according to the developer's spokesman Lewis. That apparently went well too. Several days later, in March, the firm sent an application to the city's Planning Department for the project's approval. It is said to take longer for a single Los Angeles homeowner to navigate the same system to build a backyard shed.

In the application, a little-known fact is buried in confusing, zoning-code jargon: A hard-won height limit of 45 feeet would be wiped out to allow a "no-limit" building, 922 percent taller than permitted.

It's unclear why Garcetti won't cop to his role as the overseer of development, along with the city's Community Redevelopment Agency, which currently has four cranes in the air above luxury giants while playing to his audience as a lefty lover of open space. Perica, who in the city's Planning Department worked cases involving high-rise development, says of the stealth skyscraper, "A project that large is not even going to be submitted to the Planning Department if the City Council office isn't behind it."

Records from Molasky Pacific show that, in fact, Garcetti is closely involved. Besides his February 2007 meeting, the council president met personally with the firm in October 2007, and again in February 2008.

"I haven't anywhere on the record supported that project — privately or publicly," says Garcetti during a telephone interview with the *Weekly*. Molasky Pacific's flack, Lewis, denies in an e-mail that the skyscraper is a done deal under the City Council's land-use overlord culture: "City Council President Garcetti has not 'signed on' to the project. He has not expressed support at any of the meetings we have held with him."

When informed of Snyder's comments about how things really work in City Hall, Garcetti somewhat backtracks. "I certainly haven't said, 'Don't build anything there,'" he says.

Robert Nudelman, a knowledgeable pro on the inner workings of City Hall and director of preservation issues at Hollywood Heritage, a feisty local group that's saved numerous old buildings, notes it is standard procedure for a council member to appear, outwardly, to have no position on a project. "His silence speaks for itself," Nudelman says.

Land-use consultant Lamishaw believes Garcetti's refusal to admit he's given any kind of nod to the Columbia Square project comes of political necessity. The 14 other council members, who operate in the same fashion — rulers of their fiefdoms when it comes to the land — rarely finger each other over the practice.

"He would just cause trouble for himself and the rest of the City Council," Lamishaw says, if he let voters see how it works. Not just Garcetti, but "the other City Council members don't want people to know they do that kind of thing."

Lamishaw notes that Garcetti "needs to hold the cards close to the vest" so he can still have developers. Garcetti, in fact, says he handed over a list of "community benefits" to Molasky Pacific. They included affordable rents on 10 percent of the units, a set number of living-wage jobs during construction, Garcetti's favored mix of live/work units, "green" buildings, "open plazas and parks," and "adequate" parking. Most of these things, though, are not concessions. Affordable housing and parking are created by law — based on the size of the building — and a sculpture garden in a condo complex is not a park.

Yet the key issues likely to shock Angelenos the most — the sheer height of the skyscraper and its effect on the nearby historic community and Hollywood's classic skyline — didn't make Garcetti's modest wish list.

With Garcetti apparently standing aside, and its application moving along, Molasky Pacific lastly geared up its outreach campaign for neighbors living within 500 feet of the proposed buildings — by law, the only Angelenos who must be notified at this point. The broader public, who might think skyscrapers in Hollywood are an atrocious idea that will create a toehold for more skyscrapers or ruin the recently revived district, typically don't get invited into the loop until a deal is nearly unstoppable.

Members of the firm met with community leaders, hosted a "scoping meeting" at the Hollywood Presbyterian Church, attended a meet-and-greet in the neighborhood east of Columbia Square and invited selected guests to the cocktail party last month.

When the important meetings with the experienced suits from Las Vegas went down, Garcetti was noticeably absent, according to people who attended. A Garcetti staffer would show up — often his green, 23-year-old Hollywood field deputy Helen Leung, with a salary in the mid-$30,000s — but community activists say it seemed odd that the City Council president didn't show. The proposed project, after all, rivals in height many downtown skyscrapers, and it is unlike anything Hollywood has seen in size, expense and potential congestion. (The area's most prominent high-rises — the Sunset-Vine Tower, circa 1963, and the about 20 stories tall and are seldom referred to as skyscrapers today.)

Garcetti insists, "I take my cues from the community." But according to Hollywood Studio District Neighborhood Council chair Bob Blue, Garcetti has never personally contacted his group about the project. Still, Molasky Pacific doesn't seem to be hurting in the PR game, although the developer hasn't released a draft of its environmental-impact report, more than a year after filing its application with the City Planning Department. The environmental report will reveal all of the goodies the firm is seeking from the city — such as its plans to blow past existing height limits on Sunset Boulevard by 922 percent, any efforts to cut the required parking spaces to squeeze in more condos, or any plans to reduce the required open space between the sidewalk and the building. One City Hall insider describes the delay as "unusual."

Recent, unverified rumors floated around Hollywood that Molasky Pacific planned to sell Columbia Square, handing off its project to yet another speculator. At the cocktail party, Mark Cassidy said this wasn't true. "It's never been on the market," he said. "It's unfounded." The developer also said the "soft market" spurred by the burst housing bubble isn't affecting the project. Maybe. But maybe not. Major projects are under intense fiscal pressure, even as the Villaraigosa administration continues to approve luxury buildings, needed or not. (See "Bitter Homes and Gardens," *L.A. Weekly*, Feb. 29–March 6, 2008.)

In the meantime, the project exists only as a scale model, photographs of which are not allowed. Angelenos will learn the details of the stealthscraper only when it reaches the stage of environmental reviews and what passes, in Los Angeles, for "public hearings."

Thanks to months of groundwork, the locals will almost certainly not fight it, at least not too hard. Ed Hunt, chair of the Planning and Land Use Management Committee for the Hollywood Studio District Neighborhood Council, describes Molasky Pacific's outreach as "pretty good," and says, "so far, I don't get any false notes."

One key community meeting was the spring 2007 meet-and-greet, held at Maripat Donovan's home on Harold Way, across the street from Columbia Square. The Community Redevelopment Agency designated her neighborhood of cozy bungalows a historic district soon after the 1994 Northridge earthquake caused the area extensive damage. Donovan helped turn the block around, and her work earned special notice from Garcetti during his January 26, 2006, State of Hollywood speech, citing her as a "one-woman redevelopment agency."

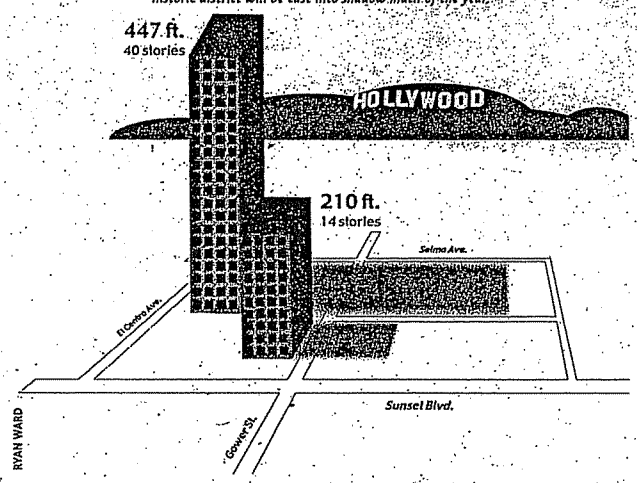
In the tree-shaded backyard of Donovan's 1915 "airplane" bungalow, Molasky Pacific representatives brought their easels and posters and gave a short presentation. At one point, Donovan says, a Molasky Pacific rep joked about hiring housekeepers to clean away the dust during a loud and dirty construction period of three to four years — barring delays common to skyscrapers. The crack didn't go over well.

"That really bothered some people," says Donovan, who's also a board member on the Hollywood Studio District Neighborhood Council. "One woman told him her health wasn't a joke." But no one came up afterward and said the project needed to be stopped. "I'd say 90 percent of my neighbors are for it."

Down the block from Donovan, just a few houses to the west, Brogan Lane sits at the front desk of her boutique hotel, Villa Delle Stelle. Also a Neighborhood Council board member,

## SHADOW WARS

*The Hollywood sign will be obscured for thousands, and a historic district will be cast into shadow much of the year.*



black bandanna wrapped around her head. Lane says, "We're superexcited about the redevelopment of Hollywood. It's time."

Lane comes across as a tough, independent woman — "We make shit happen," she says, "that's our motto around here." But the hotel owner wants to keep the feel and look of the historic neighborhood intact. "We want to preserve our little area here," says Lane, a former wife of the late actor Dudley Moore, "and we'll do whatever we have to do to preserve it."

But in fact, the pressure to tear down her bungalow enclave once a skyscraper rises will be intense. Lamishaw, the consultant to developers, who has watched L.A. land transformations for three decades, says that once the height limit is blown, more skyscrapers will come. "The bungalows across the street are going to go," she predicts. "You can save them for a while, but they're going to go."

In the mid-1980s, Ralph Bouwmeester, a civil engineer based in Barrie, Ontario, wrote his own computer software to study the ways in which tall buildings cast shadows. Since then, he has testified in court cases and consulted with developers throughout Canada and the United States.

When Bouwmeester heard that only a few people had begun asking questions about the shadows that the proposed side-by-side buildings at Columbia Square would cast over a large area, the classic views they would wipe out, and the long construction schedule that Hollywood's first true skyscraper would require, he was surprised.

"You have those westerly winds coming off the ocean and heading into the basin," says the tall-buildings expert, "so they may be in for quite a dusty period."

But a more profound change in the microclimate would come from the huge shadows. Bouwmeester says that during the spring, summer and fall, a 40-story skyscraper and 14-story office building would throw "significant shade" on the historic district to the east. According to his calculations, the dark silhouettes would have a "1-to-1 ratio," meaning the 447-foot skyscraper and 210-foot office building would cast 447-foot and 210-foot shadows.

Since the sun keeps moving, so would the largest man-made shadow created so far in Hollywood. By 3 or 4 p.m., Brogan Lane and her guests would not be enjoying the unique Southern California sunlight.

In Manhattan, affected New Yorkers would not only be informed in detail about the new darkness to befall their homes, offices and schools, but many would be calling lawyers and circulating petitions. Shadow wars, in cities accustomed to skyscraper developments, are a very, very big deal. But in mostly low-rise Hollywood, it's an entirely new concept — and one that Garcetti's office is not exactly advertising to the greater community.

The skyscraper would also obscure views of the Hollywood Hills for potentially thousands of residents to the south — including beloved views of the Hollywood sign.

"You get these tall buildings with big, very ugly signage blocking the views, the vistas of the Hollywood Hills and the Hollywood sign — all of the things that make Hollywood unique," says Greg Williams, a producer and writer who has lived in Hollywood his whole life. "The Hollywood we've known is gone, and gone forever."

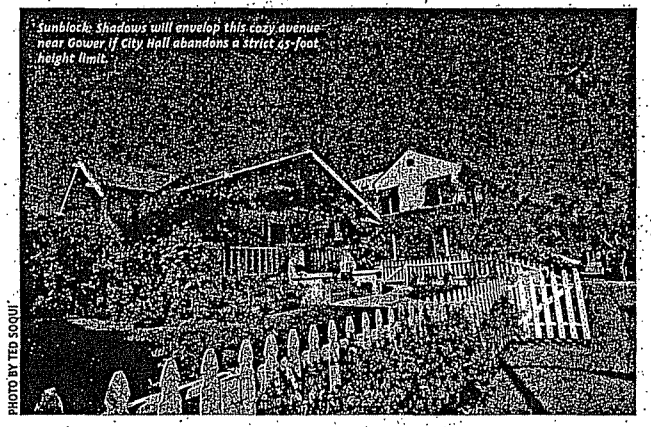
Williams wrote the award-winning book *The Story of Hollywood*, which covers its long, storied history. His uncle operated a market in Hollywood — "He delivered groceries to Jean Harlow," Williams says — and he attended Hollywood High. For him, the Columbia Square monolith is yet another development that force-fits modern buildings into a unique area, with no thought for the past or the future.

"They've done almost nothing to complement the neighborhood," explains Williams. "The Hollywood Historic District [as created by the CRA] is pretty much shot."

Williams says it's important for people to see the Hollywood sign without an obstructed view. "Looking at the Hollywood sign is like looking at the Eiffel Tower," he explains. "It gives you a sense of where you are."

Instead, Garcetti has just been doing what the past three City Council members have done before him, starting with Peggy Stevenson and continuing with Mike Woo and Jackie Goldberg. They've all allowed Hollywood to be developed in a thoughtless, too-intensive way."

The Columbia Square tower affects far more than Hollywood. Residents far to the south, near Larchmont, live in just one area that will see the skyscraper instead of the Hollywood sign. Yet members of that area's very active Greater Wilshire Neighborhood Council, including its 16-member board of business owners and residents, haven't heard of it. "I'm not aware of the project," says Elizabeth Fuller. Fellow member Russell Sherman also says he knows "nothing" about it.



*Sunblock: Shadows will envelop this cozy avenue near Gower if City Hall abandons a strict 45-foot height limit.*

PHOTO BY TED SOQUI

## "I got laid, woke up and felt lucky."

### — SPECULATOR RALPH HOROWITZ, WHO MADE A COOL $51 MIL OFF THE DEAL

Nor has any information yet seeped out about the expected mass congestion from the project.

During an August 6, 2007, "Hollywood Mobility Strategy Plan" meeting held near the Hollywood police station on Fountain Avenue, the Community Redevelopment Agency and some hired consultants acknowledged that Sunset Boulevard attracts even more cars than Hollywood Boulevard during rush hour. Robert Nudelman of Hollywood Heritage, who attended the Fountain Avenue meeting, says, "If you put up something as big as Columbia Square, it's going to be catastrophic. And no one is going to use the subway. People who own condos don't take public transit. They drive cars — and they probably own two of them."

In fact, an obscure "traffic-impact study," prepared by Fehr & Peers/Kaku Associates and reviewed by city transportation officials in March, says that eight of the 27 Hollywood-area intersections affected by the two towers' thousands of commuters would be "significantly impacted" — a rating that signals mass congestion. Those intersections are: Argyle and Franklin avenues at the 101 freeway, El Centro Avenue and Hollywood Boulevard, Gower Street and Franklin, Gower and Hollywood, Gower and Selma Avenue, Gower and Sunset Boulevard, Bronson Avenue and Hollywood, and Bronson and Sunset.

Three road segments also look grim, according to the study, including Selma east of Gower, Labaig Avenue between Selma and Sunset, and El Centro south of Leland Way. Yet neither Marlpat Donovan nor Bob Blue, chair of the Hollywood Studio District Neighborhood Council, has seen the report.

Garcetti holds a weird faith that rich urban dwellers will eventually ditch their cars to escape the gridlock, hopping on the subway or bus. He first insisted, during an interview with the *Weekly* at his City Council office downtown last July, that, "I'm not trying to get people permanently out of their cars." But a few minutes later, he switched gears and rhapsodized about people in Hollywood "never having to get into their cars." He said he admired the pedestrian-friendly "streetscapes" of London and New York City, and wanted Hollywood to build something similar.

A few weeks ago, Garcetti suggested that taller buildings, rather than wide ones, can "help you have more pedestrian space" — another subtle push for a new kind of Los Angeles, more like the Manhattan so admired by Garcetti, who grew up in Encino, a boisterous anti-high-rise community.

Garcetti's theory that L.A. should go higher to promote pedestrian culture has some experts wondering what books he's reading. "The issue of building tall rather than wide has nothing to do with a better pedestrian environment," says Massachusetts Institute of Technology professor William Mitchell, a former dean of architecture and design at UCLA and Harvard and an expert in his field. "It's a very simplistic strategy."

Mitchell points to London and Paris — "two of the great pedestrian cities in the world," he says — as places that clearly frown upon skyscrapers and instead focus on dense, low-slung offices and apartments with attractive streetscapes. "You don't have to do it by building skyscrapers. That's a scam."

Mitchell also says, "If you think of urban space in East Coast terms — that's not L.A. L.A. should build on its own qualities." He cites one-story and two-story hangouts like the Third Street Promenade in Santa Monica, Melrose Avenue near the Fairfax District, the Venice Boardwalk and, of course, the beaches as examples of "some of the world's great public spaces."

As for Garcetti's fondness for bringing some of Manhattan to Los Angeles, the MIT professor practically scolds the green-living Rhodes Scholar. "Some people can't shake this East Coast envy," Mitchell says, "which is immature, and [they] need to get over it."

Just a few days ago, on April 22, the rumors of the land's sale denied by Cassidy proved true. Molasky Pacific agreed to sell the red-hot land to co-developer Apollo Real Estate Advisors.

"Molasky Pacific asked us to buy them out," says Dean Pentikis, a partner at Apollo, which is headquartered in Manhattan, with offices in L.A. and London. It boasts an "aggregate value" of more than $30 billion, with real estate nationwide and in Japan and Europe. Molasky Pacific president Cassidy says "internal talks" started in early March, around the same time as the cocktail party, where whispers of a sale were denied. While Cassidy and his consultants worked the shindig with hardy handshakes, the land sale was already in the works. Cassidy says, "It came down to if [the deal] was worth a dollar today as opposed to three or four dollars tomorrow. We went with today," and made a "little bit" of a profit on the sale.

Garcetti's spokeswoman, Wong, says they got word of the deal while Garcetti was presiding over a City Council meeting. He later released this statement: "No matter who is the owner or developer of this project, I have the same concern: How is this going to impact the community, the environment and traffic?"

On a recent Monday afternoon, Chris Shabel, dressed in baby blue from neck to toe, prepares for another meeting of the Hollywood Studio District Neighborhood Council. With the help of her stroller, she moves with care around her 1918 Craftsman home. She sits down on a chair in the living room and thinks about the lack of opposition to Columbia Square, especially by her own Neighborhood Council.

"I'm amazed," she says quietly. "I feel 40 floors is humongous, and we're not New York City. They do everything cockeyed. Here in L.A., it's 'let the developers develop — then we'll do the infrastructure.' "

Shabel takes a second, and continues, "If you give [the developer] a [special waiver to ignore height limits], it sets a precedent for everyone to follow. And there's no restraining the City Council."

Shabel has never talked with Jon Perica, but if she did, she would hear his claim that in the past 10 years, not a single tall building proposed for downtown has been denied by L.A.'s 15 elected land-use czars, the Los Angeles City Council.

Only poor market conditions kept some of the structures from being built.

And if, for some reason, that happens with the stealthscraper at Columbia Square, owner Apollo, with its vast global connections, will probably have little trouble finding a buyer. In the eyes of many an East Coast developer with an appetite to expand west and build high, L.A. is seen as the new frontier. Just like generations ago, City Hall, this time with Eric Garcetti presiding, is more than willing to do business.

*Contact the writer at pmcdonald@laweekly.com.*

# Exhibit 7

Department of
CITY PLANNING
200 N. Spring Street, Room 525
Los Angeles, CA 90012-4801

CITY PLANNING COMMISSION
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www.lacity.org/PLN

**March 30, 2007**

**NOTICE OF PREPARATION**
**AND**
**NOTICE OF PUBLIC SCOPING MEETING**

***(NOTE: Scoping Meeting is to be held at Hollywood United Methodist Church)***

**EIR NO.:** ENV-2006-9653-EIR
**PROJECT NAME:** The Lexington Project
**PROJECT ADDRESS:** 6677 W. Santa Monica Blvd., Los Angeles, CA 90038
**COMMUNITY PLAN AREA:** Hollywood
**COUNCIL DISTRICT:** 4
**COMMENT DUE DATE: April 30, 2007**

The City of Los Angeles, Department of City Planning will be the Lead Agency and will require the preparation of an environmental impact report ("EIR") for the project identified herein. The Department of City Planning requests your comments as to the scope and content of the EIR. The Project Description and potential environmental effects are included below. Also included below are the date, time and location of the Scoping Meeting that will be held in order to solicit input regarding the content of the Draft EIR. A copy of the Initial Study prepared for the project is not attached, but is available for review at the Department of City Planning, 200 North Spring Street, Room 750, Los Angeles, CA 90012.

**PROJECT DESCRIPTION:** The proposed project is a mixed use residential and retail development within the Hollywood community of the City of Los Angeles. The approximately 5.9 acre Project site is generally bounded by Lexington Avenue to the north, Santa Monica Boulevard to the south, Seward Street further to the east, and Las Palmas Avenue to the west. The proposed Project would include the development of approximately 787 residential units with approximately 22,200 square feet of community-serving retail/restaurant uses. The residential uses would be located within six buildings ranging from five to eight stories in height and would include open space and recreational amenities. The community-serving retail/restaurant uses would be located on the ground level along the Santa Monica Boulevard frontage. Additionally, a three level parking facility, providing 1,660 spaces within two subterranean levels and one

Division of Land / Environmental Review

City Hall • 200 N. Spring Street, Room 750 • Los Angeles, CA 90012

# *DRAFT ENVIRONMENTAL IMPACT REPORT*

*VOLUME I*

*HOLLYWOOD COMMUNITY PLAN AREA*

# *The Lexington Project*

*ENV-2006-9653-EIR*
*State Clearinghouse No. 2007031159*

*Council District 4*

**THIS DOCUMENT COMPRISES THE FIRST PART OF THE ENVIRONMENTAL IMPACT REPORT (EIR) FOR THE PROJECT DESCRIBED. THE FINAL EIR, WHICH WILL ALSO CIRCULATE FOR PUBLIC REVIEW AND COMMENT, COMPRISES THE SECOND AND FINAL PART.**

**Project Address:** 6677 West Santa Monica Boulevard, Los Angeles, California 90038

**Project Description:** The proposed Lexington Project would include the development of approximately 786 residential units with approximately 22,200 square feet of community-serving retail and restaurant uses. The residential uses would be located within six buildings ranging from five to eight stories in height and would include open space and recreational amenities. The community-serving retail and restaurant uses would be located on the ground level along the Santa Monica Boulevard frontage. Additionally, a three level parking facility, providing approximately 1,612 spaces within two subterranean levels and one ground level, would be located below the residential uses. To accommodate the proposed project, existing structures on the site would be removed.

The project would require various approvals and may include, but may not be limited to, the following: certification of an Environmental Impact Report; a vesting tentative tract map; general plan amendment to change the designation of the site from Limited Industrial to General Commercial; zoning change to change the zoning of the site from [Q] M1-1VL-SN to C2-2D-SN; relief from the Advisory Agency's parking policy; Conditional Use Permit for alcoholic beverages, demolition, grading, excavation, foundation, and associated building permits; haul route approval; Project Permit Compliance or other necessary signage approvals pursuant to the requirements of the Hollywood Signage Supplemental Use District; and any additional actions as may be deemed necessary.

**APPLICANT:**
**DS Ventures, LLC**

**PREPARED BY:**
**Environmental Review Section**
**Los Angeles City Planning Department**

**June 2008**

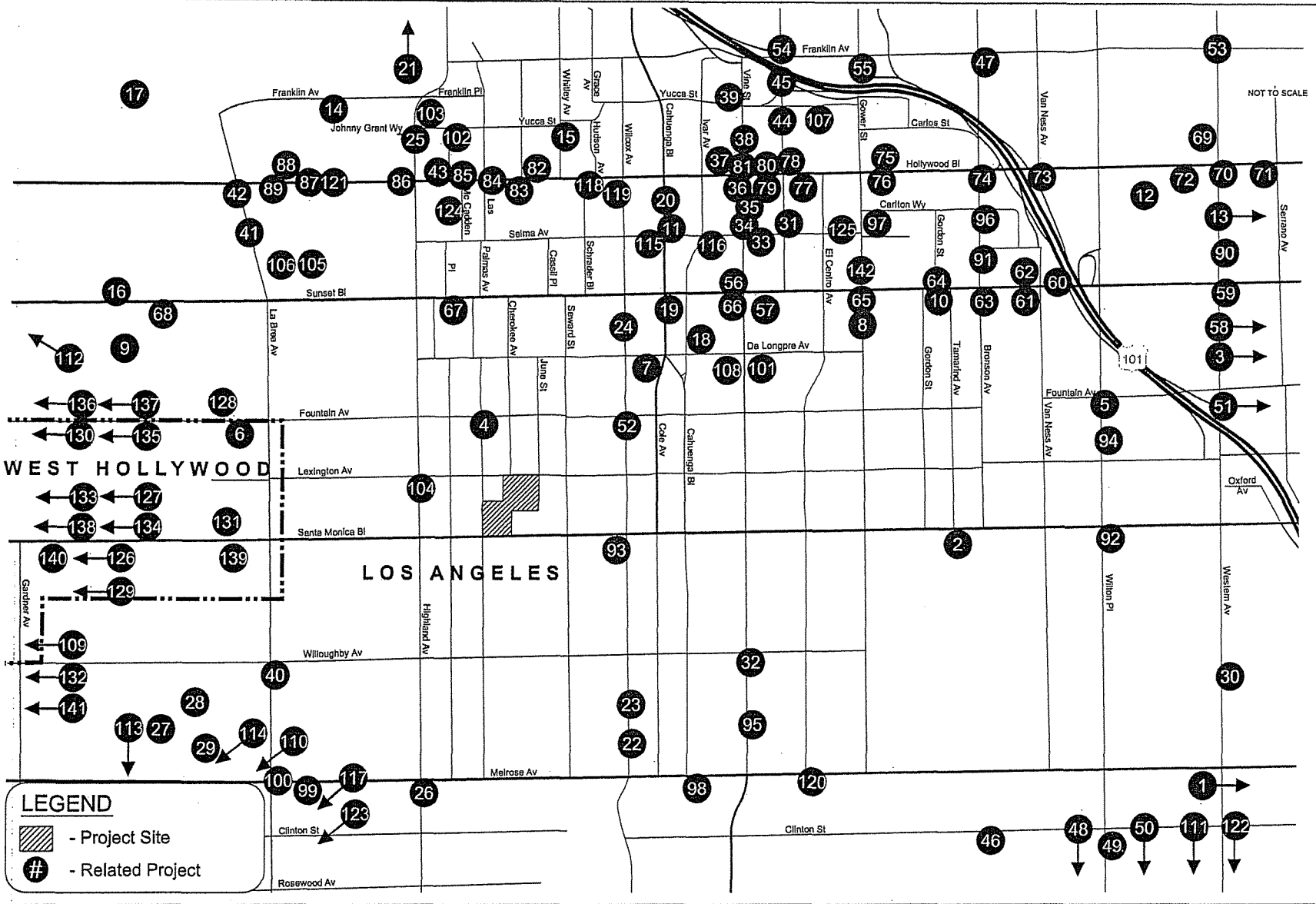



Figure III-1
Location of Related Projects

Source: Fehr & Peers / Kaku Associates, 2008

- A summary of projections contained in an adopted general plan or related planning document designed to evaluate regional or area-wide conditions.

Build-out of the project is forecasted to occur in 2013. Accordingly, this EIR considers the effects of other proposed development projects that may be constructed through 2013. This analysis has utilized a listing of all anticipated related projects based on information obtained from LADOT as well as from other recent traffic studies conducted in the area. The study area generally incorporates the area in which the project might substantially affect traffic conditions. The development of 142 related projects is anticipated in the project study area and includes those within the City of Los Angeles and City of West Hollywood. Table III-1 on page III-17 summarizes the location and land use of each related project. Figure III-1 on page III-27 depicts the location of each related project. The map numbers identified in Figure III-1 correspond to the related project numbers identified in Table III-1. The projected cumulative development is addressed in the analysis of all environmental issues.

**Table III-1**

**Related Projects List**

| ID | Project Name | Location | City | Land Use |
|---|---|---|---|---|
| 1 | TT-65605-LADOT | 601 N. Serrano Avenue | Los Angeles | 18 DU - Condos |
| 2 | Santa Monica New Primary School | 1115 Tamarind Avenue | Los Angeles | Construct school for 380 students |
| 3 | Ramona Elementary School Addition | 1133 Mariposa Street | Los Angeles | Construct 8 new classrooms by mid-2006 |
| 4 | Day Care/ Pre-School | 1260 Las Palmas Avenue | Los Angeles | Renovate dwelling for day care/preschool w/ 75 students |
| 5 | Central LA Area New High School No. 1 | 1309 Wilton Place | Los Angeles | Construct school for 1,875 students |
| 6 | TT-62198-LADOT | 1319 N. Detroit Street | Los Angeles | 25 DU - Condos |
| 7 | Condominiums | 1417-1433 Cole Place | Los Angeles | 50 dwelling units |
| 8 | Office | 1438 Gower Street | Los Angeles | 115,000 sf of office space |
| 9 | VTT-63482-LADOT | 1441 N. Poinsettia Place | Los Angeles | 28 DU - Condos |
| 10 | ENV-2004-6189-MND-LADOT | 1523 N. Gordon Street | Los Angeles | 12 DU - Condos |
| 11 | CRA Adaptive Reuse Project | 1617 Cosmo Street | Los Angeles | 47 dwelling units |
| 12 | TT-65610-LADOT | 1717 Gramercy Place | Los Angeles | 50 DU - Condos |
| 13 | DIR-2004-151-SPP-LADOT | 1752 Kingsley Drive | Los Angeles | 13 DU - Apartments |
| 14 | ASC Screening Room | 1782 Orange Drive | Los Angeles | Demolish existing private club & construct 25,573 sf facility (270 seat screening & dining room, office, 48 sub park spaces) |
| 15 | Hollywood Evolution | 1800 Whitley Avenue | Los Angeles | Construct 32 condo du |
| 16 | ENV-2005-9273-EAF-LADOT | 1410 N. Fuller Avenue | Los Angeles | 35 DU - Condos |

**Table III-1**

**Related Projects List**

| ID | Project Name | Location | City | Land Use |
|---|---|---|---|---|
| 17 | Runyon Canyon Park-Parking Lot | 2000 Fuller Avenue | Los Angeles | Construct an 80 space parking lot |
| 18 | Restaurant | 1430 Cahuenga Boulevard | Los Angeles | 12,000 sf restaurant |
| 19 | Mixed-Use | 1538-1542 Cahuenga Boulevard | Los Angeles | 32 condo du & 7,000 sf retail |
| 20 | ZA-2006-443-CUB-LADOT | 1624 N. Cahuenga Boulevai | Los Angeles | 61 Seat-Restaurant |
| 21 | Townhomes | 2775 Cahuenga Avenue | Los Angeles | Construct 75 townhomes & 6 single-family homes |
| 22 | ENV-2005-5950-MND-LADOT | 803 N. Wilcox Avenue | Los Angeles | 14 DU - Condos |
| 23 | ENV-2004-905-MND-LADOT | 853 N. Wilcox Avenue | Los Angeles | 16 DU - Condos |
| 24 | Citizens News Building | 1545 Wilcox Avenue | Los Angeles | Construct 40 condo du |
| 25 | The Jefferson at Hollywood | Highland Avenue | Los Angeles | Construct 270 apartment du & 8,500 sf retail |
| 26 | ENV-2005-549-MND-LADOT | 717 N. Highland Avenue | Los Angeles | 27 DU - Live/Work-Apartments |
| 27 | ENV-2005-410-MND-LADOT | 820 N. Alta Vista Boulevar | Los Angeles | 17 DU - Condos |
| 28 | ENV-2005-7002-MND-LADOT | 848 N. Alta Vista Boulevar | Los Angeles | 12 DU - Condos |
| 29 | TT-61886 - LADOT | 825 N. Formosa Avenue | Los Angeles | 12 DU - Condos |
| 30 | Apartments & Retail | 922 Western Avenue | Los Angeles | Construct 63 apartment du & 13,500 sf retail |
| 31 | Encore Halls-CRA | Vine Street | Los Angeles | 102 DU - Senior Housing |
| 32 | Van Ness elementary School | 955 N. Vine Street | Los Angeles | 230 Student Elementary School |

**Table III-1**

**Related Projects List**

| ID | Project Name | Location | City | Land Use |
|---|---|---|---|---|
| 33 | Sunset & Vine Mixed-Use | 1538 Vine Street | Los Angeles | Construct 306 apartment du & 68,000 sf retail |
| 34 | Cocktail lounge | 1600 Vine Street | Los Angeles | Construct 11,884 sf cocktail lounge |
| 35 | Vine Street Office | 1601 Vine Street | Los Angeles | Construct 120,000 sf office building |
| 36 | Condominiums | 1645 Vine Street | Los Angeles | 96 dwelling units |
| 37 | ZA-2005-8073-CUB-LADOT | 1707 Vine Street | Los Angeles | 1,297 SF Restaurant Expansion |
| 38 | Mixed-Use | 1717 Vine Street | Los Angeles | Construct 57 du & 5489 sf restaurant |
| 39 | Capital Records Tower | 1750 Vine Street | Los Angeles | Remodel existing building and construct additional office space to a total of 513,000 sf office (400,000 sf net new). |
| 40 | Mixed-Use | 915 La Brea Avenue | Los Angeles | Construct 203 apartment du and 45,300 sf retail |
| 41 | Mixed-Use | 1611 La Brea Avenue | Los Angeles | Construct 180 condo du & 13,700 sf retail |
| 42 | Madrone | 1625 La Brea Avenue | Los Angeles | Construct 180 condo du & 16,000 sf retail |
| 43 | Condos | 1714 McCadden Place | Los Angeles | Construct 218 condo du |
| 44 | Restaurant & Theatre | 1750 Argyle Avenue | Los Angeles | 5,273 sf restaurant & 5,273 sf theatre |
| 45 | Argyle Lofts | 1800 Argyle Avenue | Los Angeles | Replace 38,000 sf office with 73 apartment du and 23,000 sf office. |
| 46 | ENV-2005-3114-MND-LADOT | 611 N. Bronson Avenue | Los Angeles | 10 DU - Condos |
| 47 | Scientology Apartment | 1830 Bronson Avenue | Los Angeles | Renovate existing 81 unit apartment to 126 du |
| 48 | ENV-2006-1922-MND-LADOT | 5023 Rosewood Avenue | Los Angeles | 43 DU - Condos |

**Table III-1**

**Related Projects List**

| ID | Project Name | Location | City | Land Use |
|---|---|---|---|---|
| 49 | TT-62257-LADOT | 5047 Maplewood Avenue | Los Angeles | 20 DU - Condos |
| 50 | TT-61645-LADOT | 5132 Maplewood Avenue | Los Angeles | 24 DU - Condos |
| 51 | LAUSD-Cen Reg Mid School | Fountain Avenue | Los Angeles | Construct a 891 student middle school (SWC) of intersection |
| 52 | Fountain at Wilcox | Fountain Avenue | Los Angeles | Construct 37 row houses around a historic building |
| 53 | ZA-2004-3815-ZV-LADOT | 5165 Franklin Avenue | Los Angeles | 296 DU - Dormitory Units |
| 54 | Apartments | 6142 Franklin Avenue | Los Angeles | Construct 130 apartment du |
| 55 | Apartment | SWC Franklin Avenue | Los Angeles | Replace existing 20 dwelling unit apartment building with 126 dwelling unit apartment building |
| 56 | Hollywood Marketplace Phase II | NWC Sunset Boulevard | Los Angeles | 30,000 sf of entertainment, retail, & mixed-use |
| 57 | Sunset Vine Tower | SEC Sunset Boulevard | Los Angeles | Rehabilitate into 63 du & 11,000 sf retail |
| 58 | Hospital expansion | 4747 Sunset Boulevard | Los Angeles | Construct hospital 460 beds |
| 59 | Gas Station | 5420 Sunset Boulevard | Los Angeles | Construct 10 veh fuel pump gas station |
| 60 | KTLA office/studio expansion | 5800 Sunset Boulevard | Los Angeles | Expand office (unknown sf) |
| 61 | Metropolitan Hotel Site | 5825 Sunset Boulevard | Los Angeles | Convert commercial building into 40,000 sf creative office space |
| 62 | Condominiums | 5831-5841 Sunset Boulevar | Los Angeles | Replace existing 7,500 sf industrial building with 74 condo du & 5 live/work units |
| 63 | GTO Sunset | 5925 Sunset Boulevard | Los Angeles | Replace Old Spaghetti Factory with 38,000 sf office, 125 condo du, and 10,000 sf retail |

**Table III-1**

**Related Projects List**

| ID | Project Name | Location | City | Land Use |
|---|---|---|---|---|
| 64 | Mixed-Use | 5935 Sunset Boulevard | Los Angeles | Replace existing 13,500 sf restaurant with 144 condo du. 10,455 office &10,455 sf retail/ restaurant space |
| 65 | Office Building | 6040 Sunset Boulevard | Los Angeles | Construct 120,000 sf office space |
| 66 | ZA-2004-7526-CUB-LADOT | 6268 Sunset Boulevard | Los Angeles | 49 Seat Restaurant |
| 67 | Rite-Aid/ w drive-thru | 6726 Sunset Boulevard | Los Angeles | Construct 16,000 sf drug store |
| 68 | Shopping center | 7250 Sunset Boulevard | Los Angeles | 15,750 sf shopping center & 8,179 sf retail |
| 69 | Western Avenue Gateway | Hollywood Boulevard | Los Angeles | Construct 77 condo du, 76 affordable rental du, & rehabilitate 140 hotel rooms |
| 70 | Hollywood & Western Mixed-Use | Hollywood Boulevard between Western Avenue & Garfield Avenue (5500) | Los Angeles | Construct 83 condo du, 220 apartment du, & 30,000 sf retail |
| 71 | Mixed-Use | 5400 Hollywood Boulevard | Los Angeles | Construct 42 apartment du & 6,778 sf retail |
| 72 | Hollywood/Garfield Mixed Use | 5555 Hollywood Boulevard | Los Angeles | Construct 108 du and 9,937 sf retail |
| 73 | Fast food restaurant w/drive through & specialty retail | 5777 Hollywood Boulevard | Los Angeles | 3,236 sf fast food restaurant with drive through and 5,275 sf specialty retail store |
| 74 | Auto Sales expansion | 6000 Hollywood Boulevard | Los Angeles | 31,000 sf auto sales expansion |
| 75 | Dance Hall | 6021 Hollywood Boulevard | Los Angeles | Convert existing warehouse into dance hall with live entertainment from existing 17,208 sf facility |
| 76 | Hotel & specialty retail | 6107 Hollywood Boulevard | Los Angeles | Construct 86 rooms hotel & 5,000 sf specialty retail |

**Table III-1**

**Related Projects List**

| ID | Project Name | Location | City | Land Use |
|---|---|---|---|---|
| 77 | BLVD 6200 (south)-mixed-use | 6200 Hollywood Boulevard | Los Angeles | Construct mixed-use development total 190,777 sf retail & 952 apts (on north & south sides of street) |
| 78 | Hollywood & Vine Mixed-Use | 6250 Hollywood Boulevard | Los Angeles | Construct 375 apartment du, 150 condo du, 300 hotel rooms, 49,500 sf restaurant, & 12,000 sf specialty retail |
| 79 | CRA Adaptive Reuse Project | 6253 Hollywood Boulevard | Los Angeles | 60 dwelling units |
| 80 | Hollywood and Vine Diner/Ultra Lounge | 6263 Hollywood Boulevard | Los Angeles | Construct 12,751 sf restaurant and dance club |
| 81 | CRA Adaptive Reuse Project | 6290 Hollywood Boulevard | Los Angeles | 40 DU - Condos |
| 82 | Quality restaurant & Jazz Club | 6531 Hollywood Boulevard | Los Angeles | Renovate existing vacant residential building to 159-seat, 5390 sf basement club & 74-seat, 931 sf restaurant |
| 83 | Retail (CIM/EISEN project) | 6611 Hollywood Boulevard | Los Angeles | 60,200 sf specialty retail |
| 84 | Drinking Place | 6700 Hollywood Boulevard | Los Angeles | 7,500 sf drinking place |
| 85 | Restaurant | 6757 W Hollywood Boulev | Los Angeles | Construct 13,132 sf restaurant |
| 86 | Retail | 6931 Hollywood Boulevard | Los Angeles | 72,248 sf retail |
| 87 | Fitness and Pharmacy | 7021 Hollywood Boulevard | Los Angeles | Replace existing retail with 53,000 sf fitness center & 11,000 sf pharmacy |
| 88 | CRA Adaptive reuse project | 7046 Hollywood Boulevard | Los Angeles | 42 dwelling units |
| 89 | Broadstone Hollywood | 7060 Hollywood Boulevard | Los Angeles | Construct 130 condo du & 99 seat theatre |
| 90 | ENV-2005-3501-EAF-LADOT | 5420 Harold Way | Los Angeles | 18 DU - Condos |
| 91 | ENV-2006-921-MND-LADOT | 5842 Harold Way | Los Angeles | 12 DU - Condos |

**Table III-1**

**Related Projects List**

| ID | Project Name | Location | City | Land Use |
|---|---|---|---|---|
| 92 | Mixed-Use | 5651 Santa Monica Boulev | Los Angeles | Construct 437 apartment du & 377,900 sf retail |
| 93 | ZA-2005-7708-CU-ZV-LADOT | 6502 Santa Monica Boulev | Los Angeles | 2,370 SF Restaurant Expansion |
| 94 | TT-63416-LADOT | 5662 La Mirada Avenue | Los Angeles | 28 DU - Condos |
| 95 | ENV-2004-5383 Eaf-LADOT | 5806 Waring Avenue | Los Angeles | 15 DU - Condos |
| 96 | ENV-2006-922-MND-LADOT | 5827 Carlton Way | Los Angeles | 12 DU - Condos |
| 97 | TT-62149-LADOT | 6036 Carlton Way | Los Angeles | 32 DU - Condos |
| 98 | Apartments & Retail | 5920 Melrose Avenue | Los Angeles | Construct 54 apartment du & 16,000 sf retail |
| 99 | Mixed-Use | 6915 Melrose Avenue | Los Angeles | Construct 13 condo du & 7,500 sf retail |
| 100 | ZA-2006-121-CUB-Z-LADOT | 7000 Melrose Avenue | Los Angeles | 11,345 SF Restaurant |
| 101 | AMPAS Museum | 1313 Vine Street | Los Angeles | Construct roughly 7 acres of museum and open space |
| 102 | Condos | 6735 Yucca Street | Los Angeles | Construct 54 condo du |
| 103 | Apts & Retail (1/2 block Yucca & Highland & McCadden) | 6758 Yucca Street | Los Angeles | Construct 270 apts & 8500 sf retail |
| 104 | VTT-66008-LADOT | 6824 Lexington Avenue | Los Angeles | 93 DU - Condos |
| 105 | ENV-2004-4159-MND-LADOT | 7060 Hawthorn Avenue | Los Angeles | 18 DU - Apartments |
| 106 | Apartments | 7072-7078 Hawthorn Aven | Los Angeles | 50 dwelling units |
| 107 | Radio Lofts | 6230 Yucca Street | Los Angeles | Replace existing 18,600 sf office with 85 condominium du, 10 live/work units and 13,400 sf office |

**Table III-1**

**Related Projects List**

| ID | Project Name | Location | City | Land Use |
|---|---|---|---|---|
| 108 | Restaurant & Nightclub | 6322 De Longpre Avenue | Los Angeles | Construct a restaurant/nightclub (24,441 sf) with on-site alcoholic beverages, dancing, entertainment with 49 parking spaces |
| 109 | Apartments & Retail | 801 Fairfax Avenue | Los Angeles | Construct 93 apartment du & 15,826 sf retail |
| 110 | Apartments | 6298 3rd Street | Los Angeles | Construct 300 apartment du |
| 111 | Private Elementary School | 238 S. Manhattan Place | Los Angeles | Expanse existing 14,680 sf private school with 350 students (100 add'l students): 11,260 sf classroom building, 11,350 sf gym & 192 parking spaces |
| 112 | Sunset Legacy Lofts | 7950 W. Sunset Boulevard | Los Angeles | Construct 183 residential du & 12,891 sf retail |
| 113 | Desmond's Tower Res. Dev. | 5500 W. Wilshire Boulevar | Los Angeles | Construct 175 apartment du |
| 114 | LA Holocaust Museum | 7600 W. Beverly Boulevard | Los Angeles | Construct 8,400 sf museum |
| 115 | Restaurant/Club | 6417 W. Selma Avenue | Los Angeles | Convert ground floor of existing 12,840 sf vacant warehouse to a restaurant/night club |
| 116 | Encore Halls Sr Housing Project | 1602 N. Ivar Avenue | Los Angeles | Construct 106 Sr. housing units, 6,500 sf community space, 10,000 sf community serving retail space & 5,000 sf space for the Doolittle Theater |
| 117 | La Brea Urban Lofts | 101 S. La Brea Avenue | Los Angeles | Construct 118 condominium du, 24,400 sf retail & 3,000 sf restaurant (4 parcels) |
| 118 | Restaurant with gourmet shop | 6523 W. Hollywood Boulevard | Los Angeles | Construct 15,161 sf restaurant |
| 119 | Restaurant & multi-purpose entertainment venue | 6506 W. Hollywood Boulevard | Los Angeles | Construct 12,255 sf drinking place & 745 sf restaurant |

**Table III-1**

**Related Projects List**

| ID | Project Name | Location | City | Land Use |
|---|---|---|---|---|
| 120 | Condos & Retail | 5663 W. Melrose Avenue | Los Angeles | Construct 96 condominium du & 3,350 sf retail |
| 121 | Retail & Office building | 6904 W. Hollywood Boulevard | Los Angeles | Construct 29,900 sf retail & 16,700 sf office |
| 122 | HK Town Project (Mixed-Use) | 100 N. Western Avenue | Los Angeles | Construct 40,800 sf shopping center, 48,000 sf supermarket, 187 apartment du |
| 123 | Third Street Mixed-Use Project | 5863 W. 3rd Street | Los Angeles | Construct 60 apartment du & 5,350 sf retail |
| 124 | Mixed-use residential and retail | 5550 W. Hollywood Boulevard | Los Angeles | Construct 240 condominium du & 12,000 sf retail |
| 125 | Residential Development | 6001 W. Carlton Way | Los Angeles | Construct 42 condominium du |
| 126 | 4-unit Apartment Building | 1047 Crescent Heights | West Hollywood | Demolish existing structure and build 4-unit apt. bldg. |
| 127 | 5-unit Condo Building | 1048 Curson Avenue | West Hollywood | Demolish existing single family home & build 5-condo bldg |
| 128 | 5-unit Apartment Building | 1257 Detroit Street | West Hollywood | Demolish existing structure & build 5-unit apt. bldg. |
| 129 | 10-unit Condo Building | 1010 Edinburgh Avenue | West Hollywood | Demolish existing structures & build 10-unit condo bldg |
| 130 | 23-unit Condo Building | 1240 Fairfax Avenue | West Hollywood | Demolish 3 structures & build 23-unit condo bldg. |
| 131 | 11-unit Condo Building | 1140 Formosa Avenue | West Hollywood | Demolish existing single family home & build 11-unit condo bldg. |
| 132 | 4-unit Apartment Building | 925 Genesee Avenue | West Hollywood | Demolish existing single family home & build 4-unit apt. bldg. |
| 133 | 5-unit Condo Building | 1046 Genesee Avenue | West Hollywood | Demolish existing structure & build 5-unit condo bldg. |
| 134 | 5-unit Condo Building | 1050 Genesee Avenue | West Hollywood | Demolish single family home & build 5-unit condo bldg. |

**Table III-1**

**Related Projects List**

| ID | Project Name | Location | City | Land Use |
|---|---|---|---|---|
| 135 | 53-unit Apartment Building | 1234 Hayworth Avenue | West Hollywood | Demolish 48-unit apt. bldg & build 53-unit apt. bldg. |
| 136 | 16-unit Apartment Building | 1342 Hayworth Avenue | West Hollywood | Demolish 6 Apartments & Build 16-unit apt. bldg. |
| 137 | 35-unit Senior Housing | 1343 Laurel Avenue | West Hollywood | 35-unit Senior Housing project |
| 138 | 5-unit Condo Building | 1021 Ogden Drive | West Hollywood | Demolish single family home & build 5-unit condo bldg. |
| 139 | Build 145-unit Condo Bldg & retail space | 7155 Santa Monica Bouleva | West Hollywood | Build 145-unit Condo Bldg & retail space |
| 140 | Construct 42-unit Mixed Use bldg. (5 stories) | 7530 Santa Monica Bouleva | West Hollywood | Construct 42-unit Mixed Use bldg. (5 stories) |
| 141 | 5-unit Condo Building | 917 Sierra Bonita Avenue | West Hollywood | Demolish single family home & build 5-unit condo bldg. |
| 142 | CBS Studio Mixed Use Project | Sunset Boulevard | Los Angeles | 400 Condos, 380 ksf Office, 125 hotel rooms, 15.5 ksf restaurant/bar and 12 ksf retail |

*Source: Fehr & Peers/Kaku Associates, 2008.*

# Exhibit 8

# LOS ANGELES CITY PLANNING COMMISSION

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

**Determination Mailing Date:** APR 0 9 2007

CITY COUNCIL
Room 395, City Hall
Los Angeles, California

Applicant: Clarett Hollywood, LLC

**CASE NO. CPC 2006-7301-ZC-ZV-YV-ZAA-SPR**
Location: 1614-1736 Argyle Avenue, 6139-6240 W. Hollywood Boulevard, 6140-6158 W. Carlos Avenue, 1631-1649 N. El Centro Avenue, and 1615-1631 Vista Del Mar Avenue
Council District: No. 13
Plan Area: Hollywood
Requests: Zone Change, Height District Change, Zone Variance-Yard Variance, Zoning Administrator's Adjustments, Site Plan Review

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

1. **Approved and Recommended** that the City Council adopt a Zone Change from C4-2D, C4-2D-SN, and [Q]C4-2D-SN to [T][Q]C4-2D and [T][Q]C4-2D-SN; subject to attached Conditions of Approval.
2. **Approved** a Height District Change to modify existing "D" limitations on site to permit a maximum Floor Area Ratio (FAR) of 4.5:1, subject to attached Conditions of Approval.
3. **Approved** a Zone Variance from Section 12.21.1.A.1 to permit a 55-foot maximum height over 90 percent of the [Q]R3-1XL Parcel at the northeast corner of the site and a 75-foot maximum height along the south and west boundaries of the [Q]R3-1XL Parcel in lieu of the maximum two stories and 30-foot height limit in the [Q]R3-1XL Zone, subject to attached Conditions of Approval.
4. **Approved** a Zone Variance from existing "Q" Condition No. 3 from Section 2 of Ordinance 165,662 that limits density to one unit per every 1,200 square feet of buildable lot area to permit approximately one unit per every 300 square feet of lot buildable lot area for the entire Project site area, subject to the attached Conditions of Approval.
5. **Approved** Variance to permit Joint Living and Work Quarters in the [Q]R3-1XL Zone, subject to attached Conditions of Approval.
6. **Approved** a Variance to permit accessory uses (including parking and driveway access) in the [Q]R3-1XL Zone where the main use is in the C4 Zone, subject to attached Conditions of Approval.
7. **Denied** a Yard Variance without prejudice to allow 53,000 square feet of open space for the north block and 48,000 square feet of open space for the south block since the Project has been revised and no longer requires this entitlement.
8. **Approved** Zoning Administrator's Adjustments to permit 0-foot side yard setbacks in lieu of the required 9-foot side yard setback required in the C4-2D and C4-2D-SN zones, and 0-foot front yard and 0-foot easterly side yard setbacks in lieu of the required 15-foot front yard setback and 9-foot side yard setbacks required in the [Q]R3-1XL Zone;
9. **Approved** the Site Plan.
10. **Approved and Recommended** that the City Council certify Environmental Impact Report No. ENV-2005-7118-EIR.
11. **Adopted** the attached Findings.
12. **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 page.

13. **Advised** the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the Project and the City may require any necessary fees to cover the cost of such monitoring.

14. **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: | Usher |
| Seconded: | Hughes |
| Ayes: | Cardoso, Freer, Woo |
| Nay: | Roschen |
| Absent: | Kay, Kezios |
| Vacancy: | One |
| **Vote:** | **5-1** |

Gabriele Williams, Commission Executive Assistant II
City Planning Commission

**Effective Date / Appeals:**

**Appeals: If the Commission has disapproved the Zone Change request, in whole or in part, only the applicant may appeal that disapproval to the Council within 20 days after the mailing date of this determination.**

**Any aggrieved party may appeal the Conditional Use, Variance 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/T Conditions/Ordinance/Q Conditions/Map

c: Notification List

- Massing has been stepped down at the corner opposite the Pantages Theater, and details of the Pantages Marquee have been incorporated into the Project façade to add an element of continuity to the Boulevard;
- The podium buildings are no longer "skewed" and have been reoriented to improve podium circulation;
- Accessible roof terraces containing more than 10,000 square feet of landscaped roof area have been incorporated into the Project; and
- The Project now fully complies with the City's open space requirements.

The Project was revised to scale down the proposed structures. By reducing the mass of the structures, the Project will provide development that will be more in scale with structures along Hollywood Boulevard. The Project also scales down the north block's structure located at the northeast corner of Hollywood Boulevard and Argyle Avenue. This portion of the building faces the Pantages Theater, and includes architectural features from the marquee. The development will also be in lined up with the proposed W Hotel building and the Taft Building on the south side of Hollywood Boulevard. The Project will also observe the same regulating lines with that of the Pantages Theater and with that of development west of the site along Hollywood Boulevard. Also, scaling down the structure on the north block will allow views of the Little Country Church from Hollywood Boulevard.

The Project incorporates many walkability design elements at ground level. The buildings will maintain the historic street wall, which encourages pedestrian activity between the mixed-use building, the sidewalks, and Hollywood Boulevard. The buildings will be designed to include large storefront and display windows to allow views into and out of the interior use. Entrances will be located at street level, and will differentiate ground level retail uses from the residential uses above. Pedestrian entrances will be at grade level, whereas residential tenants will have access to their units from the plazas and garage. The Project's design includes vehicular entry/exit points away from intensive pedestrian activity for smooth circulation flow. Building cut-offs will be provided at the north and south blocks at the intersection of Argyle Avenue and Hollywood Boulevard to accommodate pedestrians and protect pedestrian safety, security, and enjoyment.

Approximately 12,000 square feet of public plazas will allow for meetings, gatherings, and outdoor dining, bringing a strong interaction between the pedestrians, patrons, and proposed uses. Open plazas will be wide and have a rectangular shape, and include several trees to promote shading, and include pedestrian-level lighting. Opportunities exist to bring public art into these plazas.

(2) Parking Facilities. The existing site currently contains about 600 surface parking spaces, and the Project will replace these spaces with 652 parking spaces available to the Pantages Theater for use during events in addition to meeting L.A.M.C. requirements for residential units and commercial retail in a Redevelopment area. In addition, parking will be located at ground level and in four subterranean parking levels on both the north and south block of the development, for a total of 2,697 parking spaces. Of this total, 1,412 parking spaces will be located within the

north block, and 1,285 spaces within the south block. The Project will provide a surplus of parking, and will not lead to residents, tenants and guests searching streets and adjacent properties for parking spaces.

Vehicular access to parking for the north parcel will be provided via two driveways on Argyle Avenue and one driveway on Hollywood Boulevard. The northernmost access on Argyle Avenue will allow resident only parking in order to minimize the car traffic on the portion of the Project Site adjacent to residential neighborhoods. Turning movements at this residential access driveway shall be limited to "right-in" and "right-out" only. Turning movement restrictions at the delivery/service and commercial access to the south of the residential access and/or consolidation of two or more of these access points are not required. In order to minimize impacts to the existing residential neighborhood to the east and northeast of the Project site, project-related traffic shall be prevented from traveling east on Carlos Avenue to Gower Street. Vehicular access to parking on the south parcel will be provided via driveways on Argyle Avenue, for commercial only parking, and El Centro Avenue, for resident-only parking. Separation of uses minimizes traffic along the two streets, and allows the residents to quickly access their vehicles and parking spaces.

(3) Loading Areas. A delivery/service driveway for the north block is located south of the commercial driveway on Argyle Avenue with a loading dock on the P2 parking level. The loading dock would be large enough to accommodate delivery vehicle access and all delivery vehicle turning movements within the building. This allows all loading to be completed within the interior of the block beneath the podium level to minimize the effect on commercial traffic on the street, and to reduce the noise to the residential and commercial tenants within the Project. A delivery/service driveway for the south block is accessed by an inbound driveway on El Centro Avenue and an outbound driveway on Vista Del Mar Avenue. This allows minimal affect from loading on the adjacent streets while reducing the noise level of loading activity.

(4) Lighting. The Project will illuminate the mixed-use development with lighting from within the retail and residential uses, security lighting, and lighting in the common areas. All lighting will be shielded and focused on the project site and directed away from the neighboring land uses. Furthermore, all Project lighting will be similar to the amount of lighting provided by adjacent uses. Therefore, the Project will not result in a substantial amount of light that would adversely affect the day or nighttime views in the project vicinity. The Project will include architectural features and facades with a low level of reflectivity. Finally, the proposed signage will not be constructed of reflective materials in accordance with the Hollywood Signage Supplemental Use District requirements.

(5) Landscaping. The Project will provide much landscaping both on the street and second floor podium levels. Landscaping will be provided along the street in order to promote a pleasant experience for pedestrian movements between the south block, the Metro Rail station and the Pantages Theater. Landscaped open space, as required by L.A.M.C., will

# Exhibit 9

CITY OF LOS ANGELES
DEPARTMENT OF CITY PLANNING
Division of Land, 7th Floor
200 N. Spring Street, Los Angeles, CA 90012-4801
(213) 978-1330

# INSTRUCTIONS FOR FILING TENTATIVE TRACT MAPS

## STATE LAW

The local government is granted authority to approve subdivisions under the State Subdivision Map Act, Sections 66410 to 66499, inclusive, of the California State Government Code.

## A. LOCAL SUBDIVISION ORDINANCE

Persons who wish to subdivide land should acquaint themselves with the provisions of the State Map Act and the local subdivision regulations (Sections 17.00 to 17.12 of the Los Angeles Municipal Code).

## B. REQUIRED MATERIALS FOR ALL TENTATIVE TRACT MAPS:

It is suggested that all applicants provide **two** complete applications for the Bureau of Engineering to **expedite** processing.

1. Thirty-five copies of the tentative tract map, including a vicinity map on the tentative tract map, (See Sec. B-14), and an 8½ x 11 transparency of the tract map.

   a) If a zone change is filed concurrently with the tract map, then an additional 10 tentative tract maps are required for the tentative tract filing, in addition to the 15 tentative tract maps required for the zone change filing.

2. An original and ten copies (eleven total) of a radius map (500 feet) showing land use, related case numbers and zoning. If notification is required, the map should also contain the key to the ownership list. An 8½ x 11 transparency of the radius map shall be included.

3. A certified list of owners of property lying within a 500-foot radius of the subdivision. Submit three copies, including one set of self-adhesive gummed labels (1-inch by 3-inch size) with tract numbers on each label. The perjury statement shall be attached to the list.

   (For specific instructions for 2 and 3 above, see Cartography Unit, Construction Services Center, 201 North Figueroa Street, 4th Floor, and obtain a copy of the publication, Radius Map Requirement Guidelines.)

4. PROJECTS REQUIRING DEMOLITION OF THE FOLLOWING TYPES OF DWELLINGS:

   a) One-family dwelling where three or more dwelling units are located on the same lot;

   b) Two-family dwelling where neither dwelling unit therein is occupied by a record owner of the property;

   c) Three-family dwelling where none of the dwelling units therein is occupied by a record owner of the property; and

   d) Apartment house or apartment hotel containing more than three dwelling units.

   e) Any demolition in the Coastal Zone.

REQUIREMENTS: Tenant Notification List, four sets (two on gummed labels). Submit one copy of the Tenant Information Chart (Form CP-6345), providing all information pertinent to demolition, only. The tract application will not be considered complete unless all of these required forms are submitted at time of filing.

5. Environmental clearance document (Categorical Exemption, Negative Declaration or EIR) or Environmental Assessment Form case number from the Planning Counter, 201 North Figueroa Street, 4th Floor.

6. Nine copies of Subdivider's Statement. The Subdivider's Statement shall indicate the official street address of the property obtained from the Street Address Section of the Bureau of Engineering, 3rd Floor, 201 North Figueroa Street. Any omission of required information on the form will result in delays in the processing of the application.

7. Copy of zone change approval (Council action), if different from radius map and for (T) and (Q) Zones.

8. For a zone change to a less restrictive zone incident to a subdivision, a completed Form CP-6116, will be required. This application is required if the proposed project is of a higher density or otherwise less restrictive land use than that permitted by the current zone. However, only applications for a zone change that is consistent with the adopted community plan or specific plan will be accepted for filing. This application should be submitted concurrently with the tentative tract map. You will be informed by the City Planning Department when to pay the necessary additional filing fees. Submit a legal description as part of the Zone Change Incident to Subdivision application.

9. Two copies of a Solar Report (outline available separately) prepared by a licensed engineer, architect or solar systems expert or firm, which contains the following, at a minimum:

   a) Name of firm or author of the report
   b) Tentative tract number
   c) Name and address of owner
   d) Project description
   e) Site orientation
   f) General climatological data
   g) Adjacent buildings

   The State law exempts condominium conversion projects from the solar energy requirement.

   A complete solar report cannot be prepared prior to building design. A preliminary report will be acceptable for filing.

10. Two sets of two or more photographs, mounted on 8½ x 11-inch card stock, showing the project site with any existing walls, trees or structures, and any adjoining streets, curbs, and gutters.

11. Oak Tree Report - Two copies with maps prepared by a tree expert as defined by Section 17.02 of the Los Angeles Municipal Code, evaluating the preservation, removal, replacement, or relocation of said oak trees **(if applicable)**. The approximate location of all oak trees 8 inches or more and other trees 12 inches or more in diameter, including common name, size, and an indication as to their retention or destruction shall be shown on the map. **If no oak trees exist on site, submit a letter by the engineer certifying there are none**.

12. For large tracts with many trees 12 inches or more in diameter: One copy of a plot plan prepared by a reputable tree expert as defined by Section 46.00 of the Los Angeles Municipal Code, indicating the location, size, type and condition of all existing trees on the site. The plan shall contain measures recommended by the

13. Bureau of Engineering requirements :

a) Street improvements (include on tract map on both sides of the streets):

Curb offset or curb line from center line
Gutter widths
Sidewalk and parkway widths
Pavement widths and surfacing material
Location of street trees, lights, fire hydrants, power poles and other above ground public utilities
Sewer and manhole locations
Storm drain catch basins - location and widths
Alley improvements, including cross gutters and encroachment, if any, including power poles.

b) Adjacent land use

c) A second set of photographs, mounted as in Sec. B-10. above, showing each street and alley frontage (one from each direction, showing sidewalks, curbs, gutters and other existing public works improvements) and the project site.

d) On-site features affecting access (include on tract map), driveway grades and clearances.

e) Parking layout where cars are required to back onto highways.

f) Two copies of the Hillside and Flood Hazard Areas information sheet (CP-6114) complete with the seal and signature of a Registered Civil Engineer.

g) **Payment of Engineering fees are required for review, per Ord. 167,769** .

14. Building and Safety requirements :

a) The subdivider shall submit four copies of the tentative map to the Grading Division 3rd Floor, 201 North Figueroa Street for their review and approval. Their stamp of approval shall appear on the maps prior to filing with the Department of City Planning. The four maps are to be included as part of the 35 copies submitted at time of filing.

b) If a haul route is being requested, five copies are required. A notation should also be made on the tentative tract map.

15. The Division of Land Section of the Department of City Planning will review the Subdivider's Statement, maps and other documents to determine if the necessary information as required by the subdivision regulations is complete and acceptable for filing.

16. Pay the required filing fee in accordance with the current fee schedule, Form CP-6120. Make fee payable to "City of Los Angeles."

C. CONDOMINIUM CONVERSIONS (Residential and Non-residential)

1. Four copies of a certified parking plan drawn to scale showing parking spaces, including the total number of covered and uncovered spaces, location, number of guest spaces, driveway and aisle widths, column locations or any other types of obstructions and new parking spaces, if any are to be installed. Distinguish between existing and proposed improvements and parking spaces. (This plan should be shown on a separate sheet.)

2. A copy of the certificate of occupancy issued by the Department of Building and Safety. When available, a copy of the build

3. Typical floor plans and site plans describing the features of the building, including age, type of construction, number of units and number of habitable rooms per dwelling unit (if residential), trash storage areas, and the location of common areas.

   For commercial and industrial projects where buildings already exist, the Advisory Agency strongly recommends that building plans be reviewed by the Department of Building and Safety prior to map submittal to determine if any potential violations to the Building or Zoning Code will result as a consequence of land division.

4. Tenant notification list, four sets (two on gummed labels).

5. Tenant information (Form CP-6345), including name, address and age of each tenant, number of minor children in each household, total number of project occupants, a present rent schedule and one for 18 months preceding the application, and a relocation assistance plan. (Residential only) If building is vacant, a record of relocation assistance.

6. Sales information, including anticipated range of sales, anticipated terms of sales to existing tenants, and whether sales will be permitted to families with minor children. (Residential only)

7. Signed and dated statements from each tenant or certified mail receipts showing that each tenant of the project has received notice of the application and notice of the relocation assistance provisions of Subsection G of Section 12.95.2 of the Condominium Conversion Ordinance 60 days prior to filing of application. (Residential only)

8. A certified statement that any person who becomes a tenant after the date of application will be given written notice of the pending application prior to any written or oral rental agreement.

9. A certified statement that any person who applies for a rental after the original notice will be given written notice of pending application prior to acceptance of any rent or deposit.

10. For all condominium conversion projects an additional surcharge fee will be required in accordance with the current fee schedule, Form CP-6120.

NOTE: The Advisory Agency shall disapprove a tentative map or preliminary parcel map for a residential or residential to commercial/industrial conversion project, if it finds (a) that the Map is not substantially consistent with the applicable density provisions of the General Plan or specific plans in effect at the time the original building permit was issued, and (b) the application for map approval is filed less than five years from the date the original certificate of occupancy for the building was issued.

EXCEPTION:

This provision shall not apply to any residential or residential to commercial/industrial conversion project involving buildings for which a building permit was applied for prior to July 1, 1978.

## D. HILLSIDE AREAS

1. If the tract lies within the hillside area, three copies of geology and soils engineering reports must be filed with the Department of Building and Safety, 4th Floor, 201 North Figueroa Street, together with three copies of the tentative map. (Note: Hillside cases with older EIRs may receive a notice of incomplete application).

2. If the tract lies within a mountain fire district, an additional surcharge of 50 percent of the subdivision filing fee will be required in accordance with the current fee schedule, Form CP-6120.

## E. FLOOD HAZARD SPECIFIC PLAN REQUIREMENTS

Ordinance No. 172,081 (Flood Hazard Management Specific Plan) requires that the Office of Zoning Administration make a finding relative to flood hazards, including mud flows in designated flood hazard areas and in all hillside grading areas.

With each subdivision an indication will be required as to whether the project lies in one of the following areas:

(1) In a special hazard area

(2) In a hillside area

(3) In a floodway

(4) In a mud-prone area

For ALL subdivision applications, two copies of the Hillside and Flood Hazard Area data sheet will be required. The completed form shall be certified by a Registered Civil Engineer, Form CP-6114.

## F. VESTING/TENTATIVE MAPS

1. Tentative maps either Vesting or Tentative filed with the City Planning Department shall be prepared by or under the direction of a licensed surveyor or registered civil engineer. Such maps, folded to 8½ x 11 inches, shall be drawn to an engineer's scale of not less than 1 inch equals 200 feet, and shall clearly show the following information:

   a) The tract number obtained from the County Department of Public Works, Land Development Division (818) 458-4952, along with the entire existing legal description of the subject property. If the property is described by metes and bounds, or as a portion of a lot, describe in full.

   b) Names, addresses and telephone numbers of the record owner, subdivider and engineer or surveyor under whose supervision the map is prepared, including registration number or license number of the civil engineer or surveyor.

   c) North arrow, engineering scale, date, and net area (blue border) and gross area (to center line of abutting street) of the subdivision.

   d) Locations, widths and approximate grades of existing and proposed highways, streets, alleys or ways, whether public or private, within and adjacent to the property involved. Include existing street names and designations or names for all proposed streets or highways. The widths and approximate locations of all existing and proposed easements or rights-of-way within and adjacent to the property involved.

   e) Closest intersecting public streets and distance to intersection. Approximate radii of all centerline curves for streets, highways, alleys, or ways.

   f) The boundaries of the tentative tract map with the lot layout, approximate dimensions of each lot, number, and precise area of each lot.

   g) The locations of all potentially dangerous areas, including geologically hazardous areas and areas subject to inundation or flood hazards; the location, width and directions of flow of all water courses and flood control channels within and adjacent to the property involved; the proposed method of providing flood and erosion control.

h) The existing contour of the land at intervals of not more than 5 feet, and of not more than 2-foot intervals if the slope of land is less than 5 percent. Preliminary grading design with proposed building pads, top and toe of cut and fill slopes (indicated with colored ink on at least one copy).

i) The location of all existing buildings or structures on the property involved, with dimensions given relative to lot lines; notations concerning all buildings (e.g., number of dwelling units) which are to be removed; and approximate locations of all existing wells.

j) The approximate location and general description of all oak trees eight inches or more in diameter, and other trees 12 or more inches in diameter, including common name, size, and an indication as to their retention or destruction shall be shown on the map.

k) If any streets shown on the tentative map are proposed to be private streets, they shall be clearly indicated.

l) The proposed method of providing sewage disposal and drainage for the property.

m) The number of habitable rooms for residential condominium conversions.

n) Commercial and industrial (new and conversion)

- Number of gross and net square feet
- Number of units
- Types of proposed use (i.e., medical, office, restaurant)
- Parking plan

o) A statement regarding existing and proposed zoning. City plan case or zone variance case number is required.

p) Tracts in multiple-residential zones shall include the address of the property and the number of proposed dwelling units and parking spaces.

2. Vesting Tentative Tract Map. In addition to the information requested in 6A., Vesting requires the following information:

a) Building envelope showing height, size, number of units, location of buildings, driveways, and exterior garden walls.

b) Design review if required by applicable Community/District Plan or Specific Plan.

c) If located within designated hillside:

1. grading plan pursuant to Los Angeles Municipal Code, Section 17.05 L, indicating cubic yards of cut and fill; quantities of export or import; if more than 1,000 cubic yards, statement of burrow or disposal site, haul route, total gross weight with load of haul vehicles, size of trucks proposed.

2. soils report pursuant to Los Angeles Municipal Code, Section 17.05 U

3. statement to indicate whether project is within the vicinity of Mulholland Scenic Parkway

G. HORSEKEEPING REQUIREMENTS

Granada Hills-Knollwood, Reseda-West Van Nuys, Sunland-Tujunga-Shadow Hills, Sun Valley, Sylmar), then the following information and exhibits are required:

1. PLOT PLAN SHOWING:

   a) 11,000 sq. ft. minimum graded pad areas.

   b) 2,200 sq. ft. minimum designated horsekeeping area within pad area.

   c) 12' x 24' minimum corral area within designated horsekeeping area.

   d) 12' x 12' minimum storage area within designated horsekeeping area.

   e) Indicate distances from horse keeping areas and horsekeeping structures to the nearest habitable rooms on the site, and also to adjoining off-site dwellings and off-site existing horsekeeping areas and structures.

   f) 10' wide vehicular access path from horsekeeping area to street on same side of lot as driveway.

   g) Horsetrails if required by the plan.

   h) 17,500 sq. ft. minimum lot size is the minimum required by the Zoning Code. However, a 20,000 sq. ft. minimum lot size may be required due to topography, community plan policy or other factors.

2. GRADING PLAN SHOWING:

   a) Pad areas

   b) Trails and access paths

   c) Indicate drainage pattern from horsekeeping area.

H. <u>RELATED CONCURRENT ACTIONS BY AA/AZA</u>: Per Code Section 17.03A of L.A.M.C., area, yard and height adjustments no more than 20% and reduction in the width of the required passageways pursuant to Section 12.21C2(b) to no less than five feet may be a part of the Tract Map determination action. Request(s) under Code Section 17.03A must be filed at same time of the Tract Map filing to be considered. Describe the request in the application.

<u>MAJOR CONCURRENT ACTIONS</u>: Other than permitted per Code Section 17.03A. Submit a copy of an application for other concurrent discretionary actions (e.g. zone change or variance). Please indicate Code Section.

☐ Zone Change: From _____ to _____ Zone.

☐ Variance: _____

☐ Other: _____

# Los Angeles City Planning Department

221 North Figueroa
16th Floor

Date: May 24, 2000

To: Licensed Engineers, Surveyors and Subdivision Consultants

From: Emily Gabel-Luddy
Deputy Advisory Agency

Subject: Residential Parking Policy for Division of Land - No. AA 2000-1

Attached is a parking policy addressing standards for new condominiums and condominium conversions.

Please retain for your files. If you have any questions do not hesitate to contact me at (213) 580-5529.

EGL:oss

Attachment: AA 2000-1 (Parking Policy)

No. AA 2000-1

# RESIDENTIAL PARKING POLICY

New Condominiums:

A. Up to 5 units

1. 2 per du
2. Minimum 1/4 guest per du

B. Six units or more

1. 2 per du
2. 1/4 guest in non-parking congested areas[1]
   1/2 guest in parking congested areas[1]
3. For side-by-side parking in private garages with direct entries into the units, 1/4 guest parking per unit will be permitted in parking congested areas.

Condominium Conversions:

A. Minimum of 2 parking spaces per unit for projects if the building is more than five years old from a temporary issuance of its Certificate of Occupancy.

B. For projects where the building is five or less years old from the Certificate of Occupancy, standards for new condominiums will apply.

EXCEPTIONS

Exceptions will be considered by the Advisory Agency pursuant to LAMC Section 12.22-A,26 ("Adaptive Reuse Projects in the Greater Downtown Los Angeles Area," Ordinance No. 172,571). Stock Cooperative Conversions will be considered on case-by-case basis.

---

[1]Determinations on required parking by the Advisory Agency are not intended to supercede more restrictive requirements contained in other adopted City ordinances such as adopted specific plans and "Q" conditions. Further, additional guest parking will be considered in special areas of the City which are either subject to unusual public access demands (such as the beach areas) or areas where on-street parking is highly restricted (Major Highways, such as Barham Boulevard).

Issued by Deputy Advisory Agency MAY 24 2000

# Los Angeles City Planning Department

City Hall • 200 N. Spring Street, Room 763 • Los Angeles, CA 90012

May 3, 2006

TO: Licensed Engineers, Surveyors and Subdivision Consultants

FROM: Emily Gabel-Luddy
Deputy Advisory Agency

SUBJECT: PROTECTIVE TREE RELOCATION AND REPLACEMENT - ORDINANCE NO. 177,404

Attached are new requirements for the removal of protected trees. All Preliminary Parcel and (Vesting) Tentative Tract maps should state whether these trees are located on site. These trees must also be identified on the Subdivider's Statement.

The effective date for Ordinance 177,404 is April 23, 2006. The Ordinance is available on-line at www.cityplanning.lacity.org under "Adopted Ordinances." The Department's Subdivider's Statement has been updated to include the new changes and is attached.

EGL

Attachments

CITY OF LOS ANGELES
DEPARTMENT OF CITY PLANNING
SUBDIVIDER'S STATEMENT

**For Office Use Only**
(1) Case No. _____

Date of Filing _____

(2) Tract No. _____ ☐ Vesting ☐ Tentative

The following information is required by the various City departments; failure to furnish it completely will delay action and result in the issuance of a notice of incomplete application.

(3) Street address of property (per Construction Services Center, 201 N. Figueroa St.)

_____(N, S, W, E, of)_____
(Circle one)

(4) Map reference location: _____

(5) Thomas Bros. Map: Page No. _____ Page (CWS)_____ Grid No. _____

(6) Proposed number of lots _____

(7) Tract area: _____ net acres within tract border; _____ gross acres.
_____ net square feet after required dedication.

(8) Tract proposed for:

| | Units/ (9) Sq. Ft | Parking | + | Guest Parking* |
|---|---|---|---|---|
| Single-Family-(SF) | _____ | NA | | _____ |
| Apartments-(APT) | _____ | _____ | + | _____ |
| Condominiums-(C) | _____ | _____ | + | _____ |
| Condominium Conversion-(CC) | _____ | _____ | + | |
| Commercial-(CM) | _____ | _____ | | |
| Industrial-(IND) | _____ | _____ | | |
| Stock Cooperative-(SC) | _____ | _____ | + | _____ |
| Commercial Condo Conversion-(CMCC) | _____ | _____ | | |
| Industrial Condo Conversion-(INDCC) | _____ | _____ | | |
| Commercial Condominiums-(CMC) | _____ | _____ | | |
| Industrial Condominiums-(INDC) | _____ | _____ | | |
| Reversion to Acreage - (RV) | _____ | _____ | | |
| Other (specify) _____ (O) | _____ | _____ | | |

(10) Number/type of units to be demolished

(11) Community Plan area _____ Council District # _____

(12) Community planning designation _____, _____ to _____ DU's/GA

*Multiple dwelling projects only

(13) The existing zone is _____. The proposed zone is _____ approved under City Planning Case No. _____ on _____ by the ( ) City Planning Commission and/or ( ) City Council (CF No_____).

a. Has the tract map been filed to effectuate a zone change?
Yes ( ) No ( ).

b. Is a building line/zone boundary adjustment/or a zone change to a more restrictive zone incident to a subdivision being requested?
Yes ( ) No ( ).

c. Is an application for a zone change to a less restrictive zone incident to a subdivision being concurrently filed?
Yes ( ) No ( ).

d. Has the property been considered at a public hearing for a Conditional Use ( ), Variance ( ), Other (specify)_____
Under Case Nos.: _____

(14) Are there any protected trees (Oaks, Western Sycamore, California Bay, and/or Southern California Black Walnut) on this property? Yes ( ) No ( )
How many? _____

If yes, how many are 4 inches or more in diameter? _____
How many absolutely must be removed? _____

Are there other trees 8 inches or more in diameter? Yes ( ) No ( )

If yes, how many? _____. How many must be removed? _____ Indicate type and trunk diameter of each tree, and whether the tree is to be retained or removed, on a tree map superimposed on the tentative map (Attach a list, if necessary).

(Notice of incomplete application will be issued if the tree information is not included).

(15) Is proposed tract in a slope stability study (hillside) area?
Yes ( ) No ( )
In a fault rupture study area? Yes ( ) No ( )

(16) Is subdivision within the vicinity of the Mulholland Scenic Parkway? Yes ( ) No ( )

(17) Is proposed tract in a flood hazard area, hillside area, floodway or mudprone area? Yes ( )

No ( )
Filing requirement: submit the hillside and flood hazard area data sheet.

(18) Are there any existing or formerly used gasoline, oil, gas pipelines or wells within the project site?
Yes ( ) No ( ). Show all easements on tentative tract map.

(19) Is more than one final map unit proposed? Yes ( ) No ( ) If yes, attach a sketch showing each unit or phase.

(20) Tenant information for demolitions and conversions (attach CP-6345).

(21) Is the project in a horsekeeping (K) district? Yes ( ) No ( )
Is the project within a plan-designated horsekeeping area? Yes ( ) No ( )
Is the project in an RA or more restrictive zone? Yes ( ) No ( )

(22) If the tract is for condominium or cooperative conversion purposes, list:

a. Anticipated range of sales prices
b. Anticipated sales terms to tenants
Note: Attach separate sheet, if necessary.
c. Number of existing parking spaces _____. A certified parking plan is required for all conversions.

(23) Is a haul route approval being requested at this time? Yes ( ) No ( )

(24) Has a Land Development Counseling Session taken place? Yes ( ) No ( )
If so, what is LDCC No. _____?

(25) Describe your proposal briefly here or on an attached sheet:

_____
_____
_____
_____

I certify that the statements on this form are true to the best of my knowledge.

Signed _____ _____

Date _____ Date _____

RECORD OWNER(S)
(From Latest Adopted Tax Roll)

Name _____
Address _____
City _____
Phone _____
Fax No _____

Name _____
Address _____
City _____
Phone _____
Fax No _____

Name _____
Address _____
City _____
Phone _____
Fax No _____

SUBDIVIDER

Name _____
Address _____
City _____
Phone _____
Fax No _____

ENGINEER OR LICENSED SURVEYOR
Name _____
Name _____
Address _____
City _____
Phone _____
Fax No _____

CERTIFICATE OF POSTING - "CITY/AREA PLANNING COMMISSION MEETING"

CITY OF LOS ANGELES
DEPARTMENT OF CITY PLANNING
200 NORTH SPRING STREET
LOS ANGELES, CA 90012-4801

CASE NO. _____

( ) City/Area Planning Commission Office - Room 532
( ) Subdivisions - Room 750

CERTIFICATE OF POSTING

This certifies that I/WE have posted the "NOTICE OF CITY/AREA PLANNING COMMISSION MEETING" sign for

_____

_____
(type of request)

located at _____
(address of development)

_____

*CHECK OFF THE APPROPRIATE BOX AND ENTER THE NECESSARY INFORMATION:*

☐ CITY PLANNING COMMISSION MEETING SCHEDULED _____

☐ _____ AREA PLANNING COMMISSION MEETING SCHEDULED _____

I hereby certify under the penalty of perjury that I posted the above-mentioned NOTICE OF PUBLIC HEARING on the

_____ day of _____ 20____.

_____ OR _____
Owner/Applicant (Print) Representative/Posting Agent (Print)

_____ _____
Signature Signature

Date _____

THE PROCESSING OF YOUR CASE WILL NOT BE COMPLETED UNTIL THIS FORM IS RETURNED TO THE CASE FILE FOR YOUR PROJECT (SEE ABOVE FOR ROOM NUMBERS).

DEPARTMENT POLICY REQUIRES THAT FOR VERIFICATION OF THE DATE OF POSTING A MINIMUM OF TWO PHOTOGRAPHS MUST BE TAKEN (FRONT PAGE OF A NEWSPAPER WITH THE DATE CLEARLY READABLE IN THE PHOTOGRAPH NEXT TO THE SIGN AND ANOTHER SHOWING THE SIGN(S) POSTED ON THE SITE FROM ACROSS THE STREET).

REGARDLESS OF WHO POSTS THE SITE IT IS ALWAYS THE RESPONSIBILITY OF THE APPLICANT/OWNER TO ASSURE THAT THE NOTICE IS FIRMLY ATTACHED, LEGIBLE, POSTED FOR PUBLIC VIEW FROM THE PROPERTY STREET FRONTAGE, AND REMAINS IN THAT CONDITION THROUGHOUT THE ENTIRE POSTING PERIOD.

NOTICE OF POSTING FOR

CITY/AREA PLANNING COMMISSION MEETING

CASE NO. _____

LOCATION: _____
(address of development)

THE ABOVE REFERENCED CASE WILL BE HEARD BY *(Check off the appropriate box and enter the necessary information):*

☐ CITY PLANNING COMMISSION

☐ _____ AREA PLANNING COMMISSION

AT ITS REGULAR MEETING:

DATE: _____

LOCATION: _____

_____

TIME: _____

To verify the above information, call the Los Angeles City Planning Department Commission Office at (213) 978-1300.

# Native Tree Protection

(See Ordinance 177,404 for further information)

New Requirements:

A. Effective for all Parcel and Tentative Tract Maps

B. Species protected

1. Oaks (*Quercus spp.)**
2. Western Sycamore *(Platanus racemosa)*
3. California Bay *(Umbellularia californica)*
4. Southern California Black Walnut *(Juglans californica)*

C. Minimum size of tree that need to be protected

1. 4" or more dbh cumulative trunk diameter

D. Reports shall be prepared by a tree expert, a person with at least four years of experience in the business of transplanting, moving, caring for and maintaining trees and who is a:

1. Certified arborist with a pest control advisor license or
2. Landscape Architect or
3. Registered consulting arborist

E. Tree reports should be submitted to both the Urban Forestry Division and to the Advisory Agency.

---

*Does not include the Scrub Oak, Quercus dumosa *(Q. berberidifolia)*.

# Exhibit 10

## CHART-3A (PARKING REQUIRED AND PROVIDED)

| | | | |
|---|---|---|---|
| PARKING | RESIDENTIAL | 2.5 SPACES/UNIT<br>763 SPACES | 1 SPACE/BEDROOM<br>413 SPACES |
| | COMMERCIAL/RETAIL | 27 (2/1,000 S.F.) | 27 SPACES |
| | OFFICE | 80 (2/1,000 S.F.) | 80 SPACES |
| | SHARED RIDE | --- | 3 SPACES |
| | TOTAL | 870 SPACES | 523 SPACES |

## CHART-4A (PROPOSED PROJECT FLOOR AREA)

| | |
|---|---|
| RESIDENTIAL | 270,932 S.F. |
| RETAIL–COMMERCIAL, WITH RESTAURANT AND OFFICE | 53,500 S.F. |
| TOTAL FLOOR AREA | 324,432 S.F. |

## LEGEND:

PROPOSED BUILDING FOOTPRINT

PROPOSED DEDICATION REQUIREMENT

EXISTING BUILDING

20' 10' 0' 10' 20' 40'

GRAPHIC SCALE
SCALE : 1"= 20'

## UTILITY ABBREVIATIONS:

BPL – BUREAU POWER & LIGHT
DWPPS – LOS ANGELES DEPT. OF WATER&POWER – POWER SYSTEM
DWPWS – LOS ANGELES DEPT. OF WATER&POWER – WATER SYSTEM
LACFCD – LOS ANGELES COUNTY FLOOD CONTROL DISTRICT
LAG – LOS ANGELES GAS CO. (SCG)
LAWD – LOS ANGELES WATER DEPARTMENT (DWPWS)
MTA – METROPOLITAN TRANSIT AUTHORITY
P.G.&E. – PACIFIC GAS AND ELECTRIC
PTT – PACIFIC TELEPHONE AND TELEGRAPH CO. (PACIFIC BELL)
SCE – SOUTHERN CALIFORNIA EDISON CO.
SCG – SOUTHERN CALIFORNIA GAS CO.
SCT – SOUTHERN CALIFORNIA TELEPHONE CO. (PACIFIC BELL)
WUT – WESTERN UNION TELEGRAPH CO.

MOLLENHAUER GROUP

CIVIL ENGINEERING
SURVEYING+MAPPING
LAND DEVELOPMENT

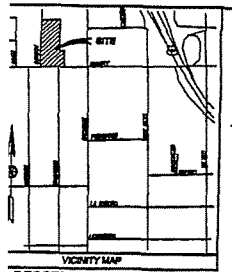
213 624 2661 TEL
213 614 1863 FAX

707 WILSHIRE BOULEVARD, 40TH FLOOR
LOS ANGELES CALIFORNIA 90017

| DATE | REVISION | BY |
|---|---|---|
| 4/30/07 | CHARTS FOR FLOOR AREA AND PARKING REQUIREMENTS ADDED PER CITY PLANNING. (3A&4A) | |
| 8/7/07 | REVISED VTTM | |
| 8/24/07 | SECTIONS & MERGER REQ. | |
| 9/17/07 | ADD ENCROACHMENT X-SECTS | JHL |
| 9/18/07 | MERG. NOTE ON SUNSET BLVD. | NBL |
| 10/10/07 | SHORING AND ENTRY DETAIL | NBL |
| 6/3/08 | MERGER (#5) | NBL |

# REVISED VESTING TENTATIVE TRACT MAP NO. 68501

IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES
STATE OF CALIFORNIA
FOR SUBDIVISION AND CONDOMINIUM PURPOSES




**PREPARED BY:**
MOLLENHAUER GROUP
707 WILSHIRE BOULEVARD
40TH FLOOR
LOS ANGELES, CA. 90017
CONTACT: JAMES H. LUKE
(213) 624-2661

ANTHONY D. HIGHON, PLS NO. 8970
LICENSE EXPIRES 9-30-09

**OWNERS/SUBDIVIDER:**
SUNSET & GORDON INVESTORS, LLC
500 S. HOPE STREET, SUITE 2940
LOS ANGELES, CA. 90071
TEL: (213) 443-1305
CONTACT: BRENT GALLUP

## DESCRIPTION: PER PRELIMINARY REPORT NO. 9862425

16, 18 AND 19 OF BAGNOLI TRACT NO. 2, AS SHOWN ON MAP RECORDED IN BOOK 9 PAGE 174 OF MAPS, IN THE OFFICE OF THE COUNTY

PARCEL NUMBER 5545-009-025

1 FOOT OF LOT A OF PAUL AND ANGELINEYES SUBDIVISION OF RANCHO CAHT THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST SECTION 11, TOWNSHIP 1 SOUTH, RANGE 14 WEST, SAN BERNARDINO MERIDIAN, OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 1, THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPTING THE SOUTH 1/2 FEET OF SAID LAND CONVEYED TO THE CITY OF FOR LOS ANGELES FOR STREET PURPOSES BY DEED RECORDED IN BOOK 1 OF DEEDS.

PARCEL NUMBER 5545-009-026

## DESCRIPTION: PER PRELIMINARY TITLE T NO. 4101943-76

AND 18 OF THE BAGNOLI TRACT NO. 2, IN THE CITY OF LOS ANGELES, COUNTY LOS, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 9, PAGE 174 OF I OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

PARCEL NUMBER 5545-009-027,028

## MARK NOTE:

1910, CITY OF LOS ANGELES, MONUM
S. CURB SURVEY BEARING. 10 FT. E. OF BRONSON AVE. 12. 899 FT. COMMENT

## OF BEARINGS:

ASIS FOR THIS SURVEY IS THE CENTERLINE OF SUNSET BLVD. AS BAGNOLI TRACT NO. 2, M.B. 9-174, WHICH BEARS N 89°50'29" E.

## ZONE:

G — AREAS DETERMINED TO BE OUTSIDE 500-YEAR
DETERMINED TO BE OUTSIDE THE 100 AND 500 ANNUAL CHANCE FLOODPLAIN
ITY PANEL NO. 0060G (EFFECTIVE 09/26/08)

ADDRESS: 8428 W. SUNSET BLVD. LOS ANGELES, CA
548-009-026, 6, 7, 22 & 26
MAPS 147-A176, 548-G 548
DISTRICT NO. 13 (CHRIS GARCETTI)
TRACT NO. 2 M-9

ZONE: C4-1D-SN / [Q]C4-1D-
ZONE: C4-1D-SN AND RFA-1VL

2 DEVELOPMENT IS A 1 LOT SUBDIVISION, MIXED-USE REDEVELOPMENT PROJECT ETAIL CONDOMINIUM UNITS, AN OFFICE CONDOMINIUM UNITS, 208 RESIDENTIAL SUB UNITS TOWER, AND ONE PARK CONDOMINIUM UNIT OVER SUBTERRANEAN AREA (LOT 1). AS PROPOSED, THE PROJECT WILL ENCOMPASS:
NMENT OF RESIDENTIAL BUILDING OVER GORDON STREET INTO THE PUBLIC
ROJECT WILL ALSO INCLUDE THE REMOVAL OF THE EXISTING PARKING STRUCTURE AND SURFACE LOTS.

PROJECT AREA: 71,000 SQ. FT. (1.65 ACRES)
DN, 64,444 SQ. FT. (1.48 ACRES) TO THE CENTERLINE OF GORDON STREET IT DEDICATION)
71,000 SQ. FT. (1.65 ACRES), AFTER DEDICATION
GROSS FLOOR AREA: SEE CHART 4A)

ESTABLISHED FROM CITY ENGINEER MONUMENTED STREETS AND FIELD SURVEY

ON PER MOST AVAILABLE PUBLIC RECORDS, AND FIELD VISIBLE LOCATION.

IS GENTLY SLOPING TO THE SOUTH.

AGNOLI STRUCTURE OF OLD GRANITE FACTORY BUILDING IS TO REMAIN AND CREATED INTO MIXED DEVELOPMENT (CORNER OF SUNSET AND GORDON). ALL ISTING STRUCTURES TO THE SOUTH (OFF GORDON STREET) TO BE REMOVED EVELOPMENT.

NO POTENTIALLY DANGEROUS HAZARDOUS AREA, TO THE BEST OF MY

E NO PROTECTED TREES ON THE PROPERTY. THERE ARE 11 TREES TO BE REMOVED/REPLACED, NONE OF THE TREES ARE PROTECTED SPECIES.

STREET CLASSIFIED AS A NON-CONTINUOUS LOCAL STREET (ULTIMATE WIDTH = THE EXISTING WIDTH IS 60 FEET. A PROPOSED 1 FOOT DEDICATION WOULD RED FOR CITY OF LOS ANGELES, MINIMUM DEDICATION, BUREAU OF ING, TO ACCOMMODATE FORTY-NINE FEET (57') HALF RIGHT OF WAY. OLD GRANITE FACTORY BUILDING IS TO REMAIN AND IS CONSTRUCTED TO FORTY LINES OR GORDON STREET, THEREFORE REQUIRED DEDICATION WILL NOT BE.

SUNSET IS CLASSIFIED AS A MAJOR HIGHWAY — CLASS II (ULTIMATE WIDTH XTS. THE EXISTING WIDTH IS 100 FEET. A PROPOSED 2 FOOT DEDICATION I REQUIRED FOR CITY OF LOS ANGELES, MINIMUM DEDICATION, BUREAU OF ING, TO ACCOMMODATE FORTY-TWO FEET (42') HALF RIGHT OF WAY.

IS RETURN OF 15 X 15 FOOT CORNER CUT MUST BE REQUIRED BY THE CITY INTERSECTION CORNER OF SUNSET BOULEVARD AND GORDON STREET, PER REQUIREMENTS.
OLD GRANITE FACTORY BUILDING IS TO REMAIN AND IS CONSTRUCTED TO FORTY LINES, THEREFORE REQUIRED DEDICATION WOULD NOT BE POSSIBLE.

THE HYDRANT LOCATION IS AT THE NE CORNER OF GORDON STREET AND SUNSET BOULEVARD (OUR PROJECT CORNER).

E RECORDED NO EASEMENTS OF RECORD SHOWN ON TITLE REPORT NO. 26 DATED JULY 16, 2008) AND (TEE 19, OR TITLE REPORT NO. 9862425, AT 08, 2008).

TO THE CITY OF LOS ANGELES FOR PIPES, VAULT AND BURNABLE RECORDED L 6, 1974, INSTRUMENT NO. 1098 O.R.

E APPLICATION IS BEING SUBMITTED AT THIS TIME.

## LEGEND OF SYMBOLS

| | |
|---|---|
| ANCHOR GUY | PALM TREE |
| CURB DRAIN | STREET LIGHT |
| CLEAN OUT | TRAFFIC SIGNAL |
| FIRE HYDRANT | WATER METER |
| FLOOD LIGHT | WATER VALVE |
| GAS METER | BLACKTOP |
| GUARD POST | BUILDING LINE |
| IRRIGATION VALVE | CHAINLINK FENCE |
| STORM DRAIN MAN HOLE | WALL LINE |
| ELECTRICAL MAN HOLE | WROUGHT IRON FENCE |
| SEWER MAN HOLE | WOOD FENCE |
| TELEPHONE MAN HOLE | UTILITY-STORM DRAIN |
| TREE | UTILITY-GAS |
| STREET LIGHT PULL BOX | UTILITY-GAS(ABANDONED) |
| TRAFFIC SIGNAL PULL BOX | UTILITY-WATER |
| PARKING METER | UTILITY-TELECOMMUNICATIONS |
| POWER POLE | UTILITY-SANITARY SEWER |

## GORDON STREET LIMITED DEDICATION & MERGER REQUEST:

1. GORDON STREET DEDICATION — THAT A ONE-FOOT WIDE STRIP OF LAND BE DEDICATED ALONG GORDON STREET TO COMPLETE A 57-FOOT WIDE HALF STREET DEDICATION IN ACCORDANCE WITH LOCAL STREET STANDARDS (NOT THAT PORTION EXISTING NORTHERLY 60 FEET FROM THE NORTHERLY LINE OF SUNSET BOULEVARD TO 146.66 FEET NORTHERLY OF SUNSET BOULEVARD.

2. GORDON STREET LIMITED DEDICATION ABOVE BELOW GRADE PARKING — THAT A ONE-FOOT WIDE STRIP OF LAND BE DEDICATED ALONG GORDON STREET TO COMPLETE A 57-FOOT WIDE HALF STREET DEDICATION IN ACCORDANCE WITH LOCAL STREET STANDARDS (NOT THAT PORTION EXISTING NORTHERLY 146.66 FEET NORTHERLY FROM SUNSET BOULEVARD, MEASURED VERTICALLY TO THAT PORTION ABOVE BELOW GRADE PARKING STRUCTURE LIMITED VERTICALLY TO 30 FEET ABOVE SIDEWALK GRADE (ONE-SEVENTY TOTAL)

3. GORDON STREET LIMITED DEDICATION FOR A VERTICAL BUILDING PROJECTION OF THE RESIDENTIAL ENTRY — THAT A ONE-FOOT WIDE STRIP OF LAND BE DEDICATED ALONG GORDON STREET TO COMPLETE A 57-FOOT WIDE HALF STREET DEDICATION IN ACCORDANCE WITH LOCAL STREET STANDARDS OVER THAT PORTION EXISTING NORTHERLY 146.66 FEET FROM THE NORTHERLY LINE OF SUNSET BOULEVARD TO 146.66 FEET NORTHERLY OF SUNSET BOULEVARD, LIMITED VERTICALLY TO THAT PORTION ABOVE 60.5 FEET ABOVE THE EXISTING SIDEWALK GRADE (ONE ENTRY TOTAL)

4. BUILDING PROJECTIONS (BALCONY) — A MEMBER OF A PAIR EXTENDING FROM A POINT EITHER NORTHERLY, EASTERLY OR WESTERLY FROM A POINT ONE FOOT FROM THE NORTHERLY LINE OF SUNSET BOULEVARD TO A POINT ONLY FEET NORTHERLY FROM THE NORTHERLY LINE OF SUNSET BOULEVARD AND CONTAINING 48 FEET MORE FROM, LIMITED VERTICALLY FROM 30 FEET ABOVE SIDEWALK GRADE TO THE TOP OF BUILDING APPROXIMATELY 84.5 FEET ABOVE SIDEWALK GRADE.

5. BUILDING ARCHITECTURAL PROJECTION — A MEMBER OF A PAIR EXTENDING FROM A POINT EITHER NORTHERLY, EASTERLY OR WESTERLY FROM A POINT ONE FOOT FROM THE NORTHERLY LINE OF SUNSET BOULEVARD TO APPROXIMATELY 481 FEET MORE FROM, LIMITED VERTICALLY FROM EXISTING SIDEWALK GRADE TO 84.5 FEET ABOVE EXISTING SIDEWALK.

## SUNSET BOULEVARD DEDICATION REQUEST:

1. THAT A 2 FOOT WIDE STRIP OF LAND BE DEDICATED ALONG SUNSET BOULEVARD TO COMPLETE A 50-FOOT WIDE HALF-SUNSET BOULEVARD NOT BE IN ACCORDANCE WITH MAJOR HIGHWAY-CLASS II STANDARDS OVER THAT PORTION ON THE NORTH SIDE OF SUNSET BOULEVARD FROM THE EASTERLY LINE OF GORDON STREET LYING CONTINUING EASTERLY FOR 39.5 FEET AND ALSO BEGINNING AT A POINT 365 FEET SOUTHERLY FROM SAID EASTERLY LINE OF GORDON STREET AND CONTINUING EASTERLY FOR 39.5 FEET.

SHORING DETAIL
DETAIL NOT TO SCALE

LIMITED STREET DEDICATION ABOVE ONE-FOOT BELOW SIDEWALK

SEE SHORING DETAIL

CURB EXTENSION CONDITION B DETAIL
DETAIL NOT TO SCALE

CURB EXTENSION CONDITION A DETAIL
DETAIL NOT TO SCALE

MERGER REQUEST FOR 2' PROJECTION FROM PROPOSED PROPERTY LINE

EXISTING BUILDING FOOTINGS T.B.D

HANDICAP RAMP TO BE RETURNED

EXISTING CURB TO REMAIN

ENTRY DETAIL
DETAIL NOT TO SCALE

A. SECTION
DETAIL NOT TO SCALE

B. SECTION
DETAIL NOT TO SCALE

C. SECTION
DETAIL NOT TO SCALE

D. SECTION
DETAIL NOT TO SCALE

E. SECTION
DETAIL NOT TO SCALE

ENCROACHMENT DIAGRAMS:
NOT TO SCALE

VIEW OF SOUTHWEST CORNER AT SUNSET BOULEVARD + GORDON STREET

VIEW SOUTH ALONG GORDON

VIEW OF SOUTHWEST CORNER AT SUNSET BOULEVARD + GORDON STREET

CHART-3A (PARKING REQUIRED AND PROVIDED)

| ZONING | ACREAGE/FAR | PARKING REQUIRED | PARKING PROVIDED |
|---|---|---|---|
| | | 783 SPACES | 113 SPACES |
| | COMMERCIAL/RETAIL | 37 (1/1,000 S.F.) | 77 SPACES |
| | OFFICE | 80 (1/1,000 S.F.) | 80 SPACES |
| | SHARED TDR | 0 | 0 SPACES |
| | TOTAL | 500 SPACES | 322 SPACES |

CHART-4A (PROPOSED PROJECT FLOOR AREA)

| DESCRIPTION | SQUARE FEET |
|---|---|
| RESIDENTIAL | 270,622 S.F. |
| RETAIL/COMMERCIAL WITH RESTAURANT AND OFFICE | 53,200 S.F. |
| TOTAL FLOOR AREA | 324,422 S.F. |

LEGEND:
PROPOSED BUILDING FOOTPRINT
PROPOSED DEDICATION REQUIREMENT
EXISTING BUILDING

GRAPHIC SCALE
SCALE: 1" = 30'

UTILITY ABBREVIATIONS:
BPL — BUREAU POWER & LIGHT
DWPPS — LOS ANGELES DEPT. OF WATER&POWER — POWER SYSTEM
DWPWS — LOS ANGELES DEPT. OF WATER&POWER — WATER SYSTEM
LACFCD — LOS ANGELES COUNTY FLOOD CONTROL DISTRICT
LAG — LOS ANGELES GAS CO. (SCG)
LAWD — LOS ANGELES WATER DEPARTMENT (DWPWS)
MTA — METROPOLITAN TRANSIT AUTHORITY
P.G.&E. — PACIFIC GAS AND ELECTRIC
PTT — PACIFIC TELEPHONE AND TELEGRAPH CO. (PACIFIC BELL)
SCE — SOUTHERN CALIFORNIA EDISON CO.
SCG — SOUTHERN CALIFORNIA GAS CO.
SNET — SOUTHERN CALIFORNIA TELEPHONE CO. (PACIFIC BELL)
WUT — WESTERN UNION TELEGRAPH CO.

MOLLENHAUER GROUP
CIVIL ENGINEERING
SURVEYING + MAPPING
LAND DEVELOPMENT
213 624 2661 TEL
213 614 1863 FAX
707 WILSHIRE BOULEVARD, 40TH FLOOR
LOS ANGELES CALIFORNIA 90017

| DATE | BY | REVISIONS |
|---|---|---|
| 4/29/09 | MC | CHANGES PER PLANNING |
| | | AND ZONING RECOMMENDS |
| | | ADDED PER CITY PLANNING |
| | | COMMENTS |
| 6/1/09 | MC | REVISED TITLE |
| 8/24/09 | MC | ADDING & REVISED NOTE |
| 9/11/09 | MC | ADD ENCROACHMENT 1-SHEETS |
| 9/14/09 | MC | ADDING & REVISED NOTE |
| 9/18/09 | MC | ADDING NOTE ON TOWER ROAD |
| 10/16/09 | MC | ADDING NOTE ON SHEET 1 |
| 4/7/10 | MC | REVISED TITLE |

VESTING TENTATIVE TRACT MAP NO. 68501
SHOWING
LOTS 12,13,14,15,16,17,18 AND 19 OF BAGNOLI TRACT NO. 2 &
PORTION OF LOT 6, OF PAUL AND ANGELINEYES SUBDIVISION
M.B. 9-174 & M.B. 1-92
CITY OF LOS ANGELES, COUNTY OF LOS ANGELES
STATE OF CALIFORNIA

VESTING
REVISED
JUN 04 2010
RECORD NOTE
FINAL MAP UNIT
TRACT NUMBER
FILING FEE
DIVISION OF LAND
© 2008 MOLLENHAUER GROUP
ALL RIGHTS RESERVED

SCALE: 1" = 30'
CAD FILE: LAYOUT-Building
DRAFTED: JC
CHECKED: JHL
PREPARED FOR:
SUNSET & GORDON INVESTORS, LLC

SHEET NO. 1 OF 1 SHEETS
SURVEY DATE: JULY 28, 2008
JOB NO. LA20043

EXHIBIT 5

# Exhibit 11

*ARTHUR L. KASSAN, P.E.*
*Consulting Traffic Engineer*

July 21, 2008

Mr. Robert P. Silverstein, Esq.
The Silverstein Law Firm
215 N. Marengo Avenue
Third Floor
Pasadena, CA 91101

Subject: Proposed Development at Sunset Boulevard and Gordon Street, Hollywood
Review of Proposed On-Site Parking Supply
CPC 2007-0515-GPA-ZC-HD-CU-PAB-ZV-ZAA-SPR-SPE-SPP

Dear Mr. Silverstein:

I have reviewed several documents regarding the developer's proposal for a reduction in the parking supply to be provided for the development at 5929 – 5945 Sunset Boulevard and 1512 – 1540 N. Gordon Street in the Hollywood community. In particular, I have reviewed the *Sunset and Gordon Mixed-Use Project Final Environmental Impact Report Section IV.K.2. Parking*, the report, *Parking Analysis for a Proposed Mixed-Use Residential and Commercial Development* which was included as *Appendix G* in the Environmental Impact Report, the Tentative Tract Map No. 68501 with revisions dated through 6/3/08, the City Planning Determination Letter dated May 13, 2008, and the minutes of City Planning Commission hearings held on January 10 and March 13, 2008.

Following are my comments.

**Changes to the Project**

The Sunset –Gordon Project has been modified since the certification of the Environmental Impact Report ("EIR"). The revised allocation of one-bedroom and two-bedroom condominiums was set forth in the City Planning Commission's determination letter dated May 13, 2008 at page F-36. The following chart shows the changes:

**Changes To Sunset-Gordon Project**

| Dwelling Unit Type | Number of Dwelling Units in EIR | Number of Dwelling Units in CPC Determination Letter |
|---|---|---|
| One Bedroom Condominiums | 160 | 197 |
| Two Bedroom Condominiums | 151 | 108 |
| Total Condominiums | 311 | 305 |
| Parking Required per Advisory Agency Policy in Congested Area | 778 | 763 |
| Parking Proposed by Applicant | 462 | 413 |
| Number of Spaces Less Than Policy | 316 | 350 |

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**"Parking Analysis ..." Report**

1. The report states that the proposed development will be within a 10-minute walk of a Metro line station [page 9]. That is overly optimistic. The nearest Red Line station is at Hollywood Boulevard and Vine Street. According to City staff reports and comments at hearings, the distance to the nearest Red line station is approximately 3,960 feet or ¾ of a mile uphill from the development site. At a brisk walking speed of four feet per second, it will take more than 16 minutes to walk between the development and the station. That will reduce the attraction of the Red Line as a travel mode for development residents and commercial employees. Use of the Red Line for commercial customers will be negligible to non-existent because of the distance.

   The City's standard for allowing transit credit for parking needs quantification is a station or major transit hub within 1,500 feet of the subject site. That is far less than half the actual distance in this case. Accordingly, any credits which have been applied in this situation have been improperly factored into the City's analysis, which is misleading to the decision makers and the public.

2. The report authors cite two bus lines that travel on Sunset Boulevard – MTA Line 2 and Line 302 – as additional reason to use transit to justify a parking reduction [page 9]. Both lines run between downtown Los Angeles and Pacific Palisades. While service on Line 2 is frequent, service on Line 302 is provided in one direction during each peak period – westbound only in the morning peak and eastbound only in the afternoon peak. That line cannot be considered as providing meaningful service to residents, customers, or employees of the development components. In reality, the development will have only one bus line providing day-long service adjacent to the site.

3. In their analyses of commercial use parking needs, the authors use adjustments of 10% for "walk-in/captive factor for the retail" and 20% for ""walk-in/captive factor for the restaurant" [page 11]. In addition, "A conservative 10% to 15% adjustment for transit proximity for the uses was incorporated in the analysis." [page 11] Therefore, there could be as much as a 35% reduction in parking needs estimates for the commercial uses based on combinations of those adjustments. The adjustments for transit are called "conservative", although the nearest rail line stop is ¾ of a mile away from the site, out of the convenient walking range for any customers and for most employees.

4. The parking ratios required for the proposed development have already been reduced to account for walk-in and transit users and similar factors before the application of the above factors. For restaurants in this area, the City requires only 2 spaces per 1,000 square feet [page 7] compared with the typical rate in most of the City of 10 spaces per 1,000 square feet. For retail in this area, the City requires only 2 spaces per 1,000 square feet [page 7] compared with the typical rate in most of the City of 4 spaces per 1,000 square feet. In the parking-deprived area in which the development site is located, further reductions from those significantly-discounted levels cannot be justified.

5. The faultiness of the shared parking analysis is demonstrated in Table 4 of the report [pages 13 and 14]. Both pages of the table show that the "shopping center" (that is, retail) component of the proposed development will require only 2 parking spaces for

employees, and the restaurant component will require only 1 parking space for its employees. That will be true for both weekdays and weekends, according to the table.

The "shopping center" component will have 5,000 square feet of floor area. Will it be adequate to staff the retail area with only 2 people, or will the employees car-pool at an unusually high rate? If there is a service use, such as a beauty/nail salon, there could be 10 to 15 employees sharing the 2 parking spaces.

The restaurant component will have 8,500 square feet. Will the 1 employee parking space be awarded to the chef? What about the other cooks, the waiters and clean-up staff, and the management? There could be 10 or more employees competing for the 1 restaurant employee parking space.

As justification for the requested parking reductions, the authors of the report have attached another report entitled, *Wilshire Center – Case No. ENV-2005-8703-EIR, Justification for Reduced Residential Parking Requirements in Urban Areas Proximate to Transit Stations.* That report deals with a proposed development to be located "across the street from the Metro Red Line Station" [page 1 of the Wilshire Center report]. There is no evidence in the report relating to developments that are ¾ of a mile from the nearest transit station, as the Sunset/Gordon site is.

- According to the Wilshire Center report, a 2004 study of Transit Oriented Developments showed "that residential parking ratios for 24 existing developments near rail stations average 1.42 space(s)/DU (dwelling unit)." [page 1 of the Wilshire Center report] However, the residential parking proposed for the Sunset/Gordon project is at the rate of 1.10 to 1.35 spaces per unit, well below the study finding. And, the Sunset/Gordon site is <u>not</u> near a rail station.

- "The San Diego standards for multiple-family dwellings require 1.25 space/DU for one bedroom and 1.75 space/DU for two bedrooms in a 'transit area'". [page 2 of the Wilshire Center report] However, for the Sunset/Gordon development, that would equate to 246 spaces for the 197 one-bedroom units and 189 spaces for the 108 two-bedroom units for a total of 435 spaces compared with the 343 resident spaces that are proposed [page 10 of the main "Parking Analysis" report].

**Final Environmental Impact Report Section IV.K.2 Parking**

Many of the above comments regarding Appendix G, "Parking Analysis ..." apply to this FEIR section also. Those comments will not be repeated.

1. The stated quantity of the proposed parking supply for the residential component is different in different places in the report, and that is confusing to the public and decision makers, and effectively constitutes a changing project description. On page IV.K.2-3, the FEIR text states that "... a total of 398 residential parking spaces ..." will be provided. That number is confirmed in Table IV.K.2-1 on the same page. On page IV.K.2-5 is the statement, "A minimum of 311 parking spaces would be available for the exclusive use of the residents." That is a number of spaces that is significantly different from the 398 spaces cited elsewhere – pages IV.K.2-2, 2-3, and 2-4. It is also significantly lower than

the "... total of 343 resident parking spaces ..." cited in the "Parking Analysis ..." report on page 10 and in a similar quote on page 1 of that report.

2. The FEIR text seeks to justify the parking reduction based on the site "location within one mile of two Redline [sic] Stations ..." Do the authors expect people in this proposed affluent housing to give up ownership (not merely use) of their vehicles on the basis of being able to walk such long distances – 3,960 feet – to transit stations? If the resident uses transit to commute to and from work, the vehicle that he/she owns for social/recreational/other uses will be parked throughout the business day at the development. That will change the parking use pattern at the site.

3. "Flexcars" are cited as being proposed as a measure "to further reduce their reliance on personal vehicles" page IV.K.2-5]. With 197 one-bedroom units and 108 two-bedroom units, there could be 450 to 550 residents of the 305-unit development. The developer is proposing to provide a total of three "Flexcars" to serve that large population [page IV.K.2-2]. The effect of those three vehicles will be trivial in the trip-making pattern of the residents. Also, there is no local experience with "Flexcars" to determine if the concept will be accepted by the residents or if there will be a company willing to provide the service at that particular location. I understand that when the City Planning Commission approved the Project, it deleted the "Flexcar" proposal and substituted any other unidentified Transportation Demand Management program that the applicant may wish to propose. That is even more problematic because nobody knows what this might be, it is vague to the point of being unenforceable, and it constitutes impermissible "deferred mitigation."

4. "The Proposed Project parking supply at 1.28 spaces per unit is consistent with the vision for residential parking supply of 1.04 to 1.96 spaces per dwelling unit in the ITE Parking Generation Manual, 3rd Edition." [page IV.K.2-8] The ITE parking supply range cited is based on nation-wide experience and does not necessarily apply to the patterns in Los Angeles. The cited ratio of 1.28 spaces per unit is in the lowest 30% of the entire range. The ratio reported in the "Parking Analysis ..." report – 1.10 spaces per unit – is in the lowest 10% of the range. Considering all of the factors that motivate drivers in their vehicle ownership, travel mode choices, and parking choices in a "parking-impacted" neighborhood, the parking ratio that is provided in a new development should be in the upper part of the ITE range, not in the lower part where there will be little margin for error in the analyses. For example, the ratio at 1.65 spaces per unit (the 66.7% level of the range) or at 1.82 spaces per unit (the 85% level of the range) may be more appropriate and safer. In any event, use of the ratios noted above are so skewed downward and so inapplicable to the driving and parking patterns of normal residents of Los Angeles as to render the data and conclusions based on the data misleading and inconsistent with CEQA's mandate that an EIR be a "good faith effort at full disclosure."

**Other Materials**

1. Well after the completion of the Final Environmental Impact Report (FEIR), the applicants have changed the development program from that which was analyzed in the FEIR. The latest program for the residential component of the development is 305 residential units and 413 residential parking spaces. That is a parking rate of 1.35 spaces per unit, which is in the lowest third of the range of parking rates in the ITE

*Parking Generation* book discussed above. The total is based on providing one space for each one-bedroom unit and two spaces for each two-bedroom unit.

The City's general practice is to require 2.5 spaces per condominium unit – 2.0 spaces for the occupants plus 0.5 spaces for the guests – regardless of the sizes of the units. By applying the lower standard to this development, the City and the CRA are setting a precedent that will be requested by applicants throughout the City and will result in parking congestion in many communities and neighborhoods.

2. At their March 13, 2008 meeting, the City Planning Commission passed a precedent-setting approval for this development permitting 66% of the parking spaces to be compact spaces. According to Department of City Planning staff, the applicant's justification for the 66% compact spaces is "Because they don't want to provide another level of parking." [Comments by City Planning staff reported in the March 13, 2008 Commission hearing minutes] The inconvenience to the applicant and the additional cost to construct a development should not be used as the justification to make a significant decision that will be used by applicants throughout the City to justify inadequate parking designs.

   Generally, compact spaces are not permitted or desirable in residential developments because of the unpredictability of the vehicle ownership patterns among residents. Even the Department staff recognized that, while 40% compact spaces are allowed in commercial and industrial developments, they are not allowed in residential developments: "The Code does not allow residential spaces to be compact, only commercial and industrial spaces allowed to be." [Comments by City Planning staff reported in the January 10, 2008 Commission hearing minutes]

   Furthermore, there is no empirical study to document the provision of a higher percentage of compact spaces than is allowed for commercial and industrial developments. "The maximum allowed by the Code even for commercial and industrial is 40%. That's what staff is recommending. 40% compact spaces instead of the 67% requested." [Comments by City Planning staff reported in the January 10, 2008 Commission hearing minutes] "So let's assume 40% of the population does drive compact. I don't know about any higher number than that. I have no statistics, no data provided to me one way or the other. Neither can I support it. Neither has the Applicant provided me with that." [Comments by City Planning staff reported in the March 13, 2008 Commission hearing minutes]

   It is likely that the excessive numbers of compact spaces will create chaotic conditions within the parking structure resulting in disputes between residents and parking spill-over onto the neighborhood streets. As Commissioner Kezios said, "... people who do not drive compacts park in compact spaces ...and it creates all sorts of problems and there's absolutely no way to monitor that or to police that. Absolutely none." [Comments by Commissioner Kezios reported in the March 13, 2008 Commission hearing minutes]

As for the spill-over onto the surrounding streets when parking on-site becomes inconvenient and vehicle-damaging, "This is the parking situation on Gordon Street. Most of these older buildings are under parked. And it's difficult to find a parking spot there." [Comments by City Planning staff reported in the January 10, 2008 Commission hearing minutes]

Currently, compact parking spaces are not permitted as part of the required parking supply in residential developments. Until there is documented empirical evidence to the contrary, compact parking spaces within a residential development should be permitted only as a low percentage of the non-required parking.

The development, as proposed will result in significant, unmitigable impacts on the parking in the surrounding neighborhood. The FEIR states that the parking impacts will be significant, but the only measure to mitigate the significant impact is a variance to allow a lower-than-usual number of parking spaces and a higher-than-ever percentage of compact parking spaces. That is not a mitigation measure, because it does not address solving the impact problems. It merely addresses the problems by changing the standard by which the significance of the impact is measured. It is difficult for the community residents, business people, and representatives to respond to a moving target.

I believe that a more rigorous analysis of the actual parking needs of the proposed development will yield much higher levels than are being proposed to be supplied by the applicant. The development program should not be approved until that study, including documentation of the sustainable levels of compact parking spaces, has been completed and reviewed by all interested parties, including the residents and business owners in the surrounding area, as well as the City decision makers.

If you have any questions about my comments, please contact me at your convenience.

Very truly yours,

Arthur L. Kassan, P.E.
Registered Civil Engineer No. C 15563
Registered Traffic Engineer No. TR 152

# LOS ANGELES CITY PLANNING COMMISSION

200 N. Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300
**www.lacity.org/PLN/index.htm**

**Determination Mailing Date:** JUL 29 2008

CITY COUNCIL
Room 395, City Hall

**CASE NO. VTT-68501-1A**
**Location:** 5929-5945 Sunset Boulevard and 1512-1540 N. Gordon Street
**Council District:** 13
**Plan Area:** Hollywood

**Applicant:** Sunset & Gordon Investors, LLC; Representative: Craig Lawson & Company, LLC

**Appellants: 1)** Robert Blue **2)** Doug Haines and the La Mirada Avenue Neighborhood Association of Hollywood; Representative: Robert Silverstein, Silverstein Law Firm

**At its meeting on July 10, 2008, the following action was taken by the City Planning Commission:**

1. **Denied** the appeals.
2. **Approved** a modification of Bureau of Engineering Conditions and other tract map conditions as attached.
3. **Made a Finding** that the previously certified CRA EIR (State Clearing House No. 2006111135) is adequate for this action.
4. **Adopted** the Deputy Advisory Agency's CEQA findings, as modified.
5. **Adopted** the attached Subdivision Map Act Findings.
6. **Modified Conditions** to add a condition, that a revised map be submitted to the satisfaction of the Deputy Advisory Agency.
7. **Approved** Vesting Tentative Tract Map No. 68501, as modified.
8. **Advised** the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.
9. **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:** Usher
**Seconded:** Lara
**Ayes:** Freer, Kezios, Montanez, Woo
**Absent:** Cardoso, Hughes, Roschen

**Vote: 6-0**

James Williams, Commission Executive Assistant I
City Planning Commission

Appeals: **Any aggrieved party may appeal the action of the Appeal Board (City Planning Commission) to the City Council within 10 days of the mailing date of this determination. Any appeal not filed within the 10-day period shall not be considered by the Council. All appeals shall be filed on forms provided at the Planning Department's Public Counters at 201 N. Figueroa Street, Fourth Floor, Los Angeles, or at 6262 Van Nuys Boulevard, Suite 251, Van Nuys.**

FINAL APPEAL DATE: AUG 0 8 2008

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: Conditions & Findings, Tract Map
City Planning Associate: Sarah Rigamat

In accordance with provisions of Section 17.03 of the LAMC, the Advisory Agency conditionally approved Vesting Tentative Tract Map No. 68501 composed of one-lot, located at 5929-5945 Sunset Boulevard and 1512-1540 N. Gordon Street for a mixed-used development including a maximum **26 commercial condominium units** (6 retail units and 20 office units), **305 residential condominium units**, **one condominium unit for park purposes**, and **two commercial condominiums for sign purposes** as shown on map stamp-dated July 21, 2008 in the Hollywood Community Plan. (Verification should be obtained from the Department of Building and Safety, which will legally interpret the Zoning code as it applies to this particular property.) For an appointment with the Subdivision Counter call (213) 978-1362. The Advisory Agency's approval is subject to the following conditions:

**NOTE** on clearing conditions: When two or more **agencies** must clear a condition, subdivider should follow the sequence indicated in the condition. For the benefit of the applicant, subdivider shall maintain record of all conditions cleared, including all material supporting clearances and be prepared to present copies of the clearances to each reviewing agency as may be required by its staff at the time of its review.

## BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

1. That a 2-foot wide strip of land be dedicated along Sunset Boulevard adjoining the subdivision to complete a 52-foot wide half right-of-way dedication in accordance with Major Highway Standards over that portion distant easterly from the easterly line of Gordon Street except for the portion from 29.3 feet to 85.8 feet easterly of the easterly line of Gordon Street.

2a. Gordon Street Regular Dedication

That a 1-foot wide strip of land be dedicated along Gordon Street adjoining the subdivision at location where is no existing structure to remain to complete a 27-foot wide right-of-way dedication over that portion distant northerly approximately 63 feet from the northerly line of sunset Boulevard to a point 148.82 feet northerly from said Sunset Boulevard.

2b. Gordon Street Limited Dedication (Below Grade Parking)

That a 1-foot wide strip of land be dedicated along Gordon Street to complete a 27-foot wide half right-of-way dedication in accordance with local street standards over that portion distant northerly approximately 149.96 feet northerly from the northerly line of Sunset Boulevard to a point 417.69 feet northerly from Sunset Boulevard, limited vertically to that portion above the horizontal plane being one-foot below the existing sidewalk grade.

2c. Gordon Street Limited Dedication (Vertical Building Projection at Entry)

That a 1-foot wide strip of land be dedicated along Gordon Street to complete a 27-foot wide half right-of-way dedication in accordance with local street standards over that portion distant northerly approximately 148.82 feet from the northerly line of Sunset Boulevard to a point 149.96 feet northerly from said

Sunset Boulevard, limited vertically to that portion above 55.2 feet above the existing sidewalk grade.

3. That the following portions of Gordon Street all substantially as shown on the revised map stamp-dated October 15, 2007 be permitted to be merged with the remainder of the subdivision pursuant to Section 66499.20-1/2 of the State Government Code, and in addition, the following be done and be administered by the City Engineer:

   a. That consents to the streets being merged and waivers of any damages that may accrue as a result of such mergers be obtained from all property owners who might have certain rights in the area being merged.

   b. That satisfactory arrangements be made with all public utility agencies maintaining existing facilities within the area being merged.

   Note: Advisory Agency hereby finds that the dedications to be merged are unnecessary for the present or prospective public purposes and all owners of the interest in the real property within the subdivision have or will have consented to the merger prior to the recordation of the final map.

3a. Gordon Street Merger for Below Grade Footings of Existing Building

A merger of 2 feet extending from a point 2 feet northerly from the northerly line of Sunset Boulevard, northerly along Gordon Street to 53.0 feet there from, limited vertically from existing sidewalk grade to 10 feet below existing sidewalk grade. (Exact location to be determined by excavation of footing)

3b. Gordon Street Merger for Balcony Projections

A merger of 2 feet extending from a point distant northerly Gordon Street 52.8 feet from the northerly line of Sunset Boulevard to 45 feet there from, limited vertically from 53.5 feet above existing sidewalk to the top of building approximately 248.8 feet above sidewalk grade.

3c. Gordon Street Merger for Architectural and Building Projection

A merger of 2 feet extending from a point distant northerly along Gordon Street approximately 99.7 feet from the northerly line of Sunset Boulevard to approximately 48.1 feet there from, limited vertically from 25.75 feet above existing sidewalk to 248.8 feet above existing sidewalk.

3d. Gordon Street Merger for Below Grade Parking

A merger of 2.8 feet along Gordon Street extending from a point 326.2 feet northerly from the northerly line of Sunset Boulevard to 417.69 feet northerly form said Sunset Boulevard limited vertically from sidewalk grade down to elevation

318.0 feet. The exact limits of the merger shall be determined during the final map process.

3e. That a revised map be submitted for information purposes satisfactory to the City Engineer and Advisory Agency showing the exact locations of all street dedications including upper and lower elevations of any limited street dedication. This revised map will be used for the final map checking process.

3f. That a Covenant and Agreement be recorded satisfactory to the City Engineer binding the subdivider and all successors to the following:

a. That the owners shall be required to maintain all elements of the structure below the limited street right-of-way of Gordon Street in a safe and usable condition to the satisfaction of the City Engineer. The City shall be given reasonable access to the structure within and adjacent to the limited street rights-of-way areas for any necessary inspection, upon request during normal business hours. The City may request the owners to repair or replace damaged, defective or unsafe structural elements or to correct unacceptable conditions at the owner's expense if owner elects not to do so. Owner shall grant reasonable access to City's contractor to make said repairs.

b. The owner shall be required to limit use and occupancy of the structures below the limited street right-of-way Gordon Street for parking only.

c. The owners shall obtain a B-permit from the City Engineer for any substantial structural modification below the street right-of-way area and for any structural modification areas and for any structural element outside said areas which provides lateral or vertical support to structures within the areas.

3g. That the subdivider execute and record an agreement satisfactory to the City Engineer to waive any right to make or prosecute any claims or demands against the City for any damage that may occur to the proposed parking structure underneath the limited street easements of Gordon Street in connection with the use, connection and maintenance operations within said street easement.

4. That any surcharge fee in conjunction with the street merger request be paid.

5. That Board of Public Works approval be obtained, prior to the recordation of the final map, the removal of any tree in the existing or proposed right-of-way area associated with improvement requirements outlined herein. The Bureau of Street Services, Urban Forestry Division, is the lead agency for obtaining Board of Public Works approval for removal of such trees.

**DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION**

6. That prior to issuance of a grading or building permit, or prior to recordation of the final map, the subdivider shall make suitable arrangements to assure compliance, satisfactory to the Department of Building and Safety, Grading Division, with all the requirements and conditions contained in Inter-Departmental Letter dated June 21, 2007, Log No. 56219-01.

**DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION**

7. That prior to recordation of the final map, the Department of Building and Safety, Zoning Division shall certify that no Building or Zoning Code violations exist on the subject site. In addition, the following items shall be satisfied:

   a. Show all street dedication(s) as required by Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be re-checked as per net lot area after street dedication.

   b. Obtain permits for the demolition or removal of all existing structures on the site. Accessory structures and uses are not permitted to remain on lots without a main structure or use. Provide copies of the demolition permits and signed inspection cards to show completion of the demolition work.

   c. The submitted map does not comply with the allowable use, required parking and maximum density requirement of the C4-1-SN and [Q]R4-1 Zone. Revise the map to show compliance with the above requirement(s) or obtain approval from the Department of City Planning. Obtain a variance from the Department of City Planning to allow for the proposed development with the proposed density, use and provided proposed parking.

   d. Provide a copy of the application or resolution for limited street dedication along Gordon Street. The street limited street dedication shall be completed prior to or concurrently with the map recording. Obtain approval from the Bureau of Engineering for building encroachments along Gordon Street.

   e. Provide a copy of affidavit AFF-45997, AFF-12591, AFF-45853 and AFF-6193. Show compliance with all the conditions/requirements of the above affidavit(s) as applicable. Termination of above affidavit(s) may be required after map has been recorded. Obtain approval from the Department, on the termination form, prior to recording.

f. Submit a revised map that dimensions each air space lot with a finite width, length, and upper and lower elevations. The final map shall be based upon a site plan which accurately describes the location of such lots.

Notes: The existing or proposed building plans have not been checked for Building or Zoning Code requirements. Any vested approvals for parking layouts, open space, required yards or building height, should be "to the satisfaction of the Department of Building and Safety at the time of Plan Check."

If the proposed development does not comply with the current Zoning Code, all zoning violations shall be indicated on the map.

An appointment is required for the issuance of a clearance letter from the Department of Building and Safety. The applicant is asked to contact Eric Cabrera at (213) 482-0474 to schedule an appointment.

**DEPARTMENT OF TRANSPORTATION**

8. That prior to recordation of the final map, satisfactory arrangements shall be made with the Department of Transportation to assure:

a. A minimum of 40-foot reservoir space be provided between any security gate(s) and the property line.

b. Vehicular access shall be prohibited from Sunset Boulevard.

c. Parking stalls shall be designed so that a vehicle is not required to back into or out of any public street or sidewalk.

d. A parking area and driveway plan shall be submitted to the Citywide Planning Coordination Section of Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 201 N. Figueroa Street Suite 400, Station 3.

e. The project shall comply with additional conditions outlined in LADOT letter of March 5, 2007 as follows:

(1) Construction Impacts: DOT recommends that a construction work site traffic control plan be submitted to the DOT for review and approval prior to the start of any construction work. The plan should show the location of any roadway or sidewalk closures, traffic detours, haul routes, hours of operation, protective devices, warning signs and access to abutting properties. DOT also recommends that all construction related traffic be restricted to off-peak hours.

(2) Highway dedication and street widening requirements: Sunset Boulevard is classified as a Major Highway Class II which requires 40-foot half-width roadway on a 52-foot half-width right-of-way. Gordon Street is classified as a Local Street which requires 20-foot half-width roadway on a 30-foot half-width right-of-way. It appears that highway dedication and widening may be required for streets fronting the proposed project. The developer must check with Bureau of Engineering's (BOE) Land Development Group to determine the highway dedication, street widening and sidewalk requirements for the project.

(3) Parking Analysis: The project did not include a parking analysis. The developer should check with the Department of Building and Safety on the number of Code required parking spaces needed for the project.

(4) Driveway Access: The review of this study does not constitute approval of the driveway access and circulation scheme. Those require separate review and approval and should be coordinated as soon as possible with DOT's Citywide Planning Coordination Section (201 N. Figueroa Street, 4th Floor, Station 3, @ 213-482-7024) to avoid delays in the building permit approval process. In order to minimize and prevent last minute building design changes, it is imperative that the applicant, prior to the commencement of building or parking layout design efforts, contact DOT for driveway width and internal circulation requirements so that such traffic flow considerations are designed and incorporated early into the building and parking layout plans to avoid any unnecessary time delays and potential costs associated with late design changes. All driveways should be Case 2 driveways and 30 feet. Any proposed gates should have 40-foot minimum reservoir space from the property line. All delivery truck loading and unloading shall take place on-site with not trucks backing into or out of the project site from any adjacent street.

**FIRE DEPARTMENT**

9. That prior to the recordation of the final map, a suitable arrangement shall be made satisfactory to the Fire Department, binding the subdivider and all successors to the following:

a. Submit plot plans for Fire Department approval and review prior to recordation of Tract Map Action.

b. The entrance or exit of all ground dwelling units shall not be more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.

c. 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.

d. All structures should be fully sprinklered.

e. Adequate public and private fire hydrants shall be required.

f. Access for Fire Department apparatus and personnel to and into all structures shall be required.

g. The Fire Department may require additional vehicular access where buildings exceed 28 feet in height.

h. No framing shall be allowed until the roadway is installed to the satisfaction of the Fire Department.

i. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.

j. Private streets shall be recorded as Private Streets, AND Fire Lane. All private street plans shall show the words "Private Street and Fire Lane" within the private street easement.

k. All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.

l. No building or portion of a building shall be constructed more than 300 feet from an approved fire hydrant. Distance shall be computed along path of travel. Exception: Dwelling unit travel distance shall be computed to front door of unit.

m. Where rescue window access is required, provide conditions and improvements necessary to meet accessibility standards as determined by the Los Angeles Fire Department.

**LOS ANGELES UNIFIED SCHOOL DISTRICT (LAUSD)**

10. That prior to the issuance of any demolition or grading permit or any other permit allowing site preparation and/or construction activities on the site, satisfactory arrangements shall be made with the Los Angeles Unified School District, implementing the measures for demolition and construction contained in the LAUSD letter dated June 12, 2007 attached to the Tract file. The project site is located on the pedestrian and bus routes for students attending Le Conte Middle School and Helen Bernstein High School. Therefore, the applicant shall make timely contact for coordination to safeguard pedestrians/ motorists with the LAUSD Transportation Branch, phone no. (323) 342-1400, and the principals or

designees of Le Conte Middle School and Helen Bernstein High School. (This condition may be cleared by a written communication from the LAUSD Transportation Branch attesting to the required coordination and/or the principals of the above referenced schools and to the satisfaction of the Advisory Agency). (MM)

a. Prior to construction, contact LAUSD Transportation Branch at *(323) 342-1400* regarding potential impact to school bus routes.

b. Maintain unrestricted access for school buses during construction.

c. Comply with provisions of the California Vehicle Code by requiring construction vehicles to stop when encountering school buses using red flashing lights.

d. Not endanger passenger safety or delay student drop-off or pickup due to changes in traffic patterns, lane adjustments, altered bus stops, or traffic lights.

e. Maintain safe and convenient pedestrian routes to LAUSD schools (LAUSD will provide School Pedestrian Route Maps upon your request).

f. Maintain ongoing communication with school administration at affected schools, providing sufficient notice to forewarn students and parents/guardians when existing pedestrian and vehicle routes to school may be impacted *(see attached Pedestrian Route Map)*.

g. Install appropriate traffic controls (signs and signals) to ensure pedestrian and vehicular safety.

h. Not haul past affected school sites, except when school is ***not*** in session. If that is infeasible, not haul during school arrival and dismissal times.

i. Not staging or parking of construction-related vehicles, including worker-transport vehicles, adjacent to school sites.

j. Provide crossing guards when safety of students may be compromised by construction related activities at impacted school crossings.

k. Install barriers and/or fencing to secure construction equipment and site to prevent trespassing, vandalism, and attractive nuisances.

l. Provide security patrols to minimize trespassing, vandalism, and short-cut attractions.

**DEPARTMENT OF WATER AND POWER**

11. Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power (LADWP) for compliance with LADWP's Water System Rules and requirements. Upon compliance with these conditions and requirements, LADWP's Water Services Organization will forward the necessary clearances to the Bureau of Engineering. (This condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1.(c).)

**BUREAU OF STREET LIGHTING**

12. If new street light(s) are required, then prior to the recordation of the final map or issuance of the Certificate of Occupancy (C of O), street lighting improvement plans shall be submitted for review and the owner shall provide a good faith effort via a ballot process for the formation or annexation of the property within the boundary of the development into a Street Lighting Maintenance Assessment District.

**BUREAU OF SANITATION**

13. Satisfactory arrangements shall be made with the Bureau of Sanitation, Wastewater Collection Systems Division for compliance with its sewer system review and requirements. Upon compliance with its conditions and requirements, the Bureau of Sanitation, Wastewater Collection Systems Division will forward the necessary clearances to the Bureau of Engineering. (This condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1. (d).)

**INFORMATION TECHNOLOGY AGENCY**

14. That satisfactory arrangements be made in accordance with the requirements of the Information Technology Agency to assure that cable television facilities will be installed in the same manner as other required improvements. Refer to the LAMC Section 17.05-N. Written evidence of such arrangements must be submitted to the Information Technology Agency, 200 North Main Street, 12th Floor, Los Angeles, CA 90012, (213) 922-8379.

**DEPARTMENT OF RECREATION AND PARKS**

15. Pursuant to Section 17.12 of the Los Angeles Municipal Code, the project Applicant shall dedicate land, and/or pay all applicable Quimby fees to the City of Los Angeles for the construction of condominium uses. The Departments of Recreation and Parks shall be the Enforcement Agency, along with Building and Safety. (MM)

**URBAN FORESTRY DIVISION AND THE DEPARTMENT OF CITY PLANNING**

16. Prior to the issuance of a "B" 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 for approval by the Department of City Planning. All trees in the public right-of-way shall be provided per the current Urban Forestry Division standards.

Replacement by a minimum of 24-inch box trees in the parkway and on the site of the 11 trees to be removed, shall be required for the unavoidable loss of desirable trees on the site, and to the satisfaction of the Advisory Agency. (MM) **Note**: Removal of all trees in the public right-of-way shall require approval of the Board of Public Works or prior to the issuance of the "B" permit the applicant shall suitable guarantee (by the posting of the "B" permit bond) the replacement of the requisite number of street trees. Contact: Urban Forestry Division at: (213) 485-5675. Failure to comply with this condition as written shall require the filing of a modification to this tract map in order to clear the condition.

**DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONS**

17. Prior to the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:

a. Limit the proposed development to a maximum of 26 commercial condominium units (six retail units approximately 13,500 square feet, 20 office units approximately 40,000 square feet), a maximum of 305 dwelling units, one (1) condominium unit for park purposes, and two (2) commercial condominiums for sign purposes.

b. Commercial Parking: Provide a minimum of two off-street parking space for each 1,000 square feet of combined gross floor area of commercial, office, business, retail, restaurant, bar, etc. in accordance with LAMC Section 12.21-A.4.x.3 (Los Angeles State Enterprise Zone). Residential Parking: Provide a minimum of one covered off-street parking spaces per residential bedroom consistent with Case No. CPC 2007-515-GPA-ZC-D-CU-CUB-ZV-ZAA-SPR-SPE-SPP.

The subdivider shall submit a "Shared Parking Analysis", which provides for shared parking between guest and commercial spaces. Tandem parking for commercial uses will be regulated by an attendant/valet parking service. Any guest spaces shall be readily accessible, conveniently located, specifically reserved for guest parking, posted and maintained satisfactory to the Department of Building and Safety. If guest parking spaces are gated, a voice response system shall be installed at the gate. Directions to guest parking spaces shall be clearly posted.

In addition, prior to issuance of a building permit, a parking plan showing off-street parking spaces, as required by the Advisory Agency, be submitted for review and approval by the Department of City Planning (200 North Spring Street, Room 750).

c. That prior to issuance of a certificate of occupancy, a minimum 6-foot-high slumpstone or decorative masonry wall shall be constructed adjacent to neighboring residences, if no such wall already exists, except in required front yard.

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

e. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.

f. That the subdivider considers the use of natural gas and/or solar energy and consults with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.

g. The Project Applicant shall develop a construction and demolition debris recycling program to divert construction related solid waste and demolition debris from area landfills. (MM)

h. The applicant shall install shielded lighting to reduce any potential illumination affecting adjacent properties.

18. Prior to the clearance of any tract map conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.

19. Prior to the clearance of any tract map conditions, the subdivider shall submit a revised map showing: two commercial condominiums for sign purposes; one condominium for park purposes; and, noting any other entitlements that were modified herewith, satisfactory to the Department of City Planning.

20. That prior to the issuance of the building permit or the recordation of the final map, a copy of the Case No. CPC-2007-515-GPA-ZC-HD-CU-PAB-ZV-ZAA-SPR shall be submitted to the satisfaction of the Advisory Agency. In the event that Case No. CPC-2007-515-GPA-ZC-HD-CU-PAB-ZV-ZAA-SPR is not approved, the subdivider shall submit a tract modification; if a modification is not filed the final map may be denied.

21. That the applicant execute and record a Covenant and Agreement (Planning Department General Form CP-6770) in a form satisfactory to the Advisory Agency binding the applicant and any successor in interest to provide tenant

relocation assistance and establish a relocation program in a manner consistent with Section 47.07 of the Los Angeles Municipal Code relating to demolition. The covenant and agreement shall be executed and recorded within 10 days after the expiration of the appeal period (and final action thereon) and a copy provided to each eligible tenant within five days of recordation of the covenant and agreement.

22. Within 10 days after the time to appeal has expired, the applicant shall execute and record a Covenant and Agreement (Planning Department General Form CP-6770) in a form satisfactory to the Advisory Agency binding the applicant and any successor in interest to the affirmative duty to abide by all provisions of the Ellis Act (Government Code § 7060, et seq.) and §§ 151.22-151.28 of the Los Angeles Municipal code.

23. That the subdivider shall make suitable arrangements for clearance with the Community Redevelopment Agency for the Hollywood Redevelopment Project area and the Hollywood Signage Supplemental Use District.

24. Prior to the issuance of a grading permit, the subdivider shall record and execute a Covenant and Agreement (Planning Department General Form CP-6770), binding the subdivider of exporting of approximately 73,518 cubic yards of excavation, 939 tons of debris, and 647 cubic yards of asphalt, a total of 33 trips per day for a duration of four months, in addition to the following haul route conditions: (MM)

a. Streets to be used are limited to: Loaded trucks south on Gordon Street, turn right onto Sunset Boulevard, turn right onto Gower Street, turn left onto Franklin Street, slight right to merge onto US-101 Northbound, slight right at CA-170 North (signs for Hollywood FWY N/CA-170N/Sacramento), Merge onto I-5 North, take exit 159A for Roxford Street East toward Sylmar, turn left at Roxford Street, Roxford Street turns right and becomes Sepulveda Boulevard, turn left at San Fernando Road, end at Sunshine Canyon Landfill (1474 San Fernando Road, Sylmar CA). Empty trucks head southeast on San Fernando Road, toward Sunshine Canyon Road, slight right onto Sepulveda Boulevard, turn right to merge onto I-5 South, slight right at CA-170 South (sign for Hollywood/CA-170S), merge onto US-101 South, take exit 8A toward Sunset Boulevard, merge onto N. Van Ness Avenue, turn right at W. Sunset Boulevard, end at 5929 Sunset Boulevard (project site).

b. Hauling hours of operation shall be from 9:00 a.m. to 4:00 p.m. Monday through Friday. No hauling activities are permitted on Saturday, Sundays or Holidays (EIR condition, MM IV.K.1-2). Trucks shall not arrive at the construction site before the prescribed start time.

c. Trucks shall be restricted to 18-wheel, bottom-dump trucks or with 20 cubic yard capacity or smaller.

d. All construction truck traffic shall avoid residential areas and other sensitive receptors to the extent feasible.

e. All staging shall be on-site. Alternatively, an off-site location shall be selected and trucks radioed into site. Trucks shall not be staged on Gordon Street or Sunset Boulevard.

f. The Traffic Bureau of the Los Angeles Police Department shall be notified prior to the start of hauling (213.485.3106).

g. Streets shall be cleaned of spilled materials at the termination of each work day.

h. The final approved haul routes and all the conditions of approval shall be available on the job site at all times.

i. The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.

j. Hauling and grading equipment shall be kept in good operating condition and muffled as required by law.

k. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.

l. All trucks are to be watered at the job site to prevent excessive blowing dirt.

m. All trucks are to be cleaned of loose earth at the job site to prevent spilling. Any material spilled on the public street shall be removed by the contractor.

n. The applicant shall be in conformance with the State of California, Department of Transportation, policy regarding movements of reducible loads.

o. All regulations set forth in the State of California Department of Motor Vehicles pertaining to the hauling of earth shall be complied with.

p. "Truck Crossing" warning signs shall be placed 300 feet in advance of the exit in each direction.

q. One flag person(s) shall be required at the job and dump sites to assist the trucks in and out of the project area. Flag person(s) and warning signs shall be in compliance with Part II of the 1985 Edition of "Work Area Traffic Control Handbook."

r. The City of Los Angeles, Department of Transportation, telephone 213.485.2298, shall be notified 72 hours prior to beginning operations in order to have temporary "No Parking" signs posted along the route.

s. Any desire to change the prescribed routes must be approved by the concerned governmental agencies by contacting the Street Use Inspection Division at 213.485.3711 before the change takes place.

t. The permittee shall notify the Street Use Inspection Division, 213.485.3711, at least 72 hours prior to the beginning of hauling operations and shall also notify the Division immediately upon completion of hauling operations.

u. A surety bond shall be posted in an amount satisfactory to the City Engineer for maintenance of haul route streets. The forms for the bond will be issued by the Central District Engineering Office, 201 N. Figueroa Street, Room 770, Los Angeles, CA 90012. Further information regarding the bond may be obtained by calling 213. 977.6039.

**DEPARTMENT OF CITY PLANNING-ENVIRONMENTAL MITIGATION MEASURES**

25. That prior to recordation of the final map the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department requiring the subdivider to identify mitigation monitors who shall provide periodic status reports on the implementation of mitigation items required by Mitigation Condition Nos. 10, 15, 17g, 24, 26, and 27 of the Tract's approval satisfactory to the Advisory Agency. The mitigation monitors shall be identified as to their areas of responsibility, and phase of intervention (pre-construction, construction, postconstruction/maintenance) to ensure continued implementation of the above mentioned mitigation items.

26. Prior to the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:

MM-1. If any archaeological or paleontological materials are encountered during the course of the project development, the project shall be halted in the area of discovery. The services of a professional archaeologist or paleontologist shall be secured by contacting the Center for Public Archaeology - Cal State University Fullerton, or a member of the Society of Professional Archaeologist (SOPA) or a SOPA-qualified archaeologist and/or the Center for Public Paleontology - USC, UCLA, Cal State Los Angeles, Cal State Long Beach, or the County Museum to assess the resources and evaluate the impact; Copies of the archaeological or

paleontological surveys, studies or reports shall be submitted to the UCLA Archaeological Information Center.

MM-2. Prior to the issuance of a grading permit, the Project Applicant shall submit a Landscape Plan, prepared by a state-licensed landscape architect, demonstrating all street trees in the public right-of-way meet the requirements of the current Street Tree Division Standards.

MM-3. All on-site advertising signage shall be designed and maintained in accordance with the LABC Sign Manual Document P/BC 2002-078, except as otherwise permitted through the Hollywood Signage Supplemental Use District.

MM-4. The park shall be actively operated and maintained for the life of the Project by the Project Applicant, Condominium Homeowner's Association (HOA), or designated non-profit organization with the experience and ability to maintain the park in accordance with the public health and safety standards employed by the Department of Parks and Recreation.

MM-5. The Proposed Project shall include low-level directional lighting at ground, podium, and tower levels of the exterior of the proposed structures to ensure that architectural, parking and security lighting does not spill onto adjacent residential properties.

MM-6. The Proposed Project's façades and windows shall be constructed with non-reflective materials such that glare impacts on surrounding residential properties and roadways are minimized.

MM-7. The Proposed Project shall be designed and constructed in accordance with the requirements outlined in the latest edition of the City of Los Angeles Uniform Building Code, including all applicable provisions of Chapter IX, Division 70 of the LAMC, which addresses grading, excavations and fills.

MM-8. The Project Applicant shall ensure geotechnical testing and observation be conducted on-site by a state certified geotechnical engineer during any excavation and earthwork activities to ensure that recommendations provided in the Project Geotechnical Report are implemented where applicable.

MM-9. The Proposed Project shall be designed and constructed in accordance with the recommendations provided in the Revised Report of Geotechnical Engineering Services, Former Old Spaghetti Factory, 1500-1540 Gordon Street and 5929-5999 West Sunset Boulevard, Hollywood, California (the "Geotechnical Report") prepared by GeoDesign, Inc., dated November 9, 2006.

MM-10. All asbestos containing materials (ACMs) present in existing on-site structures shall be abated in compliance with the South Coast Air Quality Management District's Rule 1403 as well as all other state and federal rules and regulations. Prior to the issuance of the demolition permit, the Project Applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant stating that no ACMs remain in any existing on-site structures.

MM-11. A licensed Lead-Based Paint (LBP) Inspector shall be retained to determine the presence of LBP and lead-based paint containing materials (LBPCM) within structures to be demolished on the Project Site, consistent with the 1994 Federal Occupational Exposure to Asbestos Standards, Occupational Safety and Health Administration, 29 CFR 1910.1001, 1926.1101, and 1915.1001. The Project Applicant shall be required to comply with all applicable State and Federal policies and procedures for removal of LBPCM present on the Project Site.

MM-12. The Proposed Project shall maintain appropriate fire and police access to the Project Site during the construction process.

MM-13. To the maximum extent feasible, the Proposed Project shall schedule all construction-related deliveries outside peak traffic hours.

MM-14. The Project Applicant shall prepare and submit an emergency response plan for approval by the City of Los Angeles Planning Department and the City of Los Angeles Fire Department. The emergency response plans shall include but not be limited to the following: mapping of emergency exits, evacuation routes for vehicles and pedestrians, location of nearest hospitals, and fire departments.

MM-15. All exterior windows within the Proposed Project 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. The applicant, as an alternative, 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.

MM-16. The Proposed Project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.

MM-17. The air inlets of HVAC units installed at the Project Site shall be oriented to the east away from the residential neighborhood to the west of the site and/or screened in a manner that would ensure the exterior ambient

noise levels at neighboring residential properties are not increased by more than 3 dBA CNEL. Compliance with this measure shall be demonstrated with a post-construction noise survey of the operating HVAC equipment prior to certificate of occupancy.

MM-18. Concrete, not metal, shall be used for construction of parking ramps. The interior ramps shall be textured to prevent tire squeal at turning areas.

MM-19. The Project Applicant shall procure all necessary entitlements and land use approvals from the City of Los Angeles Department of City Planning, including but not limited to the various discretionary actions identified in the request for Vesting Tentative Tract Map No. 68501 and related requests for land use entitlements and variances.

MM-20. The Project shall comply with Ordinance No. 170,978 (Water Management Ordinance), which imposes numerous water conservation measures in landscape, installation, and maintenance (e.g., use drip irrigation and soak hoses in lieu of sprinklers to lower the amount of water lost to evaporation and overspray, set automatic sprinkler systems to irrigate during the early morning or evening hours to minimize water loss due to evaporation, and water less in the cooler months and during the rainy season).

MM-21. If conditions dictate, the Department of Water and Power may postpone new water connections for this Project until water supply capacity is adequate.

MM-22. The Proposed Project shall meet or exceed all Title 24 energy conservation requirements as they apply in the City of Los Angeles.

MM-23. The Project Applicant shall develop an operational project-recycling plan that includes the design and allocation of recycling collection and storage space in the project that conforms to the City's space allocation ordinance of the Los Angeles Municipal Code (LAMC) which includes provisions for recycling areas or rooms in all new development projects.

MM-24. The Proposed Project shall erect temporary fencing around the Project Site during construction activities to secure the Project Site and discourage trespassers.

MM-25. The Project Applicant shall employ security guards to monitor and secure the Proposed Project Site after hours during the construction process to secure the site and deter any potential criminal activity.

MM-26. In order to mitigate the potential temporary and short-term traffic impacts of any necessary lane and/or sidewalk closures during the construction

period, the Proposed Project shall, prior to construction, develop a Construction Traffic Control/Management Plan to be approved by LADOT to minimize the effects of construction on vehicular and pedestrian circulation and assist in the orderly flow of vehicular and pedestrian circulation in the area of the Proposed Project. The Plan should include temporary roadway striping and signage for traffic flow as necessary, as well the identification and signage of alternative pedestrian routes in the immediate vicinity of the Project if necessary.

MM-27. The Project Applicant shall submit plot plans to the Los Angeles Police Department's Crime Prevention Section for review and comment. Plans shall include access routes, floor plans, and any other additional information that might facilitate prompt and efficient police response. Security features recommended by the LAPD shall be implemented to the extent feasible.

MM-28. The park shall be maintained by the Project Applicant as per the CRA OPA and shall be open and accessible to the public.

MM-29. The Security Plan shall incorporate low-level and directional security lighting features to effectively illuminate project entryways, seating areas, lobbies, elevators, locker rooms, service areas, and parking areas with good illumination and minimum dead space to eliminate areas of concealment. Full cut-off fixtures shall be installed that minimize glare from the light source and provide light downward and inward to structures to maximize visibility.

MM-30. The Project Applicant shall develop and implement a Security Plan in consultation with the LAPD outlining the security services and features to be provided in conjunction with the Proposed Project. The plan shall be coordinated with the LAPD and a copy of said plan shall be filed with the LAPD Central Bureau Commanding Officer. Said security plan may include some or all of the following components:

a. Provisions for an on-site private security force for the commercial and residential areas. Through individual lease agreements for the proposed retail/commercial uses and property management services for the residential uses, private on-site security services would provide a 24-hour presence. Security officers would be responsible for patrolling all common areas including the back service corridors and alleys, parking garages, and stairwells. All security officers will carry radios and patrol the grounds primarily by foot; however, bike patrol may be implemented in the parking garages and on the surrounding roadways.

b. The parking garages shall be designed to cordon off residential and commercial serving parking areas to provide increased security for

project residents. Both residential and commercial parking areas shall be fitted with emergency features such as closed circuit television (CCTV) or emergency call boxes that will provide a direct connection with the on-site security force or the LAPD 911 emergency response system.

MM-31. All requirements of LAMC Section 57.09.07, pertaining to the installation of automatic sprinkler systems in high-rise structures shall be followed.

MM-32. LAFD access shall remain clear and unobstructed at all times during the construction period.

MM-33. Fire lane width shall not be less than 20 feet. When a fire lane must accommodate the operation of LAFD aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width.

MM-34. The width of private roadways for general access use and fire lanes shall not be less than 20 feet clear to the sky.

MM-35. Fire lanes, where required and dead-ending streets, shall terminate in a cul-de-sac or other approved turning area. No dead ending street or fire lane shall be greater than 700 feet in length or secondary access shall be required.

MM-36. Where access for a given development requires accommodation of LAFD apparatus, minimum outside radius of the paved surface shall be 35 feet. An additional six feet of clear space must be maintained beyond the outside radius to a vertical point 13 feet 6 inches above the paved surface of the roadway.

MM-37. No building or portion of a building shall be constructed more than 300 feet from an approved fire hydrant. Distance shall be computed along the path of travel, except for dwelling units, where the travel distance shall be computed to the front door of the unit.

MM-38. 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-39. Access for LAFD apparatus and personnel to and into all structures shall be required.

MM-40. At areas designated by the LAFD, the structural system shall be demonstrated, by engineering calculations, as capable of sustaining LAFD vehicle loads. The design methodology shall conform to the latest

edition of the State of California Department of Transportation Bridge Design Specifications Manual.

a. Basic design requirement (within the public right-of-way and for private roads, alleys, streets, etc.): AASHTO HS20-44 with the Impact Increment = 30%

b. Special case for areas which are outside the public right-of-way, not a road and restricted to passenger vehicles only: AASHTO HS15-44 with Impact Increment = 30%

MM-41. 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.

MM-42. 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-43. In order to mitigate the potential temporary and short-term traffic impacts of any necessary lane and/or sidewalk closures during the construction period, the Proposed Project shall, prior to construction, develop a CTCM Plan to be approved by LADOT to minimize the effects of construction on vehicular and pedestrian circulation and assist in the orderly flow of vehicular and pedestrian circulation in the area of the Proposed Project. The CTCM Plan should include temporary roadway striping and signage for traffic flow as necessary, as well the Proposed Project if necessary.

MM-44. In order to mitigate potential parking impacts from construction workers the Project Applicant shall, prior to commencing construction, develop a Construction Parking Plan requiring construction workers to park off-street and not use on-street parking spaces. The Project contractor shall develop a temporary off-street parking plan to ensure a sufficient supply of off-street spaces is provided for the construction workers.

MM-45. The Project Applicant shall request and obtain approval for a variance seeking relief from the Planning and Zoning Code's residential parking standards and from the Department of City Planning's Residential Parking Policy for Division of Land–No AA 2000-1. If the approval is not granted the Proposed Project could not be built without modification to provide the required parking.

27. **Construction Mitigation Conditions** - Prior to the issuance of a grading or building permit, or the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form

CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:

CM-1. All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403.

CM-2. The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.

CM-3. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.

CM-4. All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.

CM-5. Soil stabilizers shall be applied to inactive construction areas.

CM-6. Ground cover in disturbed areas shall be quickly replaced.

CM-7. All haul roads shall be watered twice daily.

CM-8. All stockpiles of debris, dirt, or rusty materials shall be covered with a tarp.

CM-9. Vehicle speed on unpaved roads shall be reduced to less than 15 miles per hour (mph).

CM-10. All construction-related work orders shall specify that any clearing, grading, earth moving, or excavation activities shall be performed pursuant to the requirements under SCAQMD Rule 403.

CM-11. Construction and demolition shall be restricted to the hours of 7:00 AM to 6:00 PM Monday through Friday, and 8:00 AM to 6:00 PM on Saturday.

CM-12. All construction equipment engines shall be properly tuned and muffled according to manufacturers' specifications.

CM-13. The Project sponsor must comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which ensure an acceptable interior noise environment. Specifically, the project sponsor shall submit an acoustical report prior to the issuance of building permits that demonstrates that the proposed building design and materials would

ensure that interior noise levels attributable to exterior sources are no greater than 45 dBA CNEL.

CM-14. Noise construction activities whose specific location on the site may be flexible (e.g., operation of compressors and generators, cement mixing, general truck idling) shall be conducted as far as possible from the nearest noise-sensitive land uses, and natural and/or manmade barriers (e.g., intervening construction trailers) shall be used to screen such activities from these land uses to the maximum extent possible.

CM-15. To the maximum extent feasible, the use of those pieces of construction equipment or construction methods with the greatest peak noise generation potential shall be minimized.

CM-16. If noise levels from construction activity are found to exceed 75 dBA at the property line of and adjacent property and construction equipment is left stationary and continuously operating for more than one day, a temporary noise barrier shall be erected between the noise source and receptor.

CM-17. 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. Any reasonable complaints shall be rectified within 24 hours of their receipt.

CM-18. Appropriate erosion control and drainage devices shall be incorporated, such as interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code. Outlets of culverts, conduits or channels shall be protected from erosion by discharge velocities by installing rock outlet protection. (Rock outlet protection is physical devise composed of rock, grouted riprap, or concrete rubble placed at the outlet of a pipe.) Sediment traps shall be installed below the pipe-outlet. Outlet protection shall be inspected, repaired, and maintained after each significant rain.

CM-19. Stockpiles and excavated soil shall be covered with secured tarps or plastic sheeting.

CM-20. All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, wood, and vegetation. Non-recyclable materials/wastes must be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.

CM-21. Clean up leaks, drips and spills immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.

CM-22. Do not hose down pavement at material spills. Use dry cleanup methods whenever possible.

CM-23. Cover and maintain dumpsters. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting.

CM-24. Use gravel approaches where truck traffic is frequent to reduce soil compaction and limit the tracking of sediment into streets.

CM-25. Conduct all vehicle/equipment maintenance, repair, and washing away from storm drains. All major repairs are to be conducted off-site. Use drip pans or drop clothes to catch drips and spills.

**DEPARTMENT OF CITY PLANNING - STANDARD COMMERCIAL CONDOMINIUM CONDITIONS**

CC-1. prior to obtaining any grading or building permits before the recordation of the final map, a landscape plan prepared by a licensed landscape architect, shall be submitted to and approved by the Advisory Agency in accordance with CP-6730.

In the event the subdivider decides not to request a permit before the recordation of the final map, covenant and agreement satisfactory to the Advisory Agency guaranteeing the submission of such plan before obtaining any permit shall be recorded.

CC-2. In order to expedite the development, the applicant may apply for a building permit for a commercial/industrial building. However, prior to issuance of a building permit for a commercial/industrial building, the registered civil engineer, architect or licensed land surveyor shall certify in a letter to the Advisory Agency that all applicable tract conditions affecting the physical design of the building and/or site, have been included into the building plans. Such letter is sufficient to clear this condition. In addition, all of the applicable tract conditions shall be stated in full on the building plans and a copy of the plans shall be reviewed and approved by the Advisory Agency prior to submittal to the Department of Building and Safety for a building permit.

**OR**

If a building permit for a commercial/industrial building will not be requested, the project civil engineer, architect or licensed land surveyor must certify in a letter to the Advisory Agency that the applicant will not request a permit for a commercial/industrial building and intends to acquire a building permit for a condominium building(s). Such letter is sufficient to clear this condition.

**DEPARTMENT OF CITY PLANNING-STANDARD CONDOMINIUM CONDITIONS**

C-1. That approval of this tract constitutes approval of model home uses, including a sales office and off-street parking. Where the existing zoning is (T) or (Q) for multiple residential use, no construction or use shall be permitted until the final map has recorded or the proper zone has been effectuated. If models are constructed under this tract approval, the following conditions shall apply:

1. Prior to recordation of the final map, the subdivider shall submit a plot plan for approval by the Division of Land Section of the Department of City Planning showing the location of the model dwellings, sales office and off-street parking. The sales office must be within one of the model buildings.

2. All other conditions applying to Model Dwellings under Section 12.22-A,10 and 11 and Section 17.05-O of the LAMC shall be fully complied with satisfactory to the Department of Building and Safety.

C-2. That prior to recordation of the final map, the subdivider shall record an "Agreement for Development of Units for Lease or Sale ("15% Ordinance")" covenant, to benefit the Housing Authority, for certification of the development in accordance with Section 12.39-A. Arrangements shall be made with the Department of Building and Safety, Zoning Section - Subdivisions (213-482-0000) to approve the covenant format, prior to recording the covenant.

C-3. Prior to the recordation of the final map, the subdivider shall pay or guarantee the payment of a park and recreation fee based on the latest fee rate schedule applicable. The amount of said fee to be established by the Advisory Agency in accordance with LAMC Section 17.12 and is to be paid and deposited in the trust accounts of the Park and Recreation Fund.

C-4. Prior to obtaining any grading or building permits before the recordation of the final map, a landscape plan, prepared by a licensed landscape architect, shall be submitted to and approved by the Advisory Agency in accordance with CP-6730.

In the event the subdivider decides not to request a permit before the recordation of the final map, a covenant and agreement satisfactory to the Advisory Agency guaranteeing the submission of such plan before obtaining any permit shall be recorded.

C-5. In order to expedite the development, the applicant may apply for a building permit for an apartment building. However, prior to issuance of a building permit for apartments, the registered civil engineer, architect or licensed land surveyor shall certify in a letter to the Advisory Agency that all applicable tract conditions affecting the physical design of the building and/or site, have been included into the building plans. Such letter is sufficient to clear this condition. In addition, all of the applicable tract conditions shall be stated in full on the building plans and a

copy of the plans shall be reviewed and approved by the Advisory Agency prior to submittal to the Department of Building and Safety for a building permit.

OR

If a building permit for apartments will not be requested, the project civil engineer, architect or licensed land surveyor must certify in a letter to the Advisory Agency that the applicant will not request a permit for apartments and intends to acquire a building permit for a condominium building(s). Such letter is sufficient to clear this condition.

**BUREAU OF ENGINEERING - STANDARD CONDITIONS**

S-1. (a) That the sewerage facilities charge be deposited prior to recordation of the final map over all of the tract in conformance with LAMC Section 64.11.2.

(b) That survey boundary monuments be established in the field in a manner satisfactory to the City Engineer and located within the California Coordinate System prior to recordation of the final map. Any alternative measure approved by the City Engineer would require prior submission of complete field notes in support of the boundary survey.

(c) That satisfactory arrangements be made with both the Water System and the Power System of the Department of Water and Power with respect to water mains, fire hydrants, service connections and public utility easements.

(d) That any necessary sewer, street, drainage and street lighting easements be dedicated. In the event it is necessary to obtain off-site easements by separate instruments, records of the Bureau of Right-of-Way and Land shall verify that such easements have been obtained. The above requirements do not apply to easements of off-site sewers to be provided by the City.

(e) That drainage matters be taken care of satisfactory to the City Engineer.

(f) That satisfactory street, sewer and drainage plans and profiles as required, together with a lot grading plan of the tract and any necessary topography of adjoining areas be submitted to the City Engineer.

(g) That any required slope easements be dedicated by the final map.

(h) That each lot in the tract complies with the width and area requirements of the Zoning Ordinance.

(i) That 1-foot future streets and/or alleys be shown along the outside of incomplete public dedications and across the termini of all dedications

abutting unsubdivided property. The 1-foot dedications on the map shall include a restriction against their use of access purposes until such time as they are accepted for public use.

(j) That any 1-foot future street and/or alley adjoining the tract be dedicated for public use by the tract, or that a suitable resolution of acceptance be transmitted to the City Council with the final map.

(k) That no public street grade exceeds 15%.

(l) That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 1990.

S-2. That the following provisions be accomplished in conformity with the improvements constructed herein:

(a) Survey monuments shall be placed and permanently referenced to the satisfaction of the City Engineer. A set of approved field notes shall be furnished, or such work shall be suitably guaranteed, except where the setting of boundary monuments requires that other procedures be followed.

(b) Make satisfactory arrangements with the Department of Transportation with respect to street name, warning, regulatory and guide signs.

(c) All grading done on private property outside the tract boundaries in connection with public improvements shall be performed within dedicated slope easements or by grants of satisfactory rights of entry by the affected property owners.

(d) All improvements within public streets, private street, alleys and easements shall be constructed under permit in conformity with plans and specifications approved by the Bureau of Engineering.

(e) Any required bonded sewer fees shall be paid prior to recordation of the final map.

S-3. That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:

(a) Construct on-site sewers to serve the tract as determined by the City Engineer.

(b) Construct any necessary drainage facilities.

(c) Install street lighting facilities to serve the tract as required by the Bureau of Street Lighting.

a. Satisfactory arrangements shall be made with the Bureau of Street Lighting to assure the property be formed or annexed into a Street Lighting Maintenance Assessment District.

b. Construct new street light(s); two (2) on Gordon Street. If street widening is required, relocate and upgrade street lights; two (2) on Sunset Boulevard.

NOTES:

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

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

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

(e) Repair or replace any off-grade or broken curb, gutter and sidewalk satisfactory to the City Engineer.

(f) Construct access ramps for the handicapped as required by the City Engineer.

(g) Close any unused driveways satisfactory to the City Engineer.

(h) Construct any necessary additional street improvements to comply with the Americans with Disabilities Act (ADA) of 1990.

(i) That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:

a. Improve Gordon Street being dedicated and adjoining the tract by the construction of additional concrete sidewalk to complete a full-width concrete sidewalk with tree wells including any necessary

removal and reconstruction of the existing improvements satisfactory to the City Engineer.

b. Allow a maximum 5-foot curb extension at the corner of Sunset Boulevard and Gordon Street along Gordon Street and allow a maximum 5-foot curb extension along Gordon Street adjacent to the proposed park area only and to the satisfaction of the City Engineer and the Department of Transportation (LADOT).

c. Allow street and public right-of-way storm water infiltration into the planting areas on Gordon Street and said infiltration may not be used to satisfy SUSMP's requirements.

d. Improve Sunset Boulevard being dedicated and adjoining the subdivision by the construction of the following:

(1) A concrete curb, a concrete gutter and a 9-foot concrete sidewalk with tree wells and a 6-foot landscaped parkway.

(2) Allow street and public right-of-way storm water infiltration into the planting areas on Sunset Boulevard and said infiltration may not be used to satisfy SUSMP's requirements.

NOTES:

The Advisory Agency approval is the maximum number of units permitted under the tract action. However the existing or proposed zoning may not permit this number of units.

Approval from Board of Public Works may be necessary before removal of any street trees in conjunction with the improvements in this tract map through Bureau of Street Services Urban Forestry Division.

Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power, Power System, to pay for removal, relocation, replacement or adjustment of power facilities due to this development. The subdivider must make arrangements for the underground installation of all new utility lines in conformance with LAMC Section 17.05-N.

The final map must record within 36 months of this approval, unless a time extension is granted before the end of such period.

The Advisory Agency hereby finds that this tract conforms to the California Water Code, as required by the Subdivision Map Act.

The subdivider should consult the Department of Water and Power to obtain energy saving design features, which can be incorporated into the final building plans for the subject development. As part of the Total Energy Management Program of the Department of Water and Power, this no-cost consultation service will be provided to the subdivider upon his request.

**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 OF FACT (CEQA)**

I. INTRODUCTION

Pursuant to the California Environmental Quality Act (CEQA), the Community Redevelopment Agency (CRA) has acted as the lead agency for the approval of the Sunset Gordon Mixed-Use Project (the project) on the site and, in that connection, prepared and certified a Final Environmental Impact Report (Final EIR) as well as other subsequent environmental review documents under CEQA to analyze the potentially significant environmental impacts of the Project.

The project involves the construction of a 324,432 square-foot, mixed-use project including 305 dwelling units, 40,000 square feet of creative office space and 13,500 square feet of ground floor retail (including 8,500 square feet of restaurant space). The Project will also include the development of an approximately 21,177 square foot public park, will provide 508 on-site parking spaces in four subterranean levels and two above grade levels, will retain and incorporate portions of the amenity deck on the third floor, and will retain and incorporate portions of the structural/architectural components of the existing Old Spaghetti Factory (OSF) Building. The Project includes a signage plan consisting of two Supergraphic Signs for on-site and off-site advertising.

II. ENVIRONMENTAL DOCUMENTATION BACKGROUND

The CRA, acting as lead agency, distributed a Notice of Preparation of the Environmental Impact Report (EIR) for the Project to the State Clearinghouse, Office of Planning and Research, responsible agencies and other interested parties for their review during the period of November 28, 2006 to January 8, 2007. The CRA prepared a Draft Environmental Impact Report (Draft EIR) for the proposed Project, which was circulated from June 20, 2007 to August 3, 2007, pursuant to CEQA and the State CEQA Guidelines (14 Code of Regulations 15000 et seq., CEQA Guidelines) and CRA Guidelines [CRA Guidelines for the Implementation of CEQA] adopted pursuant thereto. On June 20, 2007, and soon thereafter, the CRA provided public notice of the

availability of the Draft EIR by the Internet, newspapers and direct mailing. During the public review period, a duly noticed public hearing on the Draft EIR for the Sunset and Gordon Mixed-Use Project was held by the CRA Board of Commissioners on August 2, 2007. Upon the close of the public review period, written responses were prepared to comments received on the Draft EIR, and those comments and responses, together with a list of persons commenting, were included within a Final EIR prepared pursuant to said statutes and guidelines for the Project.

The Final Environmental Impact Report for the Sunset and Gordon Mixed-Use Project (Final EIR) was prepared pursuant to CEQA and the State and CRA CEQA Guidelines, which included the Draft EIR and additions and corrections and written responses to the verbal and written comments made at the public hearing and during the CEQA review period. Subsequent to the completion of the Final EIR, a modification to the proposed signage program was requested by CRA staff so that one of the two supergraphic signs could be relocated from the west side of the building to the south side of the building. Therefore, an environmental analysis was prepared to determine whether this change created any new adverse significant impacts. The conclusion was that no new adverse significant impacts would occur and an Erratum to the Final EIR was prepared. On October 18, 2007, the CRA adopted Resolution No. 7094 that certified that the Final EIR was completed in compliance with CEQA and the CEQA and CRA Guidelines, that the information contained in the Final EIR and the Erratum to the Final EIR has been reviewed and considered by the Commissioners of the CRA prior to considering the proposed Project, and that the Final EIR and the Erratum to the Final EIR reflects the independent judgment and analysis of the CRA. The CRA Board thereafter adopted Resolution No. 7095 approving CEQA findings for the approval of the Sunset Gordon Mixed-Use Project, a statement of overriding considerations, and a mitigation monitoring and reporting program. The CRA's actions were approved by the City Council on December 14, 2007.

An Addendum to the Final EIR was prepared in February 2008 to address potential issues associated with additional zoning and entitlement approvals being sought in City Plan Case No. CPC-2007-515-GPA-ZC-HD-CU-PAB-ZV-ZAA-SPR-SPE-SPP to address the split residential/commercial zoning of the site, a modification of Mitigation Measure MM-IV-F-5.1 regarding HVAC units, and a modification of the proposal for Zip and/or Flex Cars. The Addendum analyzed whether these additional approvals and modifications related to the Project could result in any of the circumstances requiring that a subsequent or supplemental EIR be prepared under CEQA Guidelines Section 15162.

The Advisory Agency is a responsible agency under the CEQA Guidelines and is required to make findings as required by CEQA with respect to its approval of the Project. The Advisory Agency has reviewed and considered the information contained in the Final EIR, including the Erratum and Addendum, for the Project and other documents in the record with respect to the Project and certifies that its decision on the Project reflects its independent judgment. The Advisory Agency further determines as follows:

- it has considered, pursuant to CEQA Guidelines Section 15096 all relevant evidence in the record, including but not limited to the Final EIR, the Erratum to the Final EIR, the Addendum, and the CRA's determinations and findings in Resolutions Nos. 7094 and 7095 (collectively the "CEQA Documents");
- based on substantial evidence in the record, no subsequent or supplemental EIR is required pursuant to Public Resources Code Section 21166 and CEQA Guidelines Sections 15162 or 15163;
- it has considered the environmental effects of the Project as set forth in the CEQA Documents, pursuant to CEQA Guidelines Section 15096(f) and readopts the CEQA findings adopted by the CRA Board, each of which are incorporated by reference herein;
- it finds, pursuant to CEQA Guidelines Section 15091(a)(1) that changes and alterations have been required by the CRA and incorporated into the Project which avoid or substantially lessen the significant environmental effects as identified in the CEQA Documents;
- it finds, pursuant to CEQA Guidelines Section 15093, that certain economic, legal, social, technological or other benefits of the Project, as set forth below, outweigh the unavoidable adverse environmental effects, all of which are identified in the CEQA Documents;
- it finds, pursuant to CEQA Guidelines Section 15096(g)(2), that there are no feasible alternatives or feasible mitigation measures (other than those already imposed by the CRA and identified in the CEQA Documents) that would substantially lessen or avoid any significant environmental effect of the Project as identified in the CEQA Documents; and
- it hereby finds that the CEQA Documents are adequate under CEQA for approval of the Project.

Subsequent to the completion of the Final EIR, a modification to the proposed signage was requested by Agency staff of the developer, to relocate the offsite sign from the west side of the building to the south side of the building. Therefore, an environmental analysis was prepared to determine whether any new adverse significant impacts would be created. The conclusion was that no new adverse significant impacts would occur and an Erratum to the Final EIR, 2007 Addendum was prepared.

Public Resources Code Section 21081 and CEQA Guidelines Section 15091 require a public agency, prior to approving a Project, to identify significant impacts of the Project and make one or more of three allowable findings for each of the significant impacts.

* The first allowable finding is that "[c]hanges 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." (State CEQA Guidelines Section 15091, subd. (a)(1))

* The second allowable finding is that "[s]uch 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." (State CEQA Guidelines, Section 15091, subd. (a)(2))

* The third allowable finding is that "[s]pecific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the final environmental impact report." (State CEQA Guidelines, Section 15091 (a)(3))

The findings reported in the following pages incorporate the facts and discussions of the environmental impacts that are found to be significant in the EIR for the Project as fully set forth therein. Although Section 15091 of the CEQA Guidelines does not require findings to address environmental impacts that an EIR identifies as merely "potentially significant," these findings will nevertheless fully account for all such effects identified in the EIR. For each of the significant impacts associated with the Project, the following sections are provided:

Description of Significant Effects – A specific description of the environmental effects identified in the EIR, including a conclusion regarding the significance of the impact.

Mitigation Measures – Identified mitigation measures or actions, that are required as part of the Project.

Finding – One or more of three specific findings in direct response to CEQA Guidelines Section 15091.

Rationale – A summary for the reasons for the finding(s).

Reference – A notation on the specific section of the Final EIR, which includes the evidence and discussion of the identified impact.

For the environmental impacts identified in the Final EIR to be less than significant, a statement explaining why the impacts are less than significant is provided.

The Proposed Project is located at the northeast corner of the intersection of Sunset Boulevard and Gordon Street in the Hollywood Redevelopment Project and the Hollywood Community Plan Area in the City of Los Angeles. The Project Site is currently developed with an approximate 15,252 square-foot existing restaurant use, its associated surface parking lots, and three parcels to the north of the parking lot that are currently developed with residential uses: 1528-1530 N. Gordon Street, 1532-1534 N. Gordon Street, and 1538-1540 N. Gordon Street.

The Proposed Project includes the demolition of the existing uses and the development of an approximately 324,432 square-foot mixed-use project including: 311 multi-family residences, approximately 40,000 square feet of creative office space, 13,500 square

feet of retail floor area (including 8,500 square feet of restaurant uses), approximately 508 parking spaces, and a park.

The Proposed Project includes a 23-story structure with an 18-floor residential tower above a five-level above-grade podium structure with three to four levels of subterranean parking. As described in greater detail below, the Proposed Project includes a partial structural treatment plan to retain and incorporate a portion of the existing 5939 Sunset Boulevard Building as a prominent design element at the corner of Sunset Boulevard and Gordon Street.

The podium structure would be oriented toward Sunset Boulevard and Gordon Street, with ground floor retail frontages and lobby entrances fronting the adjoining streets. A sidewalk plaza and surface planters would be located along the Sunset Boulevard frontage along the eastern Sunset street frontage of the Project Site. The façade of the new retail spaces on the ground floor will be set back from the existing curb to widen the pedestrian sidewalk. Vehicular access to the parking structure is provided via one ingress/egress driveway on Gordon Street.

As shown in Section II of the Final EIR, the second level would include open-air (e.g., high ceiling) areas from the ground floor level along the Sunset Boulevard and Gordon Street frontages, with parking areas occupying the north portion of the building. Level 3, depicted on page II-11 of the Final EIR, would include creative office space positioned along the Sunset Boulevard and Gordon Street frontages, with structured parking positioned toward the northern end of the building. Level 4 includes a larger office space floor plan with an eco roof and terrace wrapping around the northern portion of the occupied area overlooking the open air parking deck on the third level. The fifth level provides the base of the residential tower. The Fifth level would incorporate an open space plaza and pool deck along the Sunset Boulevard frontage with an eco roof terrace wrapping around the east and north sides of the structure.

In total, the building would be approximately 260 feet above grade level, with the top of the podium level reaching 60 feet high above grade. Architectural elevations that conceptually illustrate the Applicant's vision for the Proposed Project are provided in Figures II-10 through II-13 in the Final EIR. Additionally, the proposed building would provide underground parking in three to four levels beneath the building footprint, and which will extend beneath the proposed park on Gordon Street. Three levels of above grade parking will be visible from the Gordon Street frontage. The building mass would be stepped back at the fourth level, where a landscaped-covered eco-roof overlooks the third level parking deck. Observing a 15-20 foot setback from the edge of the podium deck, the residential tower rises approximately 260 feet above grade. On the Sunset Boulevard frontage the residential tower is stepped back from the edge of the podium base approximately 50 to 55 feet, to provide a landscaped amenity deck with pool deck and plaza.

The Proposed Project would incorporate a total of 30,900 square feet of open space areas, including 2,300 square feet of private open space and 28,600 square feet of common open space. On the ground level the Proposed Project will include 22,350

square feet of open space in two areas: (1) the proposed park on the north side of the site fronting Gordon Street, and (2) an extended sidewalk plaza area along the street frontage of Sunset Boulevard, east of the existing 5939 Sunset Boulevard Building. A third area, located on the roof level of the podium deck (Level 5) would include 6,250 sf of common open space. This rooftop terrace would be attractively designed, landscaped and developed as useable open space areas that would be privately owned, maintained, and secured by the Proposed Project's condominium association. The residential roof terrace would be exclusive to residents and guests only. The approximate ½ acre park will be designed with hardscape and landscape elements for a passive recreational open space. It is intended to be dedicated for public use under an agreement with the Agency and/or Department of Recreation and Parks.

In addition to the environmental impact categories analyzed in the Final EIR, the Agency has determined that the Project will not result in any potentially significant impacts in the environmental subject areas presented below. Thus, each of the following non-significant impact areas, or particular issues within an impact area, were not analyzed in detail in the Final EIR.

A. Agriculture Resources

The Proposed Project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use. The Project Site is currently fully developed with commercial and residential uses and does not contain any agricultural uses. Additionally, the Project Site and immediately surrounding areas are zoned for commercial and multi-family residential use, and is not delineated or designated for use as agricultural land pursuant to the maps prepared for the Farmland Mapping and Monitoring Program. Therefore, the development of the Proposed Project would not convert any farmland to a non-agricultural use, and no impact would occur.

B. Biological Resources

The Project Site is located within an urban area and is fully developed. The Project Site does not expected to contain any species identified as candidate, sensitive, or special status by local or regional plans, policies, or regulation, or by the California Department of Fish and Game (CDFG) or U.S. Fish and Wildlife Service (USFWS). The Project Site does not contain any riparian habitat, wetlands or other sensitive natural community and is not within an area designated by an adopted habitat conservation plan, natural community conservation plan, or other approved habitat conservation plan. Furthermore, the existing vegetation on the Project Site is ornamental.

The Proposed Project would replace the existing ornamental vegetation and also increase the total amount of vegetation on the Project Site by incorporating a total of 30,900 square feet of open space areas, including 2,300 square feet of private open space area and 28,600 square feet of common open space area. The Migratory Bird Treaty Act (MBTA) (16 USC 703) makes it illegal for anyone to take, possess, import,

export, transport, sell, purchase, barter, or offer for sale, purchase, or barter, any migratory bird, or the parts, nests, or eggs of such a bird except under the terms of a valid permit issued pursuant to Federal regulations. In accordance with the MBTA, any person involved in the removal or relocation of any tree would need to halt such activity upon the discovery of an active bird nest. This law must be followed during the development of the Proposed Project. Therefore, no impact would occur and no further analysis is required.

C. Cultural Resources

The discovery of any archaeological resources, if present, would only be found during earthwork activities. As no archaeological sites are known to exist beneath the Project Site, potential impacts associated with the accidental discovery of unknown archaeological or paleontological resources would be mitigated to a less than significant level by implementing the following standard City mitigation measure during the earthwork and excavation phase:

- If any archaeological or paleontological materials are encountered during the course of the project development, the project shall be halted in the area of discovery. The services of a professional archaeologist or paleontologist shall be secured by contacting the Center for Public Archaeology - Cal State University Fullerton, or a member of the Society of Professional Archaeologist (SOPA) or a SOPA-qualified archaeologist and/or the Center for Public Paleontology - USC, UCLA, Cal State Los Angeles, Cal State Long Beach, or the County Museum to assess the resources and evaluate the impact;
- Copies of the archaeological or paleontological surveys, studies or reports shall be submitted to the UCLA Archaeological Information Center.

D. Mineral Resources

The Project Site is not located on any oil fields and no oil extraction activities are presently conducted on the Project Site. The City of Los Angeles has not identified any locally significant mineral resources on the Project Site that would be of value to the region and the residents of the State. Therefore, implementation of the Proposed Project would not result in a loss of the availability of a known resource and would have no impact on mineral resources.

## VI. ENVIRONMENTAL EFFECTS FOUND TO BE LESS THAN SIGNIFICANT

As analyzed in detail in the Final EIR, the Agency has determined that the Proposed Project would not cause significant impacts in the following areas: Aesthetics (Scenic Vistas/Views), Air Quality,

A. Aesthetics

1. Scenic Vistas and Views (Final EIR page IV.A.1-13)

There are no State of California-designated scenic highways or scenic parkways located within or in proximity to the Project Site. However, Sunset Boulevard is designated in the Community Plan as a Major Scenic Highway. The Proposed Project would alter the existing viewshed along the Sunset Boulevard corridor by replacing a relatively small one-story building with a 23-story mixed-use structure. By design, the building would retain the west- and south-facing façades of the 5939 Sunset Boulevard building at the corner of Sunset and Gordon (see Figure IV.A-8 in the Final EIR). While views of the property would be dramatically altered, the architectural scale and massing of the Proposed Project would be compatible with other structures along the Sunset Boulevard commercial corridor. Therefore, impacts upon the Sunset Boulevard "Major Scenic Highway" designation would be less than significant.

As noted and depicted in Figure IV.A-6 in the Final EIR, there are two existing view corridors in the immediate project vicinity in which the "HOLLYWOOD" sign can be seen. Due to the location of the Project Site, the Gordon Street view corridor of the "HOLLYWOOD" sign would remain unobstructed after the project is developed (see View 15 in Figure IV.A-6 of the Final EIR). View 16 on the same page of the Final EIR, which offers a limited view of the "HOLLYWOOD" sign, would be entirely blocked by the proposed development. As shown in View 16, there is limited line-of-sight that is currently available at this location. From a passing motorist on Sunset Boulevard, this view would be available for only seconds, and would not be considered a prominent scenic vista. For most motorists the available view of the "HOLLYWOOD" sign is not noticed, as it occurs outside the field of view of the east-west trending roadway. From a pedestrian's perspective, the line-of-sight to the "HOLLYWOOD" sign at View 16, would not be as prominent as View 15, which occurs at a crosswalk location. For these reasons, impacts to scenic views would be considered less than significant.

Additionally, the Project Site is currently developed with commercial and residential structures with limited landscaping features. None of the trees that are present on the Project Site are protected under the City's protected tree ordinance. Furthermore, as the site is already developed, there are no geologic landforms that occur on the Project Site. As discussed in greater detail in Section IV.E, Historic Resources of the Final EIR, none of the structures occurring on the Project Site are considered significant historic resources. Therefore, the Proposed Project would have no impact with respect to damaging scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.

B. Air Quality

1. Consistency with the 2003 AQMP (Final EIR page IV.B-21)

The 2003 AQMP was prepared to accommodate growth, to reduce the high levels of pollutants within the areas under the jurisdiction of SCAQMD, 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.

SCAG estimates that population within the City of Los Angeles will increase from 3,711,969 persons in 2000 to 4,090,125 persons by 2010. According to projections in the SCAG Regional Transportation Plan (RTP), the permanent residential population in the Hollywood Community Plan area was 222,694 in 2004 and is projected to increase to 257,033 by 2010. Section IV.G, Population and Housing, of the Final EIR concludes that implementation of the Proposed Project would not directly or indirectly induce substantial population or employment growth beyond current growth projections for the Hollywood area. Therefore, because the Proposed Project would be consistent with the regional population forecasts for the City of Los Angeles and the Hollywood area, 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 Project Site is located in a highly urbanized area of the City of Los Angeles on Sunset Boulevard, which accommodates public transit service. The site is located within walking distance of employment and shopping sites for Project residents, and the proposed retail use would serve residents of the Project as well as being within walking distance of existing residents in the local vicinity. This type of infill development would result in substantial trip reduction and is consistent with the goals of the AQMP for reducing the emissions associated with new development. As a result of the project's mixed-use nature and proximity to public transportation services, the standard ITE trip credits for internal, pass-by and transit-related trip reduction credits were applied. Specifically, it is assumed that 10% of retail patrons and 20% of restaurant patrons would be derived from the project's office use and condominiums. In addition, a conservative reduction of 10% was applied to the retail and restaurant trips and 15% reduction was applied to the residents' and office trips due to transit usage. Further, as documented by LADOT in their traffic study guidelines, a 10% traffic discount was then applied for the vehicles which are already on the roadway and pass-by for the retail component of the project, and 20% pass-by for the proposed and the existing restaurant. Accordingly, the Proposed Project would result in an estimated 860 fewer trips than separate projects of comparable size in an area not supported by adequate public transportation infrastructure. For a complete breakdown on the project's traffic

generation and associated trip reductions, please refer to Appendix F to the EIR. Specifically, as shown in Table IV.B-6 of the Final EIR, the increase of population growth associated with the Proposed Project for the year of 2010 would produce a vehicle miles traveled/population ratio that is consistent with the forecasts in the AQMP for the year of 2010. Accordingly, the Proposed Project would be consistent with the SCAQMD's AQMP growth assumptions.

Furthermore, the Proposed Project is designed as a mixed-use, multi-family residential, office, and retail development. Because the Proposed Project is not in conformance with the existing zoning and Community Plan land use designations implementation of the Proposed Project will involve several discretionary requests from the Agency and the City of Los Angeles. Such requests have the potential to affect the region's projected growth forecasts and the project's consistency with the 2003 AQMP. An amendment to the Community Plan is proposed to revise the Project Site's existing land use designations from Highway Oriented Commercial and Medium Density Residential to Regional Center Commercial. In addition, a zone change is being requested to change the C4 and [Q]R4 Zones to the C2 Zone with a D Limitation to limit the allowable FAR to be 4.5:1 in lieu of the 6:1 FAR normally permitted in Height District 2. Together, these requests would increase the current development potential of the site from 1.5:1 to 4.5:1 and would facilitate the construction 311 condominium residential units, six retail condominium units, 20 office condominium units, and one park condominium unit. However, as analyzed in Section IV.G. Population and Housing, the resulting growth associated with the Proposed Project would still fall within the anticipated growth forecasts for the Hollywood Community Planning Area, and as such, would be consistent with the 2003 AQMP.

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.

2. Construction – Local Impacts (Final EIR page IV.B-27)

As shown in Table IV.B-8 of the Final EIR, on-site emissions generated by the proposed project during the different phases of construction would not exceed the established SCAQMD localized thresholds for NOx, CO, PM10, and PM2.5 at a receptor distance of 25 meters. Thus, the on-site construction emissions would also not exceed the SCAQMD localized thresholds at receptor distances beyond 25 meters (i.e., 50, 100, 200, and 500 meters). Therefore, the localized air quality impacts resulting from construction emissions associated with the proposed project would be less than significant.

3. Operation – Regional Impacts (Final EIR page IV.B-29)

As shown in Table IV.B-9 of the Final EIR, the operational emissions associated with the proposed project would not exceed the established SCAQMD threshold levels for VOC, NOx, CO, SOx, PM10, and PM2.5 during both the summertime (smog season)

and wintertime (non-smog season). Therefore, impacts associated with regional operational emissions from the proposed project would be less than significant.

4. Operation – Greenhouse Gas Emissions (Global Warming) (Final EIR page IV.B-30)

The effects of greenhouse gasses and global climate change are largely a result of worldwide population growth and the consequent use of energy. The development of land and use of energy in the form of combustible fossil fuels, which is the primary source of greenhouse gas emissions, is directly linked to population changes and economic development trends within large geographic regions. Individual site-specific projects have a negligible effect on such macro population-driven and growth demand factors. Whether an individual site-specific project is constructed or not has little effect on greenhouse gas emissions. Greenhouse gas emissions are comprised of two basic sources related to energy consumption. One source is characterized as stationary sources and includes emissions related to the consumption and utilization of electricity and natural gas in buildings or housing developments. The other is characterized as a mobile source, and is directly related largely to petroleum fuel usage for vehicles. With respect to stationary sources, the Project Applicant intends on seeking a Gold LEED certification rating for the Proposed Project. Specifically, the Project would promote efficient use of energy through the use of energy co-generation and resource conservation measures. The project incorporates alternative energy co-generation sources such as photovoltaic panels and other energy conservation features. The project also proposes to incorporated energy conservation features in the proposed residential units such as low-flow water fixtures and energy conservation appliances. The orientation of the residential tower footprint will also serve to reduce heat gain and conserve energy. With respect to mobile source emissions, the Proposed Project promotes measures to reduce the dependence of vehicles for the residents and employees. For one, the Project Site is located within a one-mile walking distance of two MTA Metro Red Line Stations. In addition the Proposed Project incorporates Flexcar™ as alternative transportation opportunities. Furthermore, the mixed-use nature of the project combined with the Proposed Project's location in an area that is well served by regional transportation services would result in fewer vehicle miles traveled than other projects throughout the region (See Cumulative Impacts discussion, below). As a result, the Proposed Project would exhibit qualitative measures that would help reduce the projects contribution to greenhouse gas emissions and a less than significant impact would occur.

5. Operation – Local Impacts (Final EIR page IV.B-30)

As shown in Table IV.B-10 of the Final EIR, on-site operational emissions generated by the proposed project would not exceed the established SCAQMD localized thresholds for NOx, CO, PM10, and PM2.5. Thus, the localized air quality impacts resulting from operational emissions associated with the proposed project would be less than significant.

6. Operation – Local CO Impacts (Final EIR page IV.B-33)

As shown in Table IV.B-11 of the Final EIR, future CO concentrations near the study intersections would not exceed national or State ambient air quality standards. Therefore, CO hotspots would not occur near these intersections in the future with operation of the proposed project. Therefore, impacts related to local CO concentrations at these intersections would be less than significant.

7. Cumulative Impacts – Construction, Operation, Localized, Greenhouse Gas Emissions (Final EIR page IV.B-33)

Construction

Because the Basin is currently in non-attainment for ozone, CO, PM10, and PM2.5, cumulative development could violate an air quality standard or contribute to an existing or projected air quality violation. This is considered to be a significant cumulative impact. With respect to determining the significance of the proposed project's contribution to regional emissions, the SCAQMD neither recommends quantified analyses of cumulative construction emissions nor provides methodologies or thresholds of significance to be used to assess cumulative construction impacts. According to the SCAQMD, individual construction projects that exceed the SCAQMD recommended daily thresholds for project-specific impacts would cause a cumulatively considerable increase in emissions for those pollutants for which the Basin is in non-attainment. As discussed previously, construction emissions associated with the proposed project would not exceed the SCAQMD's thresholds of significance for VOC, NOx, CO, SOx, PM10, and PM2.5. Consequently, the contribution of daily construction emissions by the proposed project would not be cumulatively considerable. Thus, the cumulative impact of the proposed project for construction emissions would be less than significant.

Operational Impacts

Due to the non-attainment of ozone, CO, PM10, and PM2.5 standards in the Basin, the generation of daily operational emissions associated with cumulative development would result in a cumulative significant impact associated with the cumulative net increase of any criteria pollutant for which the region is in non-attainment. With respect to operational emissions, the SCAQMD has indicated that if an individual project results in air emissions of criteria pollutants (CO, VOC, NOx, SOx, PM10, and PM2.5) that exceed the SCAQMD recommended daily thresholds for project-specific impacts, then it would also result in a cumulatively considerable net increase of these criteria pollutants for which the region is in non-attainment under an applicable federal or State ambient air quality standard. As discussed previously, operational emissions associated with the proposed project would not exceed the SCAQMD's thresholds of significance for VOC, NOx, CO, SOx, PM10, and PM2.5. As stated above, the Proposed Project would be consistent with the growth forecasts for the Hollywood area of the City of Los Angeles, and would be consistent with the 2003 AQMP.

Moreover, the Proposed Project would result in fewer vehicle miles traveled (VMT) than a project of comparable size located elsewhere in the Basin, and, as a result, would further reduce the Proposed Project's cumulative contribution of air emissions generated from mobile sources. Based on the characteristics of the proposed land uses, a project of this size and type would typically generate approximately 3,565 daily trips. However, because the Proposed Project is a mixed-use project and is located in an area that is adequately served by mass transit, an approximate 24% reduction to the amount of daily trips would occur as a result of internal capture, pass-by trips and transit-diverted trips. In addition, the resulting daily traffic volumes would be further offset by the demolition of the existing land uses, which are estimated to generate approximately 1,460 daily trips. Based on these factors, the Proposed Project is expected to generate approximately 1,248 total daily trips, which results in approximately 2,317 fewer daily trips than a project of similar size and scale located elsewhere in the basin. As shown in Table IV.B-6 of the Final EIR, the increase of population growth associated with the Proposed Project for the year of 2010 would produce a vehicle miles traveled/population ratio that is consistent with the forecasts in the AQMP for the year of 2010. Consequently, the contribution of daily operational emissions by the proposed project would not be cumulatively considerable. Thus, the cumulative impact of the proposed project for operational emissions would be less than significant.

Localized CO Impacts

Cumulative development is not expected to expose sensitive receptors to substantial pollutant concentrations. As discussed previously, the future CO concentrations at the study intersections in 2009 (refer to Table IV.B-11 above) are based on the projected future traffic volumes from the study intersections contained in the traffic study for the proposed project, which takes into account emissions from the proposed project, future ambient growth, and related projects in the project area. As shown in Table IV.B-10 of the Final EIR, future 1-hour and 8-hour CO concentrations at the study intersections in the project vicinity would not exceed the national or State ambient air quality standards. Therefore, CO hotspots would not occur near these intersections in the future, and this cumulative impact would be less than significant; no significant project cumulative impact would occur for CO. It is also unlikely that future projects will result in long-term future exposure of sensitive receptors to substantial pollutant concentrations because CO levels are projected to be lower in the future due to improvements in vehicle emission rates predicted by the ARB. Therefore, the cumulative impact of the proposed project is considered to be less than significant.

Greenhouse Gas Emissions (Global Warming)

An individual project cannot generate enough greenhouse gas emissions to influence global climate change. However, an individual project may contribute an incremental amount of greenhouse gas (GHG) emissions. For most projects, the main contribution of GHG emissions is from motor vehicles, but how much of those emissions are "new" is uncertain. New projects do not create new drivers, and therefore do not create a new mobile source of emissions. Rather, new projects only redistribute the existing traffic

patterns. Larger projects will certainly affect a larger geographic area, but again, would not cause the creation of new drivers. Some mixed-use and urban infill projects can actually reduce the number of vehicle miles traveled that a person drives.

C. Geology/Soils

1. Fault Rupture (Final EIR page IV.C-8)

The Project Site is located in the seismically active region of Southern California. Numerous active and potentially active faults with surface expressions (fault traces) have been mapped adjacent to, within, and beneath the City of Los Angeles. However, there no active surface fault traces identified by the State as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map are known to be present beneath the Project Site. The nearest fault is the Hollywood Fault, which is located .47 miles northwest of the Project Site. Although an Alquist-Priolo Zone has not yet been established for the fault, it is considered to be active by the City of Los Angeles and the State Geologist for the purposes of planning and development. Therefore, the possibility of surface fault rupture affecting the Project Site would be considered remote. Therefore, development of the Proposed Project would not expose people or property to hazardous conditions resulting from rupture of a known earthquake fault on the Project Site and impacts would be less than significant.

2. Seismic-Induced Settlement and Liquefaction (Final EIR page IV.C-9)

The Proposed Project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-induced ground failure associated with settlement and/or liquefaction. Based on the information presented in Section IV.c of the Final EIR, soils on the Project Site would not be susceptible to liquefaction. In addition, the Project Site is not within an area of known subsidence associated with fluid withdrawal (groundwater or petroleum), peat oxidation or hydrocompaction. Therefore, impacts associated with liquefaction and seismic-induced settlement would be less than significant.

3. Landslides (Final EIR page IV.C-10)

The Proposed Project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides. As discussed above, the Project Site is relatively level and ranges from elevation 370 to 360 feet above mean sea level (from north to south). The Project Site is not located within a City-designated landslide area or an area identified as subject to seismic slope instability. Due to the relatively flat topography of the Project Site and surrounding area, potential impacts associated with landslides would be less than significant.

D. Hazardous Materials/Risk of Upset

1. Operation, Release of Hazardous Materials (Final EIR page IV.D-13)

Under the Proposed Project, a broad range of cleaning solvents would be used in association with janitorial cleaning and maintenance in the proposed retail and restaurant space, as well as maintenance/landscaping and daily household activities in the proposed residences. Cleaning solvents expected to be used would be similar in type and quantity to those currently used on-site. However, due to the size of the Proposed Project the storage and use of such materials is anticipated to increase in volume in conjunction with the routine day-to-day operations of the Proposed Project. The limited quantities of hazardous materials that would be used would be handled, transported, and disposed in accordance with all applicable local, State, and federal regulations. Therefore, impacts related to routine transport, use, and disposal of hazardous materials during operation would be less than significant.

E. Historic Resources

1. Construction and Operation (Final EIR page IV.E-12)

The Proposed Project involves the demolition of all of the residential buildings located on Gordon Street. The Applicant is exploring options to retain and restore the exterior façade and various interior treatments of the 5939 Sunset Boulevard Building or alternatively may seek other methods that would not require retention and/or restoration but would memorialize the social significance of this building as it relates to the development of the Hollywood area. Since none of the buildings located on the Project Site were deemed historically or culturally significant, demolition and/or remodel of these structures would not significantly impact any historic or cultural resource. The Proposed Project would incorporate portions of the original restaurant building façade into the new development as a beneficial design feature, preserving that portion of the building to retain its distinctive qualities and preserve local neighborhood character. As none of the buildings on the Project Site are classified as a historic resource pursuant to CEQA, the Proposed Project will have no impact on historic resources.

Additionally, the Proposed Project would not directly affect the setting of the Selma–LaBaig Historic District due to two factors: the distance between the Project site and the Historic District, and the fact that the Proposed Project would not be out of character for the existing setting of high-rise developments on Sunset Boulevard. Therefore, the buildings within the Historic District would continue to be considered eligible for listing in the National Register. Therefore, the Proposed Project will have no impact on the historic resources in the vicinity of the Project Site.

F. Population and Housing

1. Displacement (Final EIR page IV.G-9)

Construction of the Proposed Project would necessitate the demolition of nine dwelling units with in the Hollywood CPA and Hollywood Redevelopment Area. The existing

nine dwelling units located at 1528-1530, 1532-1534, and 1538-1540 N. Gordon Street are all currently owned by the Applicant and will be demolished to make way for a 21,571 square foot park. In terms of displacing existing residents, six of the nine dwelling units are currently occupied. Relocation assistance will be provided in accordance with all applicable City policies pertaining to the displacement of existing tenants. With respect to loss of housing stock, the Proposed Project will be constructing a total of 311 new dwelling units for a net increase of 302 units. Thus, impacts associated with the loss of housing would be offset by a net increase of 302 new dwelling units and would thus be considered a net beneficial significant. As a result, housing displacement impacts would be less than significant.

2. Population Growth (Final EIR page IV.G-9)

Construction- Related Population Growth

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 the following:

- Construction employment has no regular place of business. Rather, construction workers commute to job sites that may change several times a year;
- Any construction workers are highly specialized (e.g., crane operators, steel workers, masons) and move from job site to job site as dictated by the demand for their skills; and
- 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 in population. Therefore, indirect population growth impacts associated with construction jobs would be less than significant.

Population Growth Due to Permanent Jobs

The Proposed Project would not induce substantial population growth as a result of providing permanent jobs. Currently, it is estimated that the existing uses on the Project Site generate approximately 35 commercial retail jobs. The Proposed Project would demolish all of the existing uses, which consequently would displace the existing employees that currently work in the commercial establishments on the Project Site. The commercial/retail component of the Proposed Project is estimated to create

approximately 140 office and 31 retail jobs, for a total of 171 jobs. In addition, approximately five full-time positions would be created by the proposed residential component: property managers, facilities engineers, security personnel, and custodians. Another five permanent jobs would likely be generated for on-site landscaping and maintenance, housecleaning, and repair services. Therefore, the Proposed Project would be expected to generate approximately 181 employees at the Project Site, which results in a net increase of 146 jobs as compared to existing conditions. Typically, jobs in the retail and restaurant industries do not generate indirect population growth within the region as such jobs are generally filled by residents that already reside within proximity to those jobs. As such, the proposed retail and office uses would not generate substantial indirect population growth or demand for new housing.

Population Growth Due to Housing

The Proposed Project would directly increase population growth within the region as a result of the construction of 305 new multi-family condominium units. Based on 305 proposed residential units, the Proposed Project is estimated to introduce approximately 722 new permanent residents to the Project Site. This estimate is based on the demographics in the Hollywood Redevelopment Plan Amendment Final EIR, which states that there is an average household size of 2.39 residents per unit based on estimations by the Los Angeles Citywide General Plan Framework EIR. Based on this projection, the 722 new residents anticipated to be generated by the Proposed Project would represent approximately 2.1 percent (722 ÷ 34,339) of the overall remaining population growth that is expected to occur in the Hollywood Community Plan Area between 2004 and 2010. As such, it is reasonable to conclude that the population growth associated with the Proposed Project has already been anticipated and planned for in the Hollywood Community Plan.

In comparison to citywide growth projections, the residents generated by the Proposed Project would represent approximately 0.4% percent (722 ÷ 164,126) of the overall population growth that is expected to occur in the City of Los Angeles between 2004 and 2010. As such, the project would fall within the anticipated population growth rates identified for the City.

Based on the above, the population growth associated with the Proposed Project is within the planned population growth for the Community Plan and Citywide regions. Population growth impacts would therefore be less than significant.

The Redevelopment Plan does not provide population growth projections; therefore, the Proposed Project would not be required to conform to any such requirements.

3. Housing Growth (Final EIR page IV.G-12)

The Proposed Project would serve to implement the residential goals and objectives of the Community Plan by providing a high-density mixed-use development along the Sunset Boulevard corridor, thus minimizing impacts on lower-density residential neighborhoods elsewhere in the project area. The Proposed Project would displace

nine existing units and would develop 305 new dwelling units for a net increase of 296 housing units. With respect to the Community Plan housing projections, the 296 additional dwelling units generated by the Project would represent approximately 4.4 percent (305 ÷ 6,899) of the overall residences expected to be constructed in the Hollywood CPA between 2004 and 2010. As such, it is reasonable to conclude that the housing growth associated with the Proposed Project has already been anticipated and planned for in the Community Plan and the Proposed Project would be consistent with the growth projections. Housing growth impacts would therefore be less than significant.
Consistency with Regional Housing Policies

As discussed in Section IV.F (Land Use and Planning) of the Final EIR, the Proposed Project would be generally consistent with and would implement the growth and/or housing policies identified in SCAG's RCPG, the City's Framework, the City's Housing Element, the Community Plan, and the Redevelopment Plan. Furthermore, the Proposed Project would be consistent with the growth projections identified by SCAG and within the Community Plan, as well as the maximum housing units permitted for the Redevelopment Area pursuant the Redevelopment Plan. The Proposed Project would not be subject to the City's Rent Stabilization Ordinance as all proposed residential units would be constructed post-1979 and would be for-sale condominium units and not apartment units. Therefore, the Proposed Project would be consistent with all applicable adopted City and regional plans and impacts would be less than significant.

G. Land Use Planning

1. Construction (Final EIR page IV.H-18)

Construction of the Proposed Project could cause temporary and intermittent impacts to adjacent land uses due to temporary increases in air emissions (including fugitive dust), noise, and traffic congestion. These potential effects are discussed in detail in Sections IV.B, Air Quality; IV.F, Noise; and IV.K.1, Traffic and Transportation, of the Final EIR. Uses that are considered especially sensitive to noise and air pollution include residences, schools, churches, hospitals, and convalescent care facilities. Sensitive receptors located in the vicinity of the Proposed Project include multi-family residential uses directly west, north and northeast of the Project Site. There are no hospitals or convalescent care facilities located in the immediate vicinity of the Project Site. The nearby sensitive receptors could experience significant impacts from construction–related air emissions, sporadic noise events, and temporary road closures. Construction activities could necessitate temporary lane closures on streets adjacent to the Project Site on a temporary and intermittent basis for utility relocations/hook-ups, delivery of materials, and other construction activities as may be required. However, site deliveries and the staging of all equipment and materials would be organized in the most efficient manner possible on-site to avoid any impacts to the neighborhood and surrounding traffic. It is not expected that complete closures of any streets would be required during construction. These lane closures, and the associated traffic control plans necessary for such closures, would be reviewed and approved by the appropriate City agency prior to any closures. Furthermore, implementation of the recommended construction related mitigation measures pertaining to air quality, traffic, and noise

impacts would further reduce construction impacts upon adjacent land uses. Therefore, land use impacts associated with construction of the Proposed Project would be less than significant.

2. Operation – Land Use Compatibility (Final EIR page IV.H-18)

The land uses adjacent to the Project Site consist of a variety of regional commercial center uses (i.e. mid- to high- rise office buildings, retail uses, multiple-family residential structures, and parking lots). The objectives of the Proposed Project are to contribute to the revitalization of the Hollywood Redevelopment Project by providing a mixed-use project that will increase housing and employment opportunities in the area, and complement the surrounding ground-floor retail frontages along the Sunset corridor. The Proposed Project would enhance a key public transportation center by providing high-density housing in an area well served by the MTA Metro Red Line and a variety of popular bus lines. The Proposed Project would also help revitalize the area by developing new neighborhood-serving commercial retail and restaurant uses. Furthermore, the Proposed Project would include an approximate 21,571 square foot park, which would add much-needed green space and passive recreational open space opportunities for the neighborhood.

The design, height and massing of the Proposed Project would be consistent with existing development in the area and would improve upon the Site's current aesthetics. The Proposed 23-story structure (including ground floor and parking uses) is compatible with the surrounding 2- to 22-story commercial and multi-family residential buildings. The Proposed Project would include three-levels of subterranean commercial parking, retail and restaurant uses on the ground floor, one floor of retail space, two floors of creative office space, and one residential tower of 18 stories above the podium base. Although the Project would be among the highest structures in its immediate vicinity, it would be appropriate in its location on the corner of one of the largest mixed-use thoroughfares in the Hollywood Area; Sunset Boulevard. Furthermore, the Proposed Project's location close proximity to Metro Red Line Stations would make it an appropriate place for a mixed-use, multiple-family residential project. Through its proposed uses and architectural form, the Proposed Project would become fully integrated into the existing streetscape and community. Thus, no significant land use compatibility impacts related to the scale and massing of the Proposed Project would occur.

3. Operation – Consistency with Regional Land Use Policies and Regulations (Final EIR page IV.H-19)

Regional Comprehensive Plan and Guide

The Regional Comprehensive Plan and Guide (RCPG) includes several policies, which are generally applicable to the Proposed Project. Consistency and compatibility of the Proposed Project with these policies is discussed in Table IV.H-1 on page IV.H-17 of the Final EIR. As Table IV.H-1 demonstrates, the Proposed Project would have a less-than-significant effect on RCPG policies.

South Coast Air Quality Management District

As discussed in further detail in Section IV.B, Air Quality of the Final EIR, the Proposed Project would result in a less than significant impact with respect to as it would not conflict with or obstruct implementation of the AQMP.

Regional Water Quality Control Board

Prior to construction, the applicant will be required to obtain a National Pollution Discharge Elimination System (NPDES) statewide General Construction Activity Permit from the RWQCB. In accordance with the RWQCB requirements, the Project Applicant would need to file a Notice of Intent and prepare a Storm Water Pollution Prevention Plan (SWPPP) prior to any construction activity. As part of the SWPPP, the Proposed Project would be required to implement effective best management practices (BMPs) to minimize water pollution to the maximum extent practical. In addition, the final drainage plans would be required to provide structural or treatment control BMPs to mitigate (infiltrate or treat) storm water runoff. Implementation of the BMPs in the project SWPPP and compliance with the City's surface water discharge requirements would ensure that the project construction would not violate any water quality standards or discharge requirements or otherwise substantially degrade water quality. As such the project would be consistent with the applicable water quality policies of the RWQCB and impacts upon water quality would be less than significant.

Congestion Management Plan

The Proposed Project's Traffic Impact Analysis, which is presented in greater detail in Section IV.K.1 (Transportation and Traffic) of the Final EIR, was prepared in accordance with the County of Los Angeles CMP and City of Los Angeles Department of Transportation (LADOT) Guidelines. The Proposed Project would not significantly impact any CMP roadway segments or freeway on-/off-ramps. Therefore the Proposed Project would be consistent with the CMP.

4. Operation – Consistency with broad planning goals and policies of the City of Los Angeles General Plan (Final EIR page IV.H-24)

As stated in greater detail on page IV.H-24 through IV.H-27 of the Final EIR, the Proposed Project would be generally consistent with the broad planning goals and policies of the City of Los Angeles General Plan, including the applicable Elements pertaining to Air Quality, Conservation, Housing, Safety, and Transportation.

5. Operation – Consistency with the Hollywood Redevelopment Plan (Final EIR page IV.H-28)

As shown in Table IV.H-2 on pages IV.H-29-30 of the Final EIR, the Proposed Project would serve to implement several of the Hollywood Redevelopment Plan goals and objectives. The mixed-use nature of the project would promote a balanced community meeting the needs of the residential, commercial, industrial, arts and entertainment

sectors. The project's mixed-use nature would also enable residents to live and work in Hollywood and would also serve to reduce regional traffic congestion. The project's work force housing component would provide housing opportunities and increase the supply of work force housing for all income and age groups, especially for persons with low and moderate incomes and to provide homeownership opportunities and other housing choices, which meet the needs of the resident population.

The project's location in proximity to public transportation systems would further promote sound development practices. The proposed 0.5-acre park would directly promote and encourage development of recreational facilities and open spaces necessary to support attractive residential neighborhoods and commercial centers. Therefore, the Proposed Project would not conflict with the Redevelopment Plan, and land use impacts would be less than significant.

H. Public Utilities

1. Water Supply - Construction (Final EIR page IV.I-4)

The project area is currently served by adequate potable water infrastructure. The project's water consumption (quantity, size and type of infrastructure) is determined by the Applicant's Engineering consultants based on the Los Angeles Department of Building and Safety and applicable building code requirements. The on-site (sprinkler system and private fire hydrants) and off-site (public fire hydrants) fire flow demands are determined based on the Los Angeles City Fire Department and applicable building code requirements. Specific fire flow tests are typically conducted during the civil engineering review phase of the Project, after Project approval. Once a determination of the project's domestic and fire demands has been made, LADWP will assess the need for additional facilities. If the estimated water requirements for the Proposed Project can be served by existing water mains in the adjacent streets, water service will be provided routinely in accordance with the DWP's rules and regulations. If the estimated water requirements are greater than the available capacity of the existing distribution facilities, special arrangements must be made with the Department to enlarge the flow capacity or pressure in supply line(s). In this case, supply main enlargement may cause short-term and temporary impacts on the environment during construction. Although new service connections may occasionally result in interruptions in water services for existing customers, it is not anticipated that these interruptions would be significant. Therefore, temporary and short-term disruptions in local water service during the construction period would be less than significant.

2. Wastewater (Final EIR page IV.I-10)

As shown in Table IV.I-2 of the Final EIR, the Proposed Project is anticipated to generate approximately 48,963 gallons per day (gpd) of wastewater, or 17.8 million gallons annually. Sewage generated by the Proposed Project would continue to be conveyed and treated at the Hyperion Treatment Plant, which has adequate capacity to accommodate the increased wastewater flows and thus RWQCB treatment standards area assured of being maintained.

Water conservation measures required by City ordinance (e.g., installation of low flow toilets and plumbing fixtures that prevent water loss, limitations on hose washing of driveways and parking areas, etc.) would be implemented as part of the Proposed Project and would help reduce the amount of wastewater generated by the Proposed Project. As such, the Proposed Project's impacts with respect to the wastewater treatment capacity would be less than significant.

The projected increase of 48,963 million gpd would represent approximately one percent of the excess treatment capacity presently available at the Hyperion Treatment Plant. If insufficient capacity exists, the developer would be required to build a secondary line to connect to the flow to the nearest lines with capacity to serve the project. The installation of a secondary line, if needed, would require minimal trenching and pipeline installation and would not result in any adverse environmental impacts. Therefore, the Proposed Project's impacts with respect to the existing wastewater infrastructure would be less than significant.

3. Energy – Construction (Final EIR page IV.I-16)

Energy would be consumed during the demolition, excavation, and construction phases of the Proposed Project for grading and materials transfer by heavy-duty equipment, which is usually diesel powered. Although exact figures cannot be determined until building permits are issued, it is currently expected that the heavy equipment involved in the demolition, excavation, and construction phases of the Project would include crawler-excavators, loaders, bulldozers, graders, water trucks, street sweepers, tractors, cranes, and fork lifts. In addition, dump trucks would be used to haul excavated earth and building material to the Sunshine Canyon landfill and Paramount Resource Recycling center throughout the grading and excavation phases. It is estimated that the majority of heavy equipment use on the Project Site would occur during the first twelve months of the construction period. Furthermore, the majority of hauling would occur during the demolition and excavation phases, which are expected to occur over the first three months of construction.

It is estimated that the Proposed Project would require the export of approximately 180,740 cubic yards of soil, asphalt, and debris. Assuming the use of tandem bottom dump trucks with a hauling capacity of 15 cubic yards per truck, the demolition/excavation phase of the Proposed Project would generate approximately 182 haul trips per day. An approximate total of 48,197 gallons of diesel fuel would be consumed by heavy equipment during the construction period. It is further estimated that approximately 165,000 gallons of diesel fuel would be consumed by construction equipment operating on site during the first twelve months of construction. Therefore, an estimated total of 213,197 gallons of diesel fuel would be consumed during the excavation, grading, and construction process.

Construction worker travel to and from the Project Site would result in the additional consumption of approximately 56,294 gallons of vehicular unleaded gasoline fuel during the construction period. In addition to approximately 213,197 gallons of diesel fuel and 56,294 gallons of vehicular fuel, an unquantifiable amount of electricity and natural gas

would be consumed as a result of the short-term construction process. Due to the relatively short duration of the construction process, and the fact that the extent of fuel consumption is inherent to construction projects of this size and nature, fuel consumption impacts would not be considered excessive or substantial with respect to regional fuel supplies.

I. Public Services

1. Libraries (Final EIR page IV.J-37)

Development of the Proposed Project would increase demand for library services by increasing the permanent residential population in the area by approximately 722 persons. 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 State of California standards, the Proposed Project would generate a need for approximately 361 square feet (722 x 0.5) of library space and 1,444 additional volumes of permanent collection (722 x 2).

The nearest library to the Project Site is the Hollywood Branch library, which serves a population of approximately 98,100 and has a total square footage of 9,273 sf. This is below the desired 12,500 sf size for libraries serving up to 100,000 persons and the addition of the Proposed Project's residents could represent a potentially significant impact to the Hollywood Branch library since it would further increase the demand on an already-undersized library. However, as discussed above, the Will and Ariel Durant Library and the John C. Fremont Library also serve the Project Site and have recently received expansions and/or funding for modernization. Thus, future residents of the Proposed Project would have access to adequate library facilities, but within a larger service area. Furthermore, Proposition DD money has funded the expansion and renovation of a total of 32 libraries in Los Angeles as a whole. In light of the recent improvements to the LAPL system and the nearness of the two additional libraries to the Project Site, the impact of the Proposed Project's 722 residents would be less than significant.

J. Traffic-Transportation

1. Operation (Final EIR page IV.K-16)

The Proposed Project is anticipated to generate a total of 1,248 net daily trips with 169 trips occurring during the a.m. peak hour and 127 trips during the p.m. peak hour. Project-related traffic volumes would be less than significant at all 9 of the studied intersections during the a.m. and p.m. peak hours.

2. Congestion Management Program (Final EIR page IV.K-20)

The Proposed Project would have a less than significant impact upon the CMP network as the project would generate fewer than 150 trips in either direction on CMP freeway

segments during both the a.m. or p.m. weekday peak hour and less than 50 peak hour trips at any CMP intersection.

3. Alternative Transportation Impacts (Final EIR page IV.K-23)

The Project Site is located in an area with sufficient transit service in Los Angeles. The Hollywood community is serviced by the Metro Rail Red Line. The City provides the Hollywood Dash Service, which provides shuttle service along Beachwood Drive to Franklin Avenue near the bus routes to Franklin Avenue, Argyle Avenue, Vine Street and Sunset Boulevard between Vine Street and Gower Street near the Project Site.

Neither the construction nor operation of the Proposed Project would involve the relocation, replacement, or hinder the function of any of these public transportation facilities. The applicant strives for the Proposed Project to be an example of a mixed-use development that reduces reliance on individual automobile ownership and instead encourages and utilizes alternative modes of transportation. To this end, the Proposed Project will provide several incentives for residents and employees to use alternate means of transportation.

The Proposed Project would provide bicycle storage facilities and showers on-site to accommodate the future residents and employees of the Proposed Project. The Proposed Project also proposes the voluntary implementation of a Ride Share system. In order to promote the usage of transit, the Proposed Project will provide three ride share cars available to residents who do not own/park a vehicle at the site and rely upon mass transit or ridesharing. The ride share cars will be managed by the homeowners association. Additionally, ridesharing will be encouraged and transit passes will be offered to residents and employees. These incentives will further promote the use of alternative transportation. Therefore, the Proposed Project's impacts on alternative transportation facilities would be less than significant.

4. Pedestrian Safety (Final EIR page IV.K-25)

The Proposed Project would provide ingress/egress driveways along Gordon Street in accordance with City standards. The proposed driveways would be designed with appropriate signage and warning lights/sounds to warn drivers to slow on approach and to warn pedestrians of approaching vehicles. In addition the project provides for ground floor retail uses and widened sidewalks and entry plazas along Sunset Boulevard to provide an attractive, and safe pedestrian environment. Therefore, potential impacts to pedestrian safety would be less than significant.

K. Parking

1. Commercial/Guest Parking (Final EIR page IV.K.2-4)

Pursuant to Section 12.21.A.4(x)(3) of the Planning and Zoning Code, the Proposed Project would be required to provide 2 spaces for every 1,000 square feet of commercial floor area. As shown in the Table IV.K.2-3, below, the Proposed Project

would provide 107 parking spaces for the commercial uses. Therefore, the Proposed Project would meet the commercial parking requirements of the Planning and Zoning Code and a less than significant commercial parking impact would occur.

2. Estimated Parking Demand (Final EIR page IV.K.2-5)

The results of the shared parking model shows a peak parking demand of 500 parking spaces at 7:00 p.m. and 8:00 p.m. during a weekday evening and 491 parking spaces during a weekend evening (refer to Appendix G to the Draft EIR). It is therefore concluded that with the Proposed Project's 508 parking spaces would meet the peak parking demand.

A. Aesthetics

1. Visual Character (Final EIR page IV.A.1-18)

The Proposed Project would provide a modern high-rise mixed-use project that would implement the urban design goals and objectives identified in the Hollywood Community Plan by modernizing and incorporating the Project Site into the surrounding urban community. The visual impacts that the proposed retail/parking podium, residential tower, and park would have on the visual character of the community are discussed below.

Proposed Retail/Parking Podium

At street level, the Proposed Project would be designed to maximize retail activity and to create a vibrant pedestrian environment. Retail storefronts with large windows would line Sunset Boulevard, while the quieter and more residential character of Gordon Street will be reinforced by the residential entry lobby to the tower on that residential street frontage. The façade of the existing 5939 Sunset Boulevard Building is proposed to be retained and incorporated into the architecture of the Proposed Project. The five-story podium structure facing Sunset Boulevard would be fully glazed and enclosed by a window wall system. Above the ground floor level, Levels 2 through 4 of the podium structure would provide off-site advertising signage on the façade in two locations. This signage program would include a 44'-9" by 43' – 2" off-site advertising sign located above the retail level on the southeast façade of the office podium, and a 41' 5" by 30'-2" off-site advertising sign located on the southwest corner of the podium façade fronting Gordon Street.

After the Final EIR was published and at the request of the Agency and the Hollywood Design Review Board (DRB) the Applicant's Project Signage program was modified to relocate the southwest facing sign to the south facade of the podium facing Sunset Boulevard instead of Gordon Street. Accordingly, an Erratum to the Final EIR was prepared to analyze the environmental impacts of this change. From a compliance standpoint, the new sign location would require a variance from the Hollywood Signage Supplemental Use District. Specifically, subsection M.2.d of Section 7. Standards for Specific Types of Signs, states that a maximum of two Supergraphic Signs may be

located on a building provided the images are located on opposite walls of the building and cannot be viewed at the same time from any location. Originally the graphics were proposed to be located on opposing sides in full compliance with this provision. From an aesthetic standpoint, the new location and orientation of the sign is desirable because the sign would be oriented more towards Sunset Boulevard corridor and would not be visible from Gordon Street. In addition, the setback and orientation of the podium at the southwest corner of the structure above the Peerless Auto Showroom/Old Spaghetti Factory building includes a structural setback from the edge of the Peerless Auto Showroom/Old Spaghetti Factory building that effectively blocks visibility of the sign from areas that are exposed to the east facing sign. While it is possible the two signs may be visible at the same time from the same location, the orientation and setback would block such dual visibility from most vantage points. From an energy efficiency standpoint, the new location of the signage program with signs located on the south and east would increase solar shading opportunities to the building and greatly contribute to the implementation of LEED strategies. Due to the shading effects of these signage components, the project will increase energy efficiency by 25% beyond local codes and reduce cooling loads to further offset building energy demands. For these reasons the Erratum to the Final EIR concluded that no new significant environmental impacts would arise from this change, and that the Draft EIR need not be recirculated. Overall, the street-level of the Project Site at buildout would provide commercial retail and restaurant uses that are similar in nature to the uses currently situated along Sunset Boulevard in the immediate project vicinity. The scale and massing of the podium deck and the proposed ground-floor retail level would be consistent with other low- to mid-rise retail development in the project area, including the various one- and two- story retail and commercial uses east and west along Sunset Boulevard. The proposed residential tower element would be setback from the street frontages atop of the podium base and would be similar in height to other high-rise developments located within a few blocks of the Project Site along Sunset Boulevard. In addition to being generally consistent with the visual character of the surrounding area, the Proposed Project would improve the aesthetic character of the Project Site by providing an attractive and modern structure that compliments the existing development in the neighborhood.

At the pedestrian level, the ground floor of the structure would be setback along the retail frontage along Sunset Boulevard to widen the sidewalk and improve pedestrian movement. Street furniture may also be incorporated along the sidewalk area fronting Sunset Boulevard in coordination with the MTA.

Proposed Residential Tower

The proposed residential tower would introduce a prominent architectural feature to the Project Site and surrounding area. The proposed 23-story, 260-foot tower would be similar in height and mass to other surrounding high-rise buildings within the viewshed along the Sunset Boulevard corridor, though none are located in the immediate vicinity. Within two blocks east along Sunset Boulevard, for example, are the approximately 12-story Metropolitan Hotel at 5825 Sunset Boulevard and the KTLA radio tower at 5800 Sunset Boulevard. Several blocks west of the Project Site along Sunset Boulevard are

several high-rise commercial and office buildings with signage on their façades, including the approximately 15-story Sunset Media Tower at 6255 Sunset Boulevard, a 15-story commercial building, and the 12-story CNN tower. As such, the Proposed Project's 23-story structure would be slightly higher than other towers along Sunset Boulevard in the project area that range from 10 to 15 stories, though the increase would not be substantial. It should also be noted that there is no specific height limit to the C4-1 zoned portion of the site (which fronts Sunset Boulevard), as the height is expressed as a maximum floor area ratio (FAR) not to exceed 1.5:1 FAR.

In comparison to buildings along Gordon Street, which range from one to four stories for residential apartment buildings, the Proposed Project would provide a substantial contrast in height and mass. The structural massing of the podium and residential tower portions of the Proposed Project would be oriented toward Sunset Boulevard, with the building being stepped down toward the residential neighborhood to the north (see Figure II-14 in Section II, Project Description). Furthermore, the inclusion of the park on Gordon Street would serve to buffer the impacts associated with the massing of the Proposed Project in comparison to neighboring residential uses. As a result, the Proposed Project's impacts associated with scale and massing and urban design would be less than significant.

Landscape and Open Space Elements

The Proposed Project would introduce new green space elements throughout the Project Site. In total, approximately 30,900 square feet of open spaces areas would be incorporated in private and common areas of the Proposed Project. At the ground level on the northern portion of the Project Site, the Proposed Project would provide a park. The approximately 21,177 square foot park ("Gordon Street Park") would be an attractive visual attribute to Gordon Street resulting in a net beneficial aesthetic impact.

In addition to the park, the Proposed Project would provide approximately 92 trees and landscaping features throughout a series of plazas, building setback areas, and eco-roof terraces. A conceptual landscape plan for the park area is illustrated in Figure II-15 in Section II, Project Description. The proposed landscape plan would be required to be submitted and approved by the City Planning Department and Agency planning staff prior to any site improvements (see code-required measure below).

On the podium deck level (Level 5), the Proposed Project would provide residential lobby entrances and private recreational amenities (e.g., pool, spa, and fireplace patio). Overall, approximately 6,250 square feet of common open space would be provided on the roof level of the podium deck for residents, including an attractively designed landscaped terrace with a swimming pool and private terraces. Approximately 2,300 square feet of private open space would be provided within balcony and patio spaces within approximately 46 residential units. Therefore, in addition to being generally consistent with the visual character of the surrounding area, the Proposed Project would improve the overall aesthetic character of the Project Site and immediately surrounding area by introducing additional green space on the proposed park lot. Based on an evaluation of the Proposed Project's design features as compared to the existing

Project Site in relation to the surrounding urban community, the Proposed Project would result in a less than significant aesthetic impact upon the surrounding community.

a) Significant Environmental Effects

The visual impacts that the proposed retail/parking podium, residential tower, and park would have on the visual character of the community would be less than significant. To ensure these impacts would remain less than significant, the Final EIR included mitigation measures to reduce any such impacts.

b) Mitigation Measures

- Prior to the issuance of a grading permit, the Project Applicant shall submit a Landscape Plan, prepared by a state-licensed landscape architect, demonstrating all street trees in the public right-of-way meet the requirements of the current Street Tree Division Standards.
- All on-site advertising signage shall be designed and maintained in accordance with the LABC Sign Manual Document P/BC 2002-078, except as otherwise permitted through the Hollywood Signage Supplemental Use District.
- The park shall be actively operated and maintained for the life of the Project by the Project Applicant, Condominium Homeowner's Association (HOA), or designated non-profit organization with the experience and ability to maintain the park in accordance with the public health and safety standards employed by the Department of Parks and Recreation.

c) Finding

Implementation of the mitigation measures identified in the Final EIR would avoid or substantially lessen any potential significant environmental effects of the Project relating to visual character. These mitigation measures have been required in, or incorporated into the Project, or are within the responsibility and jurisdiction of another public agency, and can and should be adopted by such agency.

d) Rationale for Finding

Although the visual impacts that the proposed retail/parking podium, residential tower, and park would have on the visual character of the community would be less than significant, the Final EIR included mitigation measures to ensure that these impacts would remain less than significant.

e) Reference

For a complete discussion of visual impacts, see Section IV.A, Aesthetics, of the Final EIR.

2. Light and Glare (Final EIR page IV.A.1-20)

Nighttime Lighting

Ambient nighttime lighting on the Project Site and in the project vicinity are generated by sources that include streetlights, architectural and security lighting, signage, automobile headlights on streets and in parking lots, and indoor building illumination from the on-site restaurant use and surrounding high-rise commercial structures. The Proposed Project would introduce lighting to the project area primarily due to building illumination emanating through the windows of the Proposed Project, on-site signage, and from vehicles entering and leaving the parking garage. The entry driveway to the parking levels would be located along Gordon Street, on the western side of the Project Site. Directly across the street from this driveway is a surface parking lot, which is not considered a sensitive receptor. Therefore, vehicle headlights leaving the project driveway would not significantly impact any adjacent sensitive receptors.

Signage Program Lighting

The Project Applicant is proposing both off-site advertising and on-site signage as permitted by the Code. The Proposed Project is located within the Hollywood Signage Supplemental Use District and is anticipated to include two off-site advertising signs along the facade of the podium structure.

The Proposed Signage Plan would include a 44'-9" by 43'-2" (1,931 square foot) off-site advertising sign at the southeast corner of the podium structure facing east, and a 41'-5.5" by 30'-2" (1,245 square foot) off-site advertising sign at the southwest corner of the podium at Sunset Boulevard and Gordon Street facing south. The signage elements would introduce substantial nighttime lighting above the ground floor level to a height of approximately 53 feet above grade. Furthermore, as the Sunset Boulevard corridor currently provides for a variety of ground-floor commercial/retail shops that are open during the evening, a moderate amount of evening illumination already characterizes the project vicinity. Thus, the proposed ground floor retail uses would be consistent with the ground-level nighttime lighting that currently exists in the area. Impacts associated with signage-related light and glare would be less than significant. (See mitigation measures below)

Residential Tower Lighting

The proposed residential tower, which would extend 23 stories to a maximum of 260 feet in height, would generate indirect illumination from interior spaces in all directions. The level and intensity of such indirect illumination would not result in excessive glare or adverse light spillover onto adjacent properties. In addition, the podium deck level (e.g., level 5) would provide an open space area with recreational amenities and a residential lobby. Therefore, the tower portions of the Proposed Project would introduce lighting that would primarily affect uses above five stories and increase the general ambient lighting in the area. Lighting from the podium deck level and the residential towers to a lesser degree could impact the neighboring one- to four-story single- and multi-family

residences to the north, northeast, and northwest of the Project Site if spillover lighting is allowed to occur.

Park Lighting

The park, fronting Gordon Street, would incorporate minimal directional lighting features, as necessary, to ensure a secure environment in and around the Project Site. Therefore, this park would not generate substantial nighttime lighting that would impact the single- and multi-family residential buildings immediately adjacent to the north of the Project Site on Gordon Street, east on Bronson Avenue, or west on La Baig Avenue. Nevertheless, potential lighting impacts could be significant and adverse depending upon how the park site is developed. Implementation of the mitigation measures identified below, however, would ensure such impacts are reduced to less than significant levels. In addition to these recommended mitigation measures, the Project Applicant intends to seek LEED Gold certification for the Proposed Project through the U.S. Green Building Council, which would involve the incorporation of light and glare reducing design that eliminates light trespass from a development site, improves night sky access, and reduces development impacts on nocturnal environments.

Overall, the lighting and illumination generated by the Proposed Project would be substantially consistent with the existing ambient illumination along the Sunset Boulevard commercial corridors. Nighttime lighting from the podium deck level could result in a potentially significant impact on residences north, northeast, and northwest of the Project Site. In addition, nighttime lighting from the residential tower could result in a potentially significant impact on future residences north of the Project Site. However, impacts associated with nighttime illumination would be reduced to less-than-significant levels with the implementation of the mitigation measure identified below. (See mitigation measures below)

Daytime Glare

As discussed previously, minimal glare is currently present on the Project Site since the surface parking areas of the Project Site are largely shaded from surrounding uses and the existing retail buildings do not contain any highly reflective surfaces or large windows. The Proposed Project would, therefore, introduce substantial glare to the Project Site through the introduction of a 23-story development with large windows along most of the levels that front Sunset Boulevard. Nonetheless, while the Proposed Project would provide an increase in glare as compared to existing uses, the glare would be similar to that generated by other high-rise buildings in the immediate project vicinity, including the 12-story Metropolitan Hotel high-rise two blocks east of the Project Site on the north side of Sunset Boulevard, the 15-story Sunset Media building located two blocks west along the north side of Sunset Boulevard, and the 12-story CNN tower located three blocks west along the north side of Sunset Boulevard. Therefore, while the Proposed Project would not introduce substantial daytime glare that is out of character with the project area, prior to mitigation, the Proposed Project could impact surrounding glare-sensitive uses including neighboring residences and passing drivers.

a) Significant Environmental Effects

The light and glare impacts that the Proposed Project, and park would have on the visual character of the community could be potentially significant. However, to ensure these impacts would be less than significant, the EIR included mitigation measures to reduce any such impacts.

b) Mitigation Measures

- The Proposed Project shall include low-level directional lighting at ground, podium, and tower levels of the exterior of the proposed structures to ensure that architectural, parking and security lighting does not spill onto adjacent residential properties.
- The Proposed Project's façades and windows shall be constructed with non-reflective materials such that glare impacts on surrounding residential properties and roadways are minimized.

c) Finding

Implementation of the mitigation measures identified in the Final EIR would avoid or substantially lessen any potential significant environmental effects of the Project relating to light and glare. These mitigation measures have been required in, or incorporated into the Project, or are within the responsibility and jurisdiction of another public agency, and can and should be adopted by such agency.

d) Rationale for Finding

Although the light and glare impacts that the proposed retail/parking podium, residential tower, and park would have on the visual character of the community could be potentially significant, the Final EIR included mitigation measures to ensure that these impacts would be less than significant.

e) Reference

For a complete discussion of light and glare impacts, see Section IV.A, Aesthetics, of the Final EIR.

B. Air Quality

1. Construction – Regional Impacts (Final EIR page IV.B-23)

Construction activities at the Project Site would generate pollutant emissions from the following construction activities: (1) demolition and grading/excavation, (2) construction workers traveling to and from project site, (3) delivery and hauling of construction supplies and debris to and from the project site, (4) the fuel combustion by onsite construction equipment, and (5) building construction, including the application of

architectural coatings. These construction activities would temporarily create emissions of dusts, fumes, equipment exhaust, and other air contaminants. Construction activities involving site preparation and grading would primarily generate PM10 emissions. Mobile source emissions (from use of diesel-fueled equipment onsite, and traveling to and from the project site) would primarily generate NOx emissions. The application of architectural coatings would primarily result in the release of VOC emissions. The amount of emissions generated on a daily basis would vary, depending on the amount and types of construction activities occurring at the same time.

Construction of the Proposed Project would generate construction related air quality emissions that are below the maximum daily threshold levels of significance criteria for the following pollutants: VOC (42 lbs/day), NOx, (91 lbs/day), CO (90 lbs/day) and SOX (0.12 lbs/day). The maximum daily emissions associated with PM10 (356 lbs/day) and PM2.5 (76 lbs/day) emissions, however, would be considered potentially significant, as they would exceed the SCAQMD's maximum daily thresholds of significance.

However, the following required measures below, some of which correspond to measures that are available for input into the URBEMIS 2002 computer model to estimate the daily construction emissions associated with the Proposed Project at the Project Site, are recommended pursuant to the requirements under SCAQMD Rule 403, and would reduce construction related impacts to less than significant levels.

a) Significant Environmental Effects

The regional construction air quality impacts that the Proposed Project would be considered potentially significant. However, to ensure these impacts would be less than significant, the EIR included mitigation measures to reduce any such impacts.

b) Mitigation Measures

- All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403.
- The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
- All loads shall be secured by trimming, watering, or other appropriate means to prevent spillage and dust.
- All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust.
- Soil stabilizers shall be applied to inactive construction areas.
- Ground cover in disturbed areas shall be quickly replaced.
- All haul roads shall be watered twice daily.
- All stockpiles of debris, dirt, or rusty materials shall be covered with a tarp.
- Vehicle speed on unpaved roads shall be reduced to less than 15 miles per hour (mph).

- All construction-related work orders shall specify that any clearing, grading, earth moving, or excavation activities shall be performed pursuant to the requirements under SCAQMD Rule 403.

c) Finding

Implementation of the mitigation measures identified in the EIR would avoid or substantially lessen any potential significant environmental effects of the Proposed Project relating to regional construction air quality impacts. These mitigation measures have been required in, or incorporated into the Proposed Project, or are within the responsibility and jurisdiction of another public agency, and can and should be adopted by such agency.

d) Rationale for Finding

Although the regional construction air quality impacts that the Proposed Project could be potentially significant, the EIR included mitigation measures to ensure that these impacts would be less than significant.

e) Reference

For a complete discussion of regional construction air quality impacts, see Section IV.B, Air Quality, of the Final EIR.

C. Geology/Soils

1. Seismic-Induced Ground Shaking (Final EIR page IV.C-9)

The Project Site is located in a seismically active region and could be subjected to strong ground shaking in the event of an earthquake. In this respect, development of the Proposed Project would expose new residents, employees and visitors of the dwelling units and commercial establishments to potentially significant adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking. However, such hazards are inherent to the region and the effects of ground shaking can be mitigated to a less-than-significant level by incorporating proper design and construction methods in conformance with current building codes and engineering practices.

Modern, well-constructed buildings are designed to resist ground shaking through the use of shear walls and reinforcements. The proposed construction would be consistent with all applicable provisions of the City of Los Angeles Building Code, as well as the seismic design criteria contained within the Uniform Building Code. Although the Project Site is located within 0.47 mile of the active Hollywood Fault, and close to many other faults on a larger regional level, the potential for seismic hazards is not higher than in other areas of the City of Los Angeles or elsewhere in the region. Such risks have also been incorporated into the project-specific seismic design and engineering plans for the Proposed Project and impacts would be less than significant.

a) Significant Environmental Effects

The seismic-induced ground shaking impacts that the Proposed Project would be considered potentially significant. However, to ensure these impacts would be less than significant, the EIR included mitigation measures to reduce any such impacts.

b) Mitigation Measures

- The Proposed Project shall be designed and constructed in accordance with the requirements outlined in the latest edition of the City of Los Angeles Uniform Building Code, including all applicable provisions of Chapter IX, Division 70 of the LAMC, which addresses grading, excavations and fills.
- The Proposed Project shall be designed and constructed in accordance with the recommendations provided in the Revised Report of Geotechnical Engineering Services, Former Old Spaghetti Factory, 1500-1540 Gordon Street and 5929-5999 West Sunset Boulevard, Hollywood, California (the "Geotechnical Report") prepared by GeoDesign, Inc., dated November 9, 2006.
- The Project Applicant shall ensure geotechnical testing and observation be conducted on-site by a state certified geotechnical engineer during any excavation and earthwork activities to ensure that recommendations provided in the Project Geotechnical Report are implemented where applicable.

c) Finding

Implementation of the mitigation measures identified in the EIR would avoid or substantially lessen any potential significant environmental effects of the Proposed Project relating to seismic-induced ground shaking impacts. These mitigation measures have been required in, or incorporated into the Project, or are within the responsibility and jurisdiction of another public agency, and can and should be adopted by such agency.

d) Rationale for Finding

Although the seismic-induced ground shaking impacts of the Proposed Project could be potentially significant, the EIR included mitigation measures to ensure that these impacts would be less than significant.

e) Reference

For a complete discussion of seismic-induced ground shaking impacts, see Section IV.C, Geology/Soils, of the Final EIR.

2. Erosion and Topsoil (Final EIR page IV.C-10)

The Proposed Project would not result in substantial soil erosion or the loss of topsoil. Although construction of the Proposed Project has the potential to result in the erosion

of soil during site preparation and construction activities, erosion would be reduced by implementation of appropriate erosion controls during grading. Minor amounts of erosion and siltation could occur during grading, which would be minimized through adherence to construction Best Management Practices (BMPs) identified below and adherence to LEED criteria established by the US Green Building Council. The potential for soil erosion during the ongoing operation of the Proposed Project is relatively low due to the generally level topography of the area to be developed within the Project Site. Operational erosion would be reduced through adherence to mitigation measure IV.C-4, below. All grading activities require grading permits from the Department of Building and Safety, which include requirements and standards designed to limit potential impacts to acceptable levels. In addition, all onsite grading and site preparation would comply with applicable provisions of Chapter IX, Division 70 of the Los Angeles Municipal Code, which addresses grading, excavations, and fills. With implementation of the applicable grading and building permit requirements and the application of BMPs, a less-than-significant impact would occur with respect to erosion or loss of topsoil.

a) Significant Environmental Effects

The erosion and topsoil impacts that the Proposed Project would create would be considered potentially significant. However, to ensure these impacts would be less than significant, the Final EIR included mitigation measures to reduce any such impacts.

b) Mitigation Measures

- Appropriate erosion control and drainage devices shall be incorporated, such as interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code. Outlets of culverts, conduits or channels shall be protected from erosion by discharge velocities by installing rock outlet protection. (Rock outlet protection is physical devise composed of rock, grouted riprap, or concrete rubble placed at the outlet of a pipe.) Sediment traps shall be installed below the pipe-outlet. Outlet protection shall be inspected, repaired, and maintained after each significant rain.

c) Finding

Implementation of the mitigation measures identified in the Final EIR would avoid or substantially lessen any potential significant environmental effects of the Proposed Project relating to erosion and topsoil impacts. These mitigation measures have been required in, or incorporated into the Proposed Project, or are within the responsibility and jurisdiction of another public agency, and can and should be adopted by such agency.

d) Rationale for Finding

Although the erosion and topsoil impacts of the Proposed Project could be potentially significant, the EIR included mitigation measures to ensure that these impacts would be less than significant.

e) Reference

For a complete discussion of erosion and topsoil impacts, see Section IV.C, Geology/Soils, of the Final EIR.

3. Expansive Soils (Final EIR page IV.C-11)

a) Significant Environmental Effects

The erosion and topsoil impacts that the Proposed Project would create would be considered potentially significant. However, to ensure these impacts would be less than significant, the Final EIR included mitigation measures to reduce any such impacts.

b) Mitigation Measures

- The Proposed Project shall be designed and constructed in accordance with the recommendations provided in the Revised Report of Geotechnical Engineering Services, Former Old Spaghetti Factory, 1500-1540 Gordon Street and 5929-5999 West Sunset Boulevard, Hollywood, California (the "Geotechnical Report") prepared by GeoDesign, Inc., dated November 9, 2006.

c) Finding

Implementation of the mitigation measures identified in the Final EIR would avoid or substantially lessen any potential significant environmental effects of the Proposed Project relating to expansive soils. These mitigation measures have been required in, or incorporated into the Proposed Project, or are within the responsibility and jurisdiction of another public agency, and can and should be adopted by such agency.

d) Rationale for Finding

Although the expansive soils impacts of the Proposed Project could be potentially significant, the mitigation measures to ensure that these impacts would be less than significant have been included.

e) Reference

For a complete discussion of expansive soils, see Section IV.C, Geology/Soils, of the Final EIR.

4. Groundwater (Final EIR page IV.C-11)

Based on borings taken by GeoDesign, Inc. in November 2006, the highest groundwater level reported was at an elevation of 312.5 feet, approximately 49 feet bgs. This water level is consistent with the historic high groundwater level information for the area. Based on the data from these borings, the groundwater level at the Project Site is currently nine to ten feet below the lowest planned basement level of the Proposed Project and is not anticipated to rise significantly during the lifetime of the proposed development. However, drilling for temporary shoring soldier piles (if utilized) and foundation shafts may encounter groundwater, depending on the lengths of the shafts. With adherence to the geotechnical engineering recommendations provided in the Geotechnical Report and the mitigation measures identified, impacts with respect to groundwater would be less than significant.

f) Significant Environmental Effects

The groundwater impacts that the Proposed Project would create would be considered potentially significant. However, to ensure these impacts would be less than significant, the Final EIR included mitigation measures to reduce any such impacts.

g) Mitigation Measures

- The Proposed Project shall be designed and constructed in accordance with the recommendations provided in the Revised Report of Geotechnical Engineering Services, Former Old Spaghetti Factory, 1500-1540 Gordon Street and 5929-5999 West Sunset Boulevard, Hollywood, California (the "Geotechnical Report") prepared by GeoDesign, Inc., dated November 9, 2006.

h) Finding

Implementation of the mitigation measures identified in the Final EIR would avoid or substantially lessen any potential significant environmental effects of the Proposed Project relating to groundwater. These mitigation measures have been required in, or incorporated into the Proposed Project, or are within the responsibility and jurisdiction of another public agency, and can and should be adopted by such agency.

i) Rationale for Finding

The groundwater impacts of the Proposed Project would likely be less than significant. However, d mitigation measures to ensure that these impacts would be less than significant have been included.

j) Reference

For a complete discussion of groundwater, see Section IV.C, Geology/Soils, of the Final EIR.

E. Hazardous Materials/Risk of Upset

1. Construction (Final EIR page IV.D-11)

The Project Site is located adjacent to and in the immediate vicinity of residences that have been identified as sensitive receptors with respect to hazardous materials. As such, the Proposed Project could result in a potentially significant impact related to the exposure of potentially hazardous materials during demolition, excavation, and construction activities, specifically with respect to asbestos containing materials and lead-based paint.

Additionally, the construction of the Proposed Project could create potentially adverse impacts with respect to the release of hazardous materials resulting from the routine transport, use, or disposal of potentially hazardous materials. All hazardous materials encountered or used during demolition, grading/excavation, and construction activities would be handled in accordance with all applicable local, State, and federal regulations, which include requirements for disposal of hazardous materials at a facility licensed to accept such waste. As compliance with existing regulations is mandatory for all development projects, adherence to all applicable rules and regulations would reduce potentially significant impacts with respect to routine transport, use, and disposal of hazardous materials during construction to less-than-significant levels.

And, Project-related construction activities may require the temporary and/or partial street closures on adjacent roadways due to construction activities and roadway widening improvements. While such closures may cause temporary delays or detours along Sunset Boulevard or Gordon Street, such activities would be short-term in nature and would not be expected to substantially interfere with peak-hour traffic, emergency response or evacuation plans and would be conducted in accordance with City permitting requirements.

a) Significant Environmental Effects

The hazardous materials impacts associated with the construction of the Proposed Project would be considered potentially significant. However, to ensure these impacts would be less than significant, the Final EIR included mitigation measures to reduce any such impacts.

b) Mitigation Measures

- All asbestos containing materials (ACMs) present in existing on-site structures shall be abated in compliance with the South Coast Air Quality Management District's Rule 1403 as well as all other state and federal rules and regulations. Prior to the issuance of the demolition permit, the Project Applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant stating that no ACMs remain in any existing on-site structures.

- A licensed Lead-Based Paint (LBP) Inspector shall be retained to determine the presence of LBP and lead-based paint containing materials (LBPCM) within structures to be demolished on the Project Site, consistent with the 1994 Federal Occupational Exposure to Asbestos Standards, Occupational Safety and Health Administration, 29 CFR 1910.1001, 1926.1101, and 1915.1001. The Project Applicant shall be required to comply with all applicable State and Federal policies and procedures for removal of LBPCM present on the Project Site.
- The Proposed Project shall maintain appropriate fire and police access to the Project Site during the construction process.
- To the maximum extent feasible, the Proposed Project shall schedule all construction-related deliveries outside peak traffic hours.

c) Finding

Implementation of the mitigation measures identified in the Final EIR would avoid or substantially lessen any potential significant environmental effects of the Proposed Project relating to impacts associated with the exposure to potentially hazardous materials during demolition, excavation, and construction activities. These mitigation measures have been required in, or incorporated into the Project, or are within the responsibility and jurisdiction of another public agency, and can and should be adopted by such agency.

d) Rationale for Finding

Although these hazardous materials impacts associated with the construction of the Proposed Project could be potentially significant, the Final EIR included mitigation measures to ensure that these impacts would be less than significant.

e) Reference

For a complete discussion of construction-related hazardous materials impacts, see Section IV.D, Hazardous Materials/Risk of Upset, of the Final EIR.

2. Operation – Emergency Access (Final EIR page IV.D-11)

With respect to off-site impacts, the Project Site is not located on or near a City-designated selected disaster route. Therefore, operation of the Proposed Project would not cause any permanent alterations to vehicular circulation routes and patterns, or impede public access or travel upon public rights-of-way.

With respect to on-site emergency response, access to the Project Site for the retail, office and residential uses would be through one ingress/egress driveway located on Gordon Street, on the western side of the Project Site. Gordon Street is a City-designated Local Street that would be able to accommodate the frequent entry and exit of patrons and employees of the proposed retail and restaurant uses. In addition, the Project Applicant is required to prepare and submit an emergency response plan for

approval by the City of Los Angeles Planning Department and the City of Los Angeles Fire Department during the site plan check process. Therefore, during operation, the Proposed Project would not be expected to interfere with any off-site adopted emergency response plan or emergency evacuation plan.

a) Significant Environmental Effects

The hazardous materials/risk of upset impacts associated with the operation of the Proposed Project would be considered potentially significant. However, to ensure these impacts would be less than significant, the EIR included mitigation measures to reduce any such impacts.

b) Mitigation Measure

- The Project Applicant shall prepare and submit an emergency response plan for approval by the City of Los Angeles Planning Department and the City of Los Angeles Fire Department. The emergency response plans shall include but not be limited to the following: mapping of emergency exits, evacuation routes for vehicles and pedestrians, location of nearest hospitals, and fire departments.

c) Finding

Implementation of the mitigation measures identified in the Final EIR would avoid or substantially lessen any potential significant environmental effects of the Proposed Project relating to impacts associated with hazardous materials/risk of upset during the operation of the Proposed Project, specifically with respect to emergency access. This mitigation measure has been required in, or incorporated into the Project, or is within the responsibility and jurisdiction of another public agency, and can and should be adopted by such agency.

d) Rationale for Finding

It is anticipated that the potential hazardous materials impacts/risk of upset impacts associated with the operation of the Proposed Project would be less than significant. A mitigation measure to ensure that these impacts would be less than significant has been included.

e) Reference

For a complete discussion of operational-related hazardous materials/risk of upset impacts, see Section IV.D, Hazardous Materials/Risk of Upset, of the Final EIR.

F. Noise

1. Operation – Off Site Locations (Final EIR page IV.F-18)

a) Significant Environmental Effects

Locations in the vicinity of the 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 Proposed Project would increase local noise levels by a maximum of 0.2 dBA CNEL at all roadway segments with the exception of Gordon Street north of Sunset Boulevard, which would have an increase of 2.2 dBA CNEL. These increases would not exceed the identified thresholds of significance.

b) Mitigation Measure

- The Proposed Project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.

c) Finding

Implementation of the mitigation measure identified in the Final EIR would avoid or substantially lessen any potential significant environmental effects of the Proposed Project relating to impacts associated with operational noise at off-site locations. This mitigation measure has been required in, or incorporated into the Proposed Project, or is within the responsibility and jurisdiction of another public agency, and can and should be adopted by such agency.

d) Rationale for Finding

It is anticipated that operational noise impacts at off-site locations would be less than significant. A mitigation measure to ensure that these impacts would be less than significant has been included.

e) Reference

For a complete discussion of operational noise impacts, see Section IV.F, Noise of the Final EIR.

2. Operation – Stationary Noise Sources (Final EIR page IV.F-19)

a) Significant Environmental Effects

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 type of HVAC equipment currently installed on new commercial buildings generates noise levels that average around 66 dBA Leq on the air inlet side and 62 dBA Leq 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. The resulting equipment noise levels of

less than 51 dBA Leq at nearby homes would be substantially less than the existing noise levels at these locations.

Noise would also be generated by activities within the subterranean and above grade parking structure. Sources of noise would include tires squealing, engines accelerating, doors slamming, car alarms, and people talking. Noise levels within the parking structures would fluctuate with the amount of automobile and human activity. Noise levels would be highest during the day and evening when the largest number of retail customers would enter and exit the parking structures. During these times, the noise levels would range from 60 to 70 dBA Leq. There would be times in the night when very little activity occurs and the noise levels average less than 50 Leq. These conditions are similar to the existing conditions with vehicles parking in the lots north and east of the existing restaurant at the Project Site. The resulting noise levels at the nearest homes would also fluctuate throughout the day. However, the activities with the parking structures would not increase ambient noise levels at the nearby homes by 3 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 future existing ambient noise levels without the Proposed Project. As such, operational noise impacts associated with locations off-site would be less than significant.

b) Mitigation Measures

- Construction and demolition shall be restricted to the hours of 7:00 AM to 6:00 PM Monday through Friday, and 8:00 AM to 6:00 PM on Saturday.
- The Project sponsor must comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which ensure an acceptable interior noise environment. Specifically, the project sponsor shall submit an acoustical report prior to the issuance of building permits that demonstrates that the proposed building design and materials would ensure that interior noise levels attributable to exterior sources are no greater than 45 dBA CNEL.
- All construction equipment engines shall be properly tuned and muffled according to manufacturers' specifications.
- Noise construction activities whose specific location on the site may be flexible (e.g., operation of compressors and generators, cement mixing, general truck idling) shall be conducted as far as possible from the nearest noise-sensitive land uses, and natural and/or manmade barriers (e.g., intervening construction trailers) shall be used to screen such activities from these land uses to the maximum extent possible.
- To the maximum extent feasible, the use of those pieces of construction equipment or construction methods with the greatest peak noise generation potential shall be minimized.
- If noise levels from construction activity are found to exceed 75 dBA at the property line of and adjacent property and construction equipment is left

stationary and continuously operating for more than one day, a temporary noise barrier shall be erected between the noise source and receptor.

- 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. Any reasonable complaints shall be rectified within 24 hours of their receipt.
- All exterior windows within the Proposed Project 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. The applicant, as an alternative, 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.
- The Proposed Project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
- The air inlets of HVAC units installed at the Project Site shall be oriented to the east away from the residential neighborhood to the west of the site and/or screened in a manner that would ensure the exterior ambient noise levels at neighboring residential properties are not increased by more than 3 dBA CNEL. Compliance with this measure shall be demonstrated with a post-construction noise survey of the operating HVAC equipment prior to certificate of occupancy.
- Concrete, not metal, shall be used for construction of parking ramps. The interior ramps shall be textured to prevent tire squeal at turning areas.

c) Finding

Implementation of the mitigation measures identified in the Final EIR would avoid or substantially lessen any potential significant environmental effects of the Proposed Project relating to impacts associated with operational noise resulting from stationary sources. These mitigation measures have been required in, or incorporated into the Proposed Project, or is within the responsibility and jurisdiction of another public agency, and can and should be adopted by such agency.

d) Rationale for Finding

It is anticipated that operational noise impacts from stationary sources would be less than significant. Mitigation measures to ensure that these impacts would be less than significant have been included.

e) Reference

For a complete discussion of operational noise impacts, see Section IV.F, Noise of the Final EIR.

G. Land Use Planning

1. Consistency with the City of Los Angeles Planning and Zoning Code (Final EIR page IV.F-30)

Land Uses

The Proposed Project Site contains both C4 and [Q]R4 zoning designations. The C4 and [Q]R4 zoning designations are consistent with the Highway-Oriented Commercial and Multiple Family Residential general plan land use designations of the Project Site. The Proposed Project uses, consisting of commercial, residential, accessory parking uses, and open space, are consistent with the C4-1 and [Q]R4-1VL zoning designations.

The Proposed Project is seeking a zone change to C2-2D with a land use designation of Regional Center Commercial. As set forth in the LAMC 12.14, allowable uses in the C2 zone include uses allowed in the C1 zone (i.e., office, business or professional, bakery, stationery store, drug store, grocery store, etc.); uses allowed in the C1.5 zone (i.e., auditorium, broadcasting studio, department store, museum, theater, etc,); more extensive retail stores (i.e. pet stores, carpenter, upholstering shop, tire shop, restaurants, etc.); and uses allowed in the [Q]R4 zone (i.e. multiple-family dwelling units). Therefore, the Proposed Project would conform to the permitted uses of LAMC Section 12.14.

The Proposed "D" limitation would set the allowable floor area ratio at 4.5:1. Based on the proposed 4.5:1 FAR, the maximum allowable developed floor area for the Project Site would be 324,432 square feet (4.5 x 72,096 square feet of lot area). The Proposed Project includes the development of an approximate 324,432 square-foot mixed-use project including: 305 multi-family residences, approximately 40,000 square feet of creative office space, 13,500 square feet of retail floor area (including 8,500 square feet of restaurant uses). Therefore, the Proposed Project would be consistent with the permitted land uses and floor area requirements of the proposed zone change.

Density

As discussed previously in this Section, the maximum allowable residential density for the C4 Zone is one unit per four hundred (400) square feet of lot area, which yields a residential density of 82 units. Based on the [Q]R4-1VL Zoned portions of the Project Site, an allowable density of 65 units would be permitted, resulting in a combined total density of 147 dwelling units on the Project Site. Pursuant to LAMC Section 12.22.A.18, the proposed zone change to C2-2D(SN), would increase the allowable residential density on the project site to 1 unit per 200 square feet of lot area, resulting in 360 residential units. Therefore, only if the proposed zone change is granted would the proposed project be consistent with the LAMC.

Open Space Requirement

The Proposed Project is subject to the open space requirement for six or more residential units. As described in LAMC Section 12.21 G, this requirement is as follows:

> *New construction (resulting in additional floor area and additional units) of a building or a group of buildings containing six or more dwelling units on a lot shall provide, at a minimum, the following usable open space per dwelling unit: 100 sf for each unit having less than three habitable rooms; 125 sf for each unit having three habitable rooms; and 175 square feet for each unit having more than three habitable rooms.*

While the exact floor plan of the dwelling units proposed is not known at this time, for analysis purposes it is assumed that the Proposed Project could reasonably include 160 dwelling units with three habitable rooms and 151 dwelling units with more than three habitable rooms. Based on this assumption, the open space requirement of the LAMC would equal 36,800 sf (85 DUs x 100 sf + 225 DUs x 125 sf + 1 DU x 175 sf) with approximately 50% (or 18,400 square feet) being available as usable open space. As such, the Proposed Project will include discretionary approval to deviate from the open space requirements of the Code (see Discretionary Actions, below).

The Proposed Project includes 30,900 square feet of private and common open space. On the ground level the Proposed Project will include 22,350 square feet of common open space in two areas: (1) the proposed park on the north side of the site fronting Gordon Street, and (2) an extended sidewalk plaza area along the street frontage of Sunset Boulevard, east of the 5939 Sunset Boulevard Building. An additional 6,250 square feet of common open space would be made available on the roof level of the podium deck (Level 5). The residential roof terrace would be exclusive to residents and guests only. The Applicant is seeking to dedicate the park to the Agency or Department of Recreation and Parks for use by the public as a means of satisfying all or a portion of the project's Quimby fees pursuant to Section 17.12 of the Los Angeles Municipal Code. Should the park not be credited towards the Project's Quimby obligation, the park will be held as a private condominium unit to be used as a park and open space amenity for the Proposed Project's residents and/or patrons.

Private open space areas would also be provided in the residential units. In total 46 units within the residential tower will include balcony spaces ranging from 50-260 square-feet. Eight residential units on the fifth level would each include private terrace areas ranging from 110-260 square-feet. In summary, the Proposed Project would incorporate a total of 30,900 square feet of open space areas, including 2,300 square feet of private open space area and 28,600 square feet of common open space area. This is approximately 6,800 sf less than that required by the LAMC. Therefore, the Proposed Project would fall short of providing the required open space area. In order to permit the approximately 33,000 sf of open space proposed, the Project Applicant is requesting a variance from LAMC Section 12.21 G.2 (a) (1) to deviate from the amount of open space required by code. Therefore only with the approval of the variance, would the Proposed Project conform to the requirements of the LAMC.

Parking

The parking requirements for the Proposed Project Site vary depending on the authority in question. Under the Deputy Advisory Agency's Parking Policy No. AA 2000-1, parking requirements for the residential uses would equal 762 spaces. Under the LAMC Section 12.21 A.4 (a), parking requirements for the proposed residential uses would be 573 spaces. Pursuant to LAMC Section 12.21.A.4(x)(3), the commercial parking requirements for the project require 107 spaces. The Proposed Project would provide a total of 523 parking spaces on site including 413 residential spaces, 107 commercial parking spaces and 3 Ride Share spaces. The Proposed Project would meet the LAMC parking requirements for the commercial uses. For the proposed residential uses, however, the Proposed Project would not meet the parking requirements of the LAMC nor the Advisory Agency's policy for condominium uses. Therefore, the Project Applicant is requesting: (a) a Variance from LAMC Section 12.21 A.4 (a) in order to permit 413 residential parking spaces in lieu of the 573 spaces that are required and (b) a deviation from the Advisory Agency's Policy No. AA 2000-1 in order to permit 413 residential parking spaces in lieu of the 762 required by the policy. Therefore, only with the approval of these requested actions, would the Proposed Project conform to parking requirements and impacts would be less than significant.

Requested Entitlements

The Proposed Project is designed as a mixed-use, multi-family residential and commercial development. Implementation of the Proposed Project includes, but is not limited to, the following discretionary requests from the City of Los Angeles, and/or other Agencies:

A. Vesting Tentative Tract Map (VTT 68501) pursuant to Los Angeles Municipal Code (LAMC) Section 17.01 for the following:

- A merger of the subject property into one-lot;
- The condominium subdivision (as conditioned) of:
  - 305 condominium residential units,
  - 26 commercial condominium (6-retail and 20 office),
  - One condominium for park purposes, and
  - Two commercial condominiums for sign purposes.
- A limited airspace encroachment over Gordon Street (no more than 4'-0" encroachment into the public right-of-way);
- A deviation from the Advisory Agency's Residential Parking Policy No. AA 2000-1 (2 parking spaces and 1/2 guest parking spaces per unit in a parking congested area) to allow a residential parking ratio of 1.35 residential parking spaces per unit, in lieu of the 2

residential parking spaces and 1/2 guest parking spaces required by the Advisory Agency's Parking Policy; and

- Approval of a haul route.

B. Per LAMC Section 12.32.E, a General Plan Amendment to revise the land use designation in the Hollywood Community Plan from Highway Oriented Commercial and Medium Density Residential to Regional Center Commercial (excluding 1528 – 1540 N. Gordon Street, Lots 17, 18 and 19 of Bagnoli Tract No. 2).

C. Per LAMC Section 12.32.F, a Zone Change from the C4 and [Q]R4 Zones to the C2 Zone (excluding 1528 – 1540 N. Gordon Street, Lots 17, 18 and 19 of Bagnoli Tract No. 2).

D. Per LAMC Section 12.32.F, a Zone Change from the [Q] Condition (Ordinance No. 165,662) from the [Q]R4-1VL Zone (1528 – 1540 N. Gordon Street, Lots 17, 18 and 19 of Bagnoli Tract No. 2 only) to permit a density of 400 square feet of lot area per unit in lieu of the current restriction of 600 square feet of lot area per unit.

E. Per LAMC Section 12.32.F, a Height District Change from Height Districts -1VL and -1 to Height District -2D (excluding 1528 – 1540 N. Gordon Street, Lots 17, 18 and 19 of Bagnoli Tract No. 2). The proposed "D" Limitation would limit the allowable Floor Area Ratio to 5.15:1 using predicated lot area, in lieu of the 6:1 FAR otherwise permitted in Height District 2.

F. Per LAMC Section 12.24.W.1, a Conditional Use Permit to allow a Plan Approval to permit the continued sale of alcohol for on-site consumption.

G. Per LAMC Section 12.24.W.19, a Conditional Use Permit to permit floor area averaging across the entire project site.

H. Per LAMC Section 12.27, Zone Variances from the following:

2. Section 12.21.A.4 to permit a residential parking ratio of 1.35 space per unit in lieu of one parking space for each unit of less than three habitable rooms, 1.5 parking spaces for each dwelling unit of three habitable rooms, and 2 parking spaces for each dwelling unit of more than three habitable room;

3. Section 12.21.A.5 to permit reduced clear space at structural elements form 10 inches to zero inches, and providing one compact stall in lieu of the one required standard parking stall per residential dwelling unit;

4. Section 12.11.A to permit floor area and density averaging across a unified development site to include property that is not currently located in a C or M Zone, specifically to include property presently located in the [Q]R4-1VL Zone (1528 – 1540 N. Gordon Street, Lots 17, 18 and 19 of Bagnoli Tract No. 2);

5. Section 12.21.G to allow reduced open space to provide approximately 96 square feet for every dwelling unit, in lieu of the following requirement: 100 square feet for each unit having less than three habitable rooms, 125 square feet for each unit having three habitable rooms, and 175 square feet for each unit having more than three habitable rooms;

6. Sections 12.11, 12.21.C.1(i), and 12.21.C.1(j) to permit the proposed public park to be sold as a separate condominium unit and to be constructed, operated, maintained and located above the Parking Building in the [Q]R4-1VL Zone (1528 – 1540 N. Gordon Street, Lots 17, 18 and 19 of Bagnoli Tract No. 2);

7. Section 12.11 to permit a Parking Building and underground parking to be constructed, operated, and maintained in the [Q]R4-1VL Zone (1528 – 1540 N. Gordon Street, Lots 17, 18 and 19 of Bagnoli Tract No. 2);

8. Section 12.21.C.5(h) to permit the Parking Building and Public Park to be maintained as accessory uses in relation to the primary uses (mixed use building) in the adjacent commercial zone, and to allow pedestrian and vehicular access and circulation between the residential and the commercial zoned parcels and vice versa.

9. Section 12.21.C, 12.14.C, 12.21.1.A.2, and 12.37.G to permit the lot area used in calculating residential density and floor area on the proposed R4 and C2 zoned portions of the property to include the area required for street dedications of one foot along Gordon Street and two feet along Sunset Boulevard, which would result in a total density of 305 units in lieu of 302 units over the entire site and a total floor area of 324,901 square feet in lieu of 320,805 square feet over the entire site.

I. Per LAMC Section 12.28, a Zoning Administrator's Adjustment from Section 12.14.C and 12.11.C to permit reduced easterly and westerly side and rear yards from the required 16 feet (side) and 20 (rear) feet to zero feet.

J. Pursuant to LAMC Section 16.05, the applicant requests approval of Site Plan Review.

K. Pursuant to LAMC Sections 11.5.7.C and 11.5.7.F and Sections 6.c.9, 6.D, and 7.M.2.d of the Hollywood Signage Supplemental Use District Ordinance No. 176,172, the applicant requests approval for Project Permit Compliance for two Supergraphic Signs, a Sign Reduction Plan and an Exception from the Hollywood Signage and Supplemental Use District Ordinance to permit two Supergraphic Signs to be located on the eastern and southern façade elevations of the building in lieu of the signs being located on opposite walls of the building that cannot be viewed at the same time from any location.

a) Significant Environmental Effects

With approval of the requested discretionary actions and adoption of the required findings, as recommended stated above, the Proposed Project's impacts related to consistency with the City of Los Angeles Planning and Zoning Code would be reduced to less-than-significant levels.

b) Mitigation Measure

- The Project Applicant shall procure all necessary entitlements and land use approvals from the City of Los Angeles Department of City Planning, including but not limited to the various discretionary actions identified in the request for Vesting Tentative Tract Map No. 68501 and related requests for land use entitlements and variances.

c) Finding

With approval of the requested discretionary actions and adoption of the required findings, as stated in the mitigation measure above, the Proposed Project's impacts related to consistency with the City of Los Angeles Planning and Zoning Code would be reduced to less-than-significant levels.

d) Rationale for Finding

With approval of the requested discretionary actions and adoption of the required findings, as stated in the mitigation measure above, the Proposed Project's impacts related to consistency with the City of Los Angeles Planning and Zoning Code would be reduced to less-than-significant levels.

e) Reference

For a complete discussion of land use impacts, see Section IV.H, Land Use Planning of the Final EIR.

H. Public Utilities

1. Water Supply - Operation (Final EIR page IV.I-5)

a) Significant Environmental Effects

Under the provisions defined in Section 10912 (a) of the State Water Code, the Proposed Project would not be subject to a Water Supply Assessment. The Proposed Project includes the development of approximately 305 residential units and a combined total of 53,500 square feet of retail, commercial office and restaurant space. The Proposed Project does not exceed the threshold of 500 dwelling units, would not include over 500,000 square feet of commercial development, and would not employ over 1,000 people. Additionally, the proposed uses would not create a substantial combined effect from the proposed 305 dwelling units plus 53,500 square feet of commercial uses and associated parking and outdoor landscape, and would not generate an equivalent amount of water use as compared to a 500 dwelling unit project. Therefore, a Water Supply Assessment (WSA) from the Department of Water and Power (DWP) was not required for the Proposed Project. The potential project-specific water supply impacts are determined based on projections established from the approved City of Los Angeles Bureau of Sanitation generation rates and if the projected water demand of the Proposed Project would be within the 20-year water demand growth projected in the City of Los Angeles' Year 2005 Urban Water Management Plan.

The Proposed Project is estimated to generate a demand of 75 acre-feet of water per year. This estimate takes into account a net reduction of 13 acre-feet per year that is currently generated by the exiting land uses on the Project Site and approximately 88 acre-feet per year for the proposed uses.

As stated in Section IV.G Population and Housing of the Final EIR, the Proposed Project would be consistent with the growth forecasts for the project area. Since these population and housing growth projections are within the forecasts of the Hollywood Community Plan area, and the City of Los Angeles as a whole, it is therefore anticipated that the net increase of approximately 75 acre-feet per year of water demand could be accommodated by the Department of Water and Power. The Department of Water and Power's water supplies available during normal, single-dry, and multiple-dry water years, as included in the 20-year projection contained in its Water Plan, would meet the projected water demand associated with the Proposed Project, in addition to the existing and other planned future uses of DWP system.

Therefore, because the water demands of the Proposed Project are within the 20-year water demand growth projected in the Water Plan and water supplies are considered to be reliable, impacts associated with regional water supplies would be less than significant. Although water supplies are available and adequate, the City of Los Angeles imposes water conservation mitigation measures for all projects within its jurisdiction (identified under the "Mitigation Measures" subheading, below).

b) Mitigation Measure

- The Project shall comply with Ordinance No. 170,978 (Water Management Ordinance), which imposes numerous water conservation measures in landscape, installation, and maintenance (e.g., use drip irrigation and soak hoses

in lieu of sprinklers to lower the amount of water lost to evaporation and overspray, set automatic sprinkler systems to irrigate during the early morning or evening hours to minimize water loss due to evaporation, and water less in the cooler months and during the rainy season).

- If conditions dictate, the Department of Water and Power may postpone new water connections for this Project until water supply capacity is adequate.

c) Finding

Because the water demands of the Proposed Project are within the 20-year water demand growth projected in the Water Plan and water supplies are considered to be reliable, impacts associated with regional water supplies would be less than significant. Although water supplies are available and adequate, the City of Los Angeles imposes water conservation mitigation measures for all projects within its jurisdiction.

d) Rationale for Finding

As detailed in the Final EIR the water supply impacts would be less than significant. The Proposed Project also includes mitigation measures to ensure that these impacts would remain less than significant.

e) Reference

For a complete discussion of water supply impacts, see Section IV.I, Public Utilities of the Final EIR.

2. Energy - Electricity (Final EIR page IV.I-17)

a) Significant Environmental Effects

Development of the Proposed Project would increase the existing demand for electricity service in the project area. The Proposed Project would continue to be served from the existing power grid. The estimated net increase in electricity consumption by the Proposed Project is approximately 1,988,571 kilowatts per year.

It is estimated that the increase in electrical demand due to the Proposed Project would not have an adverse impact on its electrical system. Depending on the exact location and size of the requested services (to be determined as site plans are finalized), LADWP would add facilities on-site to meet the needs of the Proposed Project. The LADWP, however, is usually able to connect new customers without any interruptions in service to existing customers. In the unlikely event that service disruption does occur, it would be for a short duration. Furthermore, the Proposed Project aims to provide a high- performance and environmentally efficient mixed-use facility with the intent to achieve a Gold rating for the Proposed Project through the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) certification process. The Applicant's architect currently estimates that the Proposed Project would reduce the design energy cost by at least 30 percent in comparison to the energy cost budget

for energy systems required by the State of California Energy Code. With modern energy-efficient construction materials and operating equipment, the Proposed Project would promote conservation in accordance with the policies identified in Title 24 and in the City of Los Angeles General Plan Framework. Therefore, no significant impacts related to electricity would occur due to the Proposed Project.

b) Mitigation Measure

- The Proposed Project shall meet or exceed all Title 24 energy conservation requirements as they apply in the City of Los Angeles.

c) Finding

It is estimated that the increase in electrical demand due to the Proposed Project would not have an adverse impact on its electrical system. Depending on the exact location and size of the requested services (to be determined as site plans are finalized), LADWP would add facilities on-site to meet the needs of the Proposed Project. Furthermore, the Proposed Project would promote conservation in accordance with the policies identified in Title 24 and in the City of Los Angeles General Plan Framework. Therefore, no significant impacts related to electricity would occur due to the Proposed Project.

d) Rationale for Finding

The Final EIR found that electricity supply impacts would be less than significant. The Proposed Project also includes mitigation measures to ensure that these impacts would remain less than significant.

e) Reference

For a complete discussion of water supply impacts, see Section IV.I, Public Utilities of the Final EIR.

3. Energy – Natural Gas (Final EIR page IV.I-18)

a) Significant Environmental Effects

The Proposed Project would increase demands for natural gas service in the Project area. The Proposed Project's net natural gas demands are estimated to be approximately 1,286,368 cubic feet (cf) per month.

The Southern California Gas Company (SCGC) manages the pipelines adjacent to the Project Site, and it is anticipated that the SCG would be able to meet the natural gas demands of the Proposed Project without constructing new facilities. However, it should be noted that the natural gas system does not operate in a "steady state" environment and, as such, predictions of current and projected service demands are necessarily not concrete.

Since the Proposed Project is located in an area already served by existing natural gas infrastructure, the Proposed Project would not require extensive infrastructure improvement to serve the Project Site. Impacts associated with utility upgrades or additional connections would be temporary in nature and thus result in less than significant impacts upon the environment. Furthermore, as discussed above, the Proposed Project aims to be LEED certified, which would reduce its overall energy consumption, including its use of natural gas. Impacts associated with natural gas resources would therefore be less than significant.

b) Mitigation Measure

- The Proposed Project shall meet or exceed all Title 24 energy conservation requirements as they apply in the City of Los Angeles.

c) Finding

The SCGC manages the pipelines adjacent to the Project Site, and it is anticipated that the SCG would be able to meet the natural gas demands of the Proposed Project without constructing new facilities. Furthermore, the Proposed Project would promote conservation in accordance with the policies identified in Title 24 and in the City of Los Angeles General Plan Framework. Therefore, no significant impacts related to natural gas would occur due to the Proposed Project.

d) Rationale for Finding

The Final EIR found that natural gas supply impacts would be less than significant. The Proposed Project includes a mitigation measure to ensure that these impacts would be less than significant.

e) Reference

For a complete discussion of natural gas supply impacts, see Section IV.I, Public Utilities of the Final EIR.

4. Solid Waste – Construction (Final EIR page IV.I-25)

a) Significant Environmental Effects

Construction of the Proposed Project will generate demolition and construction debris that will need to be disposed of at area landfills and/or recycled. Construction and demolition debris includes concrete, asphalt, wood, drywall, metals, and a variety of other miscellaneous and composite materials. Based on national averages for residential and commercial projects, construction of the Proposed Project is estimated to generate approximately 2,134 tons of construction and demolition debris. Construction and demolition debris would be generated over several phases of development.

The Sunshine and Chiquita Canyon Landfills and Paramount Resource Recycling Center would likely be the primary disposal and recycling sites used for demolition and construction debris. The Sunshine Canyon and the Chiquita Canyon Landfills have a combined remaining permitted daily intake capacity of 6,145 tons. The Paramount Resource Recycling center has a daily permitted intake of 2,400 tons. As discussed above, the Proposed Project would generate an estimated total of 2,134 tons of demolition and construction waste over the duration of the entire construction process. The majority of construction waste is typically generated during the demolition and excavation phases, which are expected to last approximately three months. Assuming 22 working days per month, the Proposed Project would generate approximately 32.3 tons of waste per working day. Since 32.3 tons of solid waste would fall well within the excess permitted daily intake capacity of area landfills and recycling centers, impacts associated with demolition and construction debris would be less than significant.

Additionally, with respect to the amount of construction-related solid waste and demolition debris generated by the Project, the estimates provided above represent a conservative estimate. As described in further detail in Section II, Project Description, the Project Applicant aims to achieve a LEED Gold rating for the Project, which would include the incorporation of the following solid waste and materials goals, to the maximum extent feasible:

- The Proposed Project will attempt to divert construction, demolition, and land clearing debris from landfill disposal, redirect recyclable recovered resources back to the manufacturing process, and redirect reusable materials to appropriate sites;
- The contractor will be responsible for developing and implementing a waste management plan, quantifying material diversion goals with intent to recycle and/or salvage an additional 25% (75% total diversion) of construction, demolition and land clearing waste.
- The Proposed Project will use materials with high-recycled content to the extent feasible; and
- The Proposed Project will aim to use a minimum of 20% of building materials and products that are manufactured regionally within a radius of 500 miles with a minimum of 50% of building materials and products that are extracted, harvested or recovered (as well as manufactured) within 500 miles of the Project Site.

With implementation of some or all of the measures described above, the Proposed Project's impact upon regional landfill capacity would be further reduced to less than significant levels.

b) Mitigation Measure

- The Project Applicant shall develop a construction and demolition debris recycling program to divert construction related solid waste and demolition debris from area landfills.

c) Finding

With implementation of some or all of the measures described above, the Proposed Project's impact upon regional landfill capacity would be further reduced to less than significant levels.

d) Rationale for Finding

Construction-related solid waste impacts would be less than significant. The Proposed Project includes mitigation measures to ensure that these impacts would be less than significant.

e) Reference

For a complete discussion of solid waste impacts, see Section IV.I, Public Utilities of the Final EIR.

5. Solid Waste – Operation (Final EIR page IV.I-26)

a) Significant Environmental Effects

Operation of the Proposed Project would cause an on-going generation of solid waste throughout the lifespan of the Project. Upon full occupancy, the Proposed Project's residential and commercial uses would generate approximately 1,399 net pounds (.64 tons) of solid waste per day, or approximately 232 tons per year.

The combined daily excess available capacity of the Sunshine Canyon and Chiquita Canyon landfills would equal approximately 6,145 tons per day through 2013. After the Chiquita Canyon landfill closes, the Sunshine Canyon landfill would have a theoretical available excess daily capacity of approximately 5,145 tons per day through 2029. However, this number is a high estimate because it is based on current excess capacity levels. Although it is impossible to calculate at present, the impact of the closing of the Chiquita Canyon landfill along with the continued growth of the region would likely have the effect of diminishing the daily excess capacity of the Sunshine Canyon landfill. Furthermore, although there are several proposals for new landfills in the region (including the possible expansion of the Bradley landfill and the development of landfills in Riverside County), there are currently few viable options for City of Los Angeles waste past 2029. The Proposed Project would contribute approximately 0.64 tons of solid waste per day to the Sunshine Canyon landfill, which represents well under one percent of the current excess remaining capacity. Because this increase is negligible in relation to the region as a whole, and solid waste disposal solutions are continuously being sought after on the regional level, the Proposed Project impacts would be considered less than significant.

b) Mitigation Measure

- The Project Applicant shall develop an operational project-recycling plan that includes the design and allocation of recycling collection and storage space in the project that conforms to the City's space allocation ordinance of the Los Angeles Municipal Code (LAMC) which includes provisions for recycling areas or rooms in all new development projects.

c) Finding

With implementation of the mitigation measure, the Proposed Project's impact upon regional landfill capacity would be further reduced to less than significant levels.

d) Rationale for Finding

Operational solid waste impacts would be less than significant. The Proposed Project includes measures to ensure that these impacts would be less than significant.

e) Reference

For a complete discussion of solid waste impacts, see Section IV.I, Public Utilities of the Final EIR.

I. Public Services

1. Police Services - Construction (Final EIR page IV.J-5)

a) Significant Environmental Effects

Construction sites can be sources of nuisances, providing hazards and inviting theft and vandalism. Therefore, when not properly secured, construction sites can become a distraction for local law enforcement. The construction of the Proposed Project would therefore present a potentially significant impact on police protection services. However, the Proposed Project would employ mitigation measures including erecting temporary fencing around the construction site to discourage trespassers and deploying security guards to monitor the construction site and deter any potential criminal activity. Implementation of these mitigation measures would diminish the need for police services during construction of the Proposed Project and reduce the potentially significant impact to less-than-significant.

Construction activities could also require temporary lane closures on streets adjacent to the Project Site, which would have the potential to reduce emergency response times in the surrounding area. Such closures may be necessary for utility relocations, for delivery of materials, or for certain construction procedures. Traffic lane closures are not expected for any extended periods for construction, as it is expected that construction will be able to take place within project limits, or by using protected pedestrian passages on street sidewalks. It is not expected that complete closures of

any streets would be required during construction. However, in order to mitigate the potential temporary and short-term traffic impacts of any necessary lane and/or sidewalk closures during the construction period, a Construction Traffic Control/Management Plan would be developed to minimize the effects of construction on vehicular and pedestrian circulation and assist in the orderly flow of vehicular and pedestrian circulation in the area of the Proposed Project. Implementation of the mitigation measure below would serve to reduce any potential construction traffic impacts to a less-than-significant level.

b) Mitigation Measures

- The Proposed Project shall erect temporary fencing around the Project Site during construction activities to secure the Project Site and discourage trespassers.
- The Project Applicant shall employ security guards to monitor and secure the Proposed Project Site after hours during the construction process to secure the site and deter any potential criminal activity.
- In order to mitigate the potential temporary and short-term traffic impacts of any necessary lane and/or sidewalk closures during the construction period, the Proposed Project shall, prior to construction, develop a Construction Traffic Control/Management Plan to be approved by LADOT to minimize the effects of construction on vehicular and pedestrian circulation and assist in the orderly flow of vehicular and pedestrian circulation in the area of the Proposed Project. The Plan should include temporary roadway striping and signage for traffic flow as necessary, as well the identification and signage of alternative pedestrian routes in the immediate vicinity of the Project if necessary.
- The Project Applicant shall submit plot plans to the Los Angeles Police Department's Crime Prevention Section for review and comment. Plans shall include access routes, floor plans, and any other additional information that might facilitate prompt and efficient police response. Security features recommended by the LAPD shall be implemented to the extent feasible.

c) Finding

The construction of the Proposed Project would present a potentially significant impact on police protection services. However, implementation of the mitigation measures would diminish the need for police services during construction of the Proposed Project and reduce the potentially significant impact to less-than-significant.

d) Rationale for Finding

Police services during construction could be significantly impacted. The Proposed Project includes mitigation measures to ensure that these impacts would be reduced less than significant levels.

e) Reference

For a complete discussion of police services, see Section IV.J, Public Services of the Final EIR.

2. Police Services – Operation (Final EIR page IV.J-5)

a) Significant Environmental Effects

The Proposed Project would introduce a net increase of approximately 722 new residents to the Project Site. This Project-related increase in persons on the Project Site represents 0.3 percent of the total existing residential police service population of the Hollywood Area (722/222,684). 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 calls requesting police responses to home and retail burglaries, vehicle burglaries, damage to vehicles, traffic-related incidents, and crimes against persons would be anticipated to increase somewhat with the increase in onsite activity and increase in traffic on adjacent streets and arterials. While such calls are typical of problems experienced in existing residential neighborhoods, they do not represent unique law enforcement issues specific to the Proposed Project. Furthermore, as a mixed-use project, the Proposed Project will provide an increased 24-hour community presence, which often has the result of reducing crime rates.

Nevertheless, to reduce the potential for increasing the demands upon police services in the area, the Proposed Project would include strategically positioned functional and thematic lighting to enhance public safety. Visually obstructed and infrequently accessed "dead zones" would be limited and, where possible, security would be controlled to limit public access. 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, and secure parking facilities (see security plan discussion, below). In addition, the continuous visible and non-visible presence of residents and employees at all times of the day would provide a sense of security during evening and early morning hours.

As part of the Proposed Project, an on-site security plan would be conceived and implemented by the Project Applicant in consultation with the Los Angeles Police Department ("LAPD") to minimize the potential for on-site crime and reduce demands upon additional LAPD services. While a security plan has not yet been finalized, such a plan would be required as a condition of project approval and would be developed in consultation with the LAPD Crime Prevention Unit (CPU) as part of the final site plan review process. Such a security plan may include some or all of the following components:

- Provisions for an on-site private security force for the commercial and residential areas. Through individual lease agreements for the proposed retail/commercial uses and property management services for the residential uses, private on-site security services would provide a 24-hour presence. Security officers would be

responsible for patrolling all common areas including the back service corridors and alleys, parking garages, and stairwells.

- The parking garages shall be designed to cordon off residential and commercial serving parking areas to provide increased security for project residents. Both residential and commercial parking areas shall be fitted with emergency features such as closed circuit television (CCTV) or emergency call boxes that will provide a direct connection with the on-site security force or the LAPD 911 emergency response system.
- The park shall be maintained by the Project Applicant, Agency or Department of Recreation and Parks (as to be determined) and shall be open to the public during daylight hours only.
- Low-level and directional security lighting features shall be provided to illuminate entryways, seating areas, lobbies, elevators, locker rooms, service areas, and parking areas with good illumination and minimize dead space to eliminate areas of concealment.

The park may be available to the public to serve the recreational demands of the surrounding community. The Project Applicant is seeking to dedicate the park to the Agency or Department of Recreation and Parks for use by the public as a means of satisfying all or a portion of the project's Quimby fees pursuant to Section 17.12 of the Los Angeles Municipal Code. Should the park not be credited towards the Project's Quimby obligation, the park will be held as a private condominium unit to be used as a park and open space amenity for the Proposed Project's residents and/or patrons. While the park is proposed as a passive pocket park, if made available as a public park it could attract additional persons to the project area. As with any public park or open space area, if not properly maintained and secured, such public places have the potential to attract criminal elements and blight. To reduce any potential ill effects of the proposed park, the Applicant, Agency or Department of Recreation and Parks (as to be determined) will be required to manage and maintain the park in accordance with all public health and safety regulations. Furthermore, the project's security plan will provide a continuous security presence to deter criminal activity. Therefore, with the implementation of the mitigation measures identified below, impacts associated with the park would be mitigated to less than significant levels.

b) Mitigation Measures

- The Security Plan shall incorporate low-level and directional security lighting features to effectively illuminate project entryways, seating areas, lobbies, elevators, locker rooms, service areas, and parking areas with good illumination and minimum dead space to eliminate areas of concealment. Full cut-off fixtures shall be installed that minimize glare from the light source and provide light downward and inward to structures to maximize visibility.
- The Project Applicant shall develop and implement a Security Plan in consultation with the LAPD outlining the security services and features to be provided in conjunction with the Proposed Project. The plan shall be coordinated with the LAPD and a copy of said plan shall be filed with the LAPD Central

Bureau Commanding Officer. Said security plan may include some or all of the following components:

i. Provisions for an on-site private security force for the commercial and residential areas. Through individual lease agreements for the proposed retail/commercial uses and property management services for the residential uses, private on-site security services would provide a 24-hour presence. Security officers would be responsible for patrolling all common areas including the back service corridors and alleys, parking garages, and stairwells. All security officers will carry radios and patrol the grounds primarily by foot; however, bike patrol may be implemented in the parking garages and on the surrounding roadways.

ii. The parking garages shall be designed to cordon off residential and commercial serving parking areas to provide increased security for project residents. Both residential and commercial parking areas shall be fitted with emergency features such as closed circuit television (CCTV) or emergency call boxes that will provide a direct connection with the on-site security force or the LAPD 911 emergency response system.

c) Finding

The Proposed Project would present a potentially significant impact on police protection services. However, implementation of the mitigation measures would reduce the potentially significant impact to less-than-significant.

d) Rationale for Finding

Police services could be significantly impacted by the development of the Proposed Project. The Proposed Project includes mitigation measures to ensure that these impacts would be reduced less than significant levels.

e) Reference

For a complete discussion of police services, see Section IV.J, Public Services of the Final EIR.

3. Fire Protection Services – Construction and Operation (Final EIR page IV.J-13)

a) Significant Environmental Effects

Construction

Removal of the existing onsite buildings and construction of the Proposed Project would increase the potential for accidental onsite fires from such sources as the operation of mechanical equipment, the use of flammable construction materials, and the careless disposal of 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 Los Angeles Fire Department ("LAFD"). In addition, the Project Applicant and the contractors will be required to implement all applicable code required measures to ensure the safety of operations during the construction period (see below). Therefore, construction-related impacts to fire protection services would be less than significant.

Operation

*Response Distance and Emergency Access*

The nearest engine company is approximately 0.5 mile from the Project Site. The nearest truck company is located approximately 0.7 mile from the Project Site. The response times by the LAFD to the Project Site would be 3.4 minutes from Fire Station 82, 3.8 minutes from Fire Station 27, and 5.9 minutes from Fire Station 52. Therefore, due to the location of the project in an area adequately served by existing fire stations within a 1-mile radius of the Project Site, response times are anticipated to be within LAFD standards. In addition, due to the fact that the Proposed Project includes the development of a high-rise residential tower, automatic fire suppression sprinklers would be required by the Fire Code. The installation of automatic fire sprinklers will reduce or slow the spread of fire in a high-rise structure, further assisting fire fighters in the event of a fire.

Emergency vehicle access to the Project Site would continue to be provided from local public roadways. Major roadways adjacent to the Project Site (i.e., Sunset Boulevard, Hollywood Boulevard, and Gower Street) would continue to provide public and emergency access. The LAFD considers intersections with an LOS of E or F to inhibit emergency response. The Proposed Project would not cause any intersections in the Proposed Project vicinity to be significantly impacted (see Section IV.K (Traffic/Transportation/ Parking) of the Final EIR). Therefore, the Proposed Project would not inhibit emergency vehicle access, and impacts related to emergency access would be less than significant.

*Fire Flow*

Water service for fire fighting purposes would continue to be provided by the City of Los Angeles Department of Water and Power (LADWP). The existing water system would serve both domestic and firewater needs. The Water Operations Division of the LADWP will perform a flow study at the time of permit review in order to ascertain whether further water system or site-specific improvements are necessary. The adequacy of fire protection for a given area is based on required fire flow; response time from existing fire stations, and the LAFD's judgment for assessing the needs in a given area. The required fire flow is closely related to the type and size of the land use. The quantity of water necessary for fire protection varies with the type of development, life hazard, occupancy, and the degree of fire hazard. City-established fire flow requirements, which are established in the Fire Code, vary from 2,000 gallons per minute (gpm) in low-density residential areas, to 12,000 gpm in high-density commercial or industrial areas. In any instance, a minimum residual water pressure of 20 pounds per square inch (PSI) is to remain in the water system while the required gpm is flowing. Additional hydrants would be installed per Fire Code requirements based upon the specific land uses to be introduced (i.e., multi-family residential, commercial, and parking uses). As such, with incorporation of the Code-Required Measures identified below, impacts related to fire flow are anticipated to be less than significant.

b) Mitigation Measures

- All requirements of LAMC Section 57.09.07, pertaining to the installation of automatic sprinkler systems in high-rise structures shall be followed.
- LAFD access shall remain clear and unobstructed at all times during the construction period.
- Fire lane width shall not be less than 20 feet. When a fire lane must accommodate the operation of LAFD aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width.
- The width of private roadways for general access use and fire lanes shall not be less than 20 feet clear to the sky.
- Fire lanes, where required and dead-ending streets, shall terminate in a cul-de-sac or other approved turning area. No dead ending street or fire lane shall be greater than 700 feet in length or secondary access shall be required.

- Where access for a given development requires accommodation of LAFD apparatus, minimum outside radius of the paved surface shall be 35 feet. An additional six feet of clear space must be maintained beyond the outside radius to a vertical point 13 feet 6 inches above the paved surface of the roadway.
- No building or portion of a building shall be constructed more than 300 feet from an approved fire hydrant. Distance shall be computed along the path of travel, except for dwelling units, where the travel distance shall be computed to the front door of the unit.
- 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.
- Access for LAFD apparatus and personnel to and into all structures shall be required.
- At areas designated by the LAFD, the structural system shall be demonstrated, by engineering calculations, as capable of sustaining LAFD vehicle loads. The design methodology shall conform to the latest edition of the State of California Department of Transportation Bridge Design Specifications Manual.
    - Basic design requirement (within the public right-of-way and for private roads, alleys, streets, etc.): AASHTO HS20-44 with the Impact Increment = 30%
    - Special case for areas which are outside the public right-of-way, not a road and restricted to passenger vehicles only: AASHTO HS15-44 with Impact Increment = 30%
- 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) Finding

Implementation of the Proposed Project would increase the need for fire protection and emergency medical services in the Hollywood area. The Proposed Project would present a potentially significant impact on these services. However, implementation of the mitigation measures would reduce the potentially significant impact to less-than-significant.

d) Rationale for Finding

Fire protection services could be significantly impacted by the development of the Proposed Project. The Proposed Project includes mitigation measures to ensure that these impacts would be reduced less than significant levels.

e) Reference

For a complete discussion of police services, see Section IV.J, Public Services of the Final EIR.

4. Schools – Construction (Final EIR page IV.J-21)

a) Significant Environmental Effects

The Proposed Project is not located adjacent to or in the immediate vicinity of a public school site. Therefore, students would not be exposed to the temporary noise and air quality impacts that are inherently associated with the construction process. While none of the Los Angeles Unified School District (LAUSD) schools identified in the project area are located on the primary roadways that would likely be used for construction equipment, trucks or haul trucks, precautionary mitigation measures have been recommended by the LAUSD to ensure the safety of students. Such measures would ensure that the construction activities would not endanger passenger safety or delay student drop-off or pickup due to changes in traffic patterns, lane adjustments, altered bus stops, or traffic lights. These construction-related mitigation measures would also maintain safe and convenient pedestrian routes to LAUSD schools by avoiding hauling or truck staging activities in proximity to school sites, except when school is not in session. Implementation of these precautionary mitigation measures would ensure that any potential impacts to student safety would be minimized to a less than significant level. Therefore, the Proposed Project would result in a less than significant impact upon public school sites.

b) Mitigation Measures

- Prior to construction, contact the LAUSD Transportation Branch at (323) 342-1400 regarding potential impact to school bus routes.
- Maintain unrestricted access for school buses during construction.
- Comply with Provisions of the California Vehicle Code by requiring construction vehicles to stop when encountering school buses using red flashing lights.
- Not endanger passenger safety or delay student drop-off or pickup due to changes in traffic patterns, lane adjustments, altered bus stops, or traffic lights.
- Maintain safe and convenient pedestrian routes to LAUSD schools.
- Maintain ongoing communication with school administration at affected schools, providing sufficient notice to forewarn students and parents/guardians when existing pedestrian and vehicle routes to school may be impacted.
- Not haul past affected school sites, except when school is not in session. If that is infeasible, not haul during school arrival and dismissal times.
- Not staging or parking of construction-related vehicles, including worker-transport vehicles, adjacent to school sites.
- Provide crossing guards when safety of students may be compromised by construction-related activities at impacted school crossings.
- Install barriers and/or fencing to secure construction equipment and site to prevent trespassing, vandalism, and attractive nuisances.
- Provide security patrols to minimize trespassing, vandalism, and short-cut attractions.

c) Finding

The Proposed Project would present a potentially significant impact on schools during the construction process. However, implementation of the mitigation measures would reduce the potentially significant impact to less-than-significant.

d) Rationale for Finding

Schools could be significantly impacted during the construction of the Proposed Project. The Proposed Project includes mitigation measures to ensure that these impacts would be reduced less than significant levels.

e) Reference

For a complete discussion of school services, see Section IV.J, Public Services of the Final EIR.

5. Schools – Operation (Final EIR page IV.J-22)

a) Significant Environmental Effects

Implementation of the Proposed Project would involve the development of 305 new residential condominium units, 13,500 sf of retail space, and 40,000 sf of office space. LAUSD generation rates indicate that approximately three elementary students and one high school student are generated by the existing 15,252 square feet of restaurant use and nine residential units on the Project Site for a total of 4 students. The Proposed Project would result in the generation of 129 students including 62 elementary students, 32 middle school students, and 31 high school students. Thus, the Project's total net generation of LAUSD students is 125 students.

While it is likely that some of the students generated by the Proposed Project would already reside in areas served by LAUSD and would already be enrolled in LAUSD schools, for a conservative analysis it is assumed that all students generated by the Proposed Project would be new to LAUSD. This analysis is also conservative in that the majority of condominiums would be 1-bedrooms and therefore less likely to be occupied by families with school age children.

While none of the three schools serving the Project Site are currently operating at enrollment capacity, the LAUSD has determined these schools are operating at overcrowded conditions. In addition to existing facilities, LAUSD is presently engaged in an intensive effort to meet projected future school demand throughout the District. Within the Project Site's service area, three schools are planned to relieve known overcrowded conditions: the Central LA Area New High School #1 has a projected capacity of 2106 students; Hollywood New Continuation High School #1 is projected to accommodate 162 students; and, Central Region Middle School #5 is anticipated to have a capacity of 891 students.

Furthermore, LAUSD operates a number of charter schools in the Local District serving the Proposed Project. Charter schools serve 33,000 students in the Los Angeles Unified School District. There is no tuition at charter schools and enrollment is open and ultimately determined by lottery. There are 19 independent charter schools operating in Local District 4. It is thus possible that a portion of the students generated by the Proposed Project would elect to attend these neighboring charter schools.

The implementation of the mitigation measure identified below, requiring the mandatory payment of school fees in conformance with SB 50, would address the Proposed Project's impact on schools by providing funds for future LAUSD expansion. In accordance with SB 50, payment of school fees is deemed to provide full and complete mitigation to impacts on schools pursuant CEQA.

b) Mitigation Measures

- 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.

c) Finding

The Proposed Project would add an increase of students to schools that are considered to be operating at overcrowded conditions. However, the payment of school fees in conformance with SB 50, would address the Proposed Project's impact on schools by providing funds for future LAUSD expansion. In accordance with SB 50, payment of school fees is deemed to provide full and complete mitigation to impacts on schools pursuant CEQA.

d) Rationale for Finding

The Proposed Project would add an increase of students to schools that are considered to be operating at overcrowded conditions. However, the payment of school fees in conformance with SB 50, would address the Proposed Project's impact on schools by providing funds for future LAUSD expansion. In accordance with SB 50, payment of school fees is deemed to provide full and complete mitigation to impacts on schools pursuant CEQA.

e) Reference

For a complete discussion of school services, see Section IV.J, Public Services of the Final EIR.

6. Recreation and Parks (Final EIR page IV.J-31)

a) Significant Environmental Effects

Development of the Proposed Project is anticipated to result in an increase of 722 permanent residents. Employees of the proposed restaurant/commercial uses are less likely to patronize parks during working hours, and are more likely to use parks near their own homes during non-work hours. Based on the City General Plan ratio, the Proposed Project would generate a need for 2.9 (722 x 4/1,000) acres of public parkland in the project area.

The Proposed Project would include an approximate 0.5-acre park ("Gordon Street Park"), which may be dedicated for public use. Additionally, the Proposed Project would integrate a landscaped plaza and swimming pool on the podium level and one recreation room in the residential tower. Because the proposed on-site recreational and open space amenities would be open to the residents of the project, this feature would help alleviate the City's existing substandard provision of parkland and recreational facilities. The on-site recreational amenities would help reduce Project-related impacts by providing on-site facilities that future residents may use in lieu of public parks.

As stated above, the City requires developers of subdivisions to dedicate parkland or to pay fees in lieu of parkland dedication. If and to the extent the proposed onsite recreational and outdoor facilities do not fully satisfy the requirements of the Quimby Act, the Project Applicant would be required to pay Quimby fees to the City, to satisfy the balance of its obligations under the Quimby Act. The provision of the onsite recreational and outdoor facilities, together with the payment of any required Quimby fees, would reduce the Proposed Project's impact upon parks and recreational facilities to a less-than-significant level.

b) Mitigation Measures

- Pursuant to Section 17.12 of the Los Angeles Municipal Code, the project Applicant shall pay all applicable Quimby fees to the City of Los Angeles for the construction of condominium and apartment uses.

c) Finding

If and to the extent the proposed onsite recreational and outdoor facilities do not fully satisfy the requirements of the Quimby Act, the Project Applicant would be required to pay Quimby fees to the City, to satisfy the balance of its obligations under the Quimby Act. The provision of the onsite recreational and outdoor facilities, together with the payment of any required Quimby fees, would reduce the Proposed Project's impact upon parks and recreational facilities to a less-than-significant level.

d) Rationale for Finding

The Proposed Project has included measures to ensure that project related impacts on recreation and parks would be reduced to less than significant levels.

e) Reference

For a complete discussion of recreation and parks, see Section IV.J, Public Services of the Final EIR.

J. Traffic and Transportation

1. Construction (Final EIR page IV.K-15)

a) Significant Environmental Effects

Construction of the Proposed Project will require the removal of debris and dirt in order to remove the existing building and excavate to create the garage. As part of the construction, the developer will file a haul route request for approval by the City of Los Angeles. In order to maintain minimal interference with on-street traffic movement, the project will not conduct construction activities that impede into the roadway during peak travel times of 7:00 a.m. to 9:00 a.m. or 4:00 p.m. to 7:00 p.m. Any construction activities during this time period will be conducted on-site only. Every effort will be made to maintain construction activities on-site. However, it is likely that there will be some work that will need some of the roadway space to be conducted. A traffic lane requirement plan through Los Angeles Department of Transportation (LADOT) with approval by public works will be requested by the contractor. The Proposed Project would be built at one time, although the construction process would comprise a number of phases. During construction, off-site activity would typically involve construction workers arriving and departing the site, and the arrival and departure of construction trucks removing material/debris from demolition and excavation at the site and delivering construction materials to the site. The number of construction workers, haul trips, and delivery trucks would vary throughout the construction period. To address traffic congestion on local roadways during peak traffic periods, the Department of City Planning has started implementing mitigation measures to restrict haul route trips to off peak hours. Such measures are automatically imposed as project conditions when applicants obtain haul route permits and would further reduce the Proposed Project's potential impact upon traffic conditions during the construction process to less than significant levels.

It is not expected that complete closures of any streets would be required during construction. Site deliveries and staging of all equipment and materials would be organized in the most efficient manner possible to avoid any impacts to the neighborhood and surrounding traffic. Lane closures would be avoided wherever and whenever possible. However, it may be necessary at times to temporarily use either a parking lane and/or a traffic lane for certain construction activities. Because such potential lane closures would be temporary, they would not be expected to cause significant traffic impacts.

It may be necessary to close sidewalks adjacent to the Project Site for some of the construction period. This may necessitate that pedestrian's walk on the other side of the street. Given the proximity of available alternate pedestrian routes (sidewalks) this is not considered to be a significant impact.

In order to further mitigate potentially significant construction related traffic impacts, the Proposed Project would be required to develop a Construction Traffic Control/Management (CTCM) Plan to be approved by LADOT, to minimize the effects of construction on vehicular and pedestrian circulation and assist in the orderly flow of vehicular and pedestrian circulation in the area of the Proposed Project. The CTCM Plan would include temporary roadway striping and signage for traffic flow as necessary, as well as the identification and signage of alternative pedestrian routes in the immediate vicinity of the Project if necessary. Moreover, the CTCM Plan would ensure that emergency access to the site is maintained at all times. As a result, traffic impacts during construction would be mitigated to less than significant levels.

b) Mitigation Measures

- In order to mitigate the potential temporary and short-term traffic impacts of any necessary lane and/or sidewalk closures during the construction period, the Proposed Project shall, prior to construction, develop a CTCM Plan to be approved by LADOT to minimize the effects of construction on vehicular and pedestrian circulation and assist in the orderly flow of vehicular and pedestrian circulation in the area of the Proposed Project. The CTCM Plan should include temporary roadway striping and signage for traffic flow as necessary, as well the Proposed Project if necessary.
- Prior to the issuance of a grading permit, the subdivide shall record and execute a Covenant and agreement (Planning Department General Form CP-6770), binding the subdivide to the following haul route conditions:

i All construction truck traffic shall be restricted to truck routes approved by the City of Los Angeles Department of Building and Safety, which shall avoid residential areas and other sensitive receptors to the extent feasible.
ii Hours of operation shall be from 9:00 a.m. to 4:00 p.m.
iii Days of the week shall be Monday through Friday. No hauling activities are permitted on Saturdays, Sundays or Holidays.
iv Trucks shall be restricted to 18-wheel dump trucks or smaller.
v The Traffic Bureau of the Los Angeles Police Department shall be notified prior to the start of hauling (213.485.3106).
vi Streets shall be cleaned of spilled materials at the termination of each workday.
vii The final approved haul routes and all the conditions of approval shall be available on the job site at all times.
viii The Project Applicant or contractor shall keep the construction area sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
ix Hauling and grading equipment shall be kept in good operating condition and muffled as required by law.
x All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.

xi All trucks are to be watered at the job site to prevent excessive blowing dirt.

xii All trucks are to be cleaned of loose earth at the job site to prevent spilling. Any material spilled on the public street shall be removed by the contractor.

xiii The Project applicant shall be in conformance with the State of California, Department of Transportation policy regarding movements of reducible loads.

xiv All regulations set forth in the State of California Department of Motor Vehicles pertaining to the hauling of earth shall be complied with.

xv "Truck Crossing" warning signs shall be placed 300 feet in advance of the exit in each direction.

xvi One flag person(s) shall be required at the job and dump sites to assist the trucks in and out of the project area. Flag person(s) and warning signs shall be in compliance with Part II of the 1985 Edition of "Work Area Traffic Control Handbook."

xvii The City of Los Angeles, Department of Transportation, telephone 213.485.2298, shall be notified 72 hours prior to beginning operations in order to have temporary "No Parking" signs posted along the route.

xviii Any desire to change the prescribed routes must be approved by the concerned governmental agencies by contacting the Street Use Inspection Division at 213.485.3711 before the change takes place.

xix The permittee shall notify the Street Use Inspection Division, 213.485.3711, at least 72 hours prior to the beginning of hauling operations and shall also notify the Division immediately upon completion of hauling operations.

xx A surety bond shall be posted in an amount satisfactory to the City Engineer for maintenance of haul route streets. The forms for the bond will be issued by the Valley District Engineering Office, 6262 Van Nuys Boulevard, Suite 251, Van Nuys, CA 91401. Further information regarding the bond may be obtained by calling 818.374.5090; or the West Los Angeles District Engineering Office, 1828 Sawtelle Boulevard, 3rd Floor, Los Angeles, CA 90025. Further information regarding the bond may be obtained by calling 310.575.8388; or by the Central District Engineering Office, 201 N. Figueroa Street, Room 770, Los Angeles, CA 90012. Further information regarding the bond may be obtained by calling 213.977.6039; or by the Harbor District Engineering Office, 638 S. Beacon Street, 4th Floor, San Pedro, CA 90731. Further information regarding the bond may be obtained by calling 310.732.4677.

c) Finding

The construction of the Proposed Project would present a potentially significant impact on traffic and transportation. However, implementation of the mitigation measures would reduce the potentially significant impact to less-than-significant.

d) Rationale for Finding

Traffic and transportation during construction could be significantly impacted. The Proposed Project includes mitigation measures to ensure that these impacts would be reduced less than significant levels.

e) Reference

For a complete discussion of police services, see Section IV.K, Traffic-Transportation of the Final EIR.

J. Parking

1. Construction (Final EIR page IV.K.2-2)

a) Significant Environmental Effects

Construction activities in urban areas have the potential to increase demands for off-street parking, which could also adversely impact traffic and circulation patterns in local neighborhoods. Construction of the Proposed Project is anticipated to last approximately 24 months. The Proposed Project includes a three- to four- level subterranean parking garage, which may necessitate construction workers to park off-site during its construction. Construction of the parking garage is anticipated to take approximately 9 to 12 months, after which construction equipment and construction workers would be able to park on-site during the remainder of the construction period. During this time, construction workers would be directed to park in designated areas off-site. Additional off-street parking could be procured as needed at the adjacent surface parking lot at the northwest corner of Sunset Boulevard and Bronson Avenue. In an effort to minimize potential parking and access impacts in the surrounding neighborhood, the Project Applicant will implement a construction management program (see Mitigation Measure below) to provide any necessary off-site parking to meet the demands of construction worker parking in a manner that minimizes impact to the surrounding uses to the maximum extent feasible.

b) Mitigation Measures

- In order to mitigate potential parking impacts from construction workers the Project Applicant shall, prior to commencing construction, develop a Construction Parking Plan requiring construction workers to park off-street and not use on-street parking spaces. The Project contractor shall develop a temporary off-street parking plan to ensure a sufficient supply of off-street spaces is provided for the construction workers.

c) Finding

The construction of the Proposed Project would present a potentially significant impact on parking. However, implementation of the mitigation measure would reduce the potentially significant impact to less-than-significant.

d) Rationale for Finding

Parking during construction could be significantly impacted. The Proposed Project includes a mitigation measure to ensure that these impacts would be reduced to less than significant levels.

e) Reference

For a complete discussion of parking, see Section IV.K.2, Parking of the Final EIR.

2. Operation – Residential (Code) (Final EIR page IV.K.2-3)

a) Significant Environmental Effects

Pursuant to the Planning and Zoning Code, the Proposed Project would be required to provide 573 residential parking spaces for the 305 residential units that are proposed. As shown in the Table IV.K.2-1 of the Final EIR the Proposed Project proposes to provide 413 residential parking spaces for the proposed residential units. Therefore, the proposed parking supply would fall short of the Planning and Zoning Code requirements for residential parking by 160 parking spaces and, compliance with the Planning and Zoning Code would not occur and with respect to the Planning and Zoning Code requirements for residential uses, a significant impact would occur. The Project Applicant is requesting a zone variance from LAMC Section 12.21.A.4 to provide residential parking at a ratio of 1.35 spaces per unit. With approval of the zone variance, the impact to conformance with the Planning and Zoning Code would be reduced to less than significant. If the variance is not granted then the project could not be built as proposed.

b) Mitigation Measures

- The Project Applicant shall request and obtain approval for a variance seeking relief from the Planning and Zoning Code's residential parking standards. If the approval is not granted the Proposed Project could not be built without modification to provide the required parking.

c) Finding

With approval of the zone variance, the impact to conformance with the Planning and Zoning Code would be reduced to less than significant. If the variance is not granted then the project could not be built as proposed.

d) Rationale for Finding

With approval of the zone variance, the impact to conformance with the Planning and Zoning Code would be reduced to less than significant. If the variance is not granted then the project could not be built as proposed.

e) Reference

For a complete discussion of parking, see Section IV.K.2, Parking of the Final EIR.

3. Operation – Residential (Policy) (Final EIR page IV.K.2-3)

a) Significant Environmental Effects

Pursuant to the Residential Parking Policy for Division of Land – No AA 2000-1, the parking requirement for subdivisions in parking congested areas is two spaces per dwelling unit plus one half spaces per dwelling unit for guests. The Proposed Project proposes to provide a total of 413 residential parking spaces for 305 dwelling units (1.28 spaces per unit). As summarized in Table IV.K.2-2 on page IV.K.2-4, the Proposed Project would fall 349 spaces short of the required 762 residential parking spaces required under this policy. The Project Applicant is seeking approval to deviate from this parking policy.

In consideration of the parking demand analysis presented in the Final EIR and with the approval of the deviation from the policy, residential parking impacts would be considered less than significant. If the deviation from the policy is not granted the Proposed Project could not be built as proposed.

b) Mitigation Measures

- The Project Applicant shall request and obtain approval for a variance seeking relief from the Department of City Planning's Residential Parking Policy for Division of Land–No AA 2000-1. If the approval is not granted the Proposed Project could not be built without modification to provide the required parking.

c) Finding

The Project Applicant shall request and obtain approval for a variance seeking relief from the Department of City Planning's Residential Parking Policy for Division of Land–No AA 2000-1. If the approval is not granted the Proposed Project could not be built with modification to provide the required parking. If the approval is granted, impacts would be considered less than significant.

d) Rationale for Finding

The Project Applicant shall request and obtain approval for a variance seeking relief from the Department of City Planning's Residential Parking Policy for Division of Land–

No AA 2000-1. If the approval is not granted the Proposed Project could not be built with modification to provide the required parking.

e) Reference

For a complete discussion of parking, see Section IV.K.2, Parking of the Final EIR.

A. Aesthetics (Shade and Shadow)

a) Significant Environmental Effects

The Proposed Project would have a significant shade and shadow impact, as it would contribute to the shading of these uses for more than three consecutive hours between 9:00 a.m. and 3:00 p.m. during the winter season. It should be noted that some of these uses are already partially shaded by other existing structures and trees in the region, and it is possible that the proposed tower could minimally contribute to some of this shading in the project vicinity. Nonetheless, winter shade-shadow impacts would be considered potentially significant.

b) Mitigation Measures

No mitigation measures could be incorporated into the Proposed Project that would reduce winter shade-shadow impacts.

c) Finding

Specific economic, legal, social, technological or other considerations, including considerations identified in Section VIII of this Exhibit 1 (Statement of Overriding Considerations) make infeasible additional mitigation measures or the alternatives to the Proposed Project identified in the Final EIR. Winter shade-shadow impacts would be significant and unavoidable.

d) Rationale for Finding

The Proposed Project would have a significant shade and shadow impact, as it would contribute to the shading of these uses for more than three consecutive hours between 9:00 a.m. and 3:00 p.m. during the winter season. It should be noted that some of these uses are already partially shaded by other existing structures and trees in the region, and it is possible that the tower could minimally contribute to some of this shading in the project vicinity. Nonetheless, winter shade-shadow impacts would be significant and unavoidable.

e) Reference

For a complete discussion of winter shade-shadow impacts, see Section IV.A, Aesthetics, of the Final EIR.

B. Construction Related Noise

a) Significant Environmental Effects

Construction activities could impact nearby sensitive receptors as constriction noise could exceed existing ambient exterior noise levels by more than 10 dBA CNEL for more than one day and more than 5 dBA CNEL for more than 10 days in a three month period. The use of mufflers on construction equipment could reduce their noise levels by an average of 3 dBA. However, the resulting noise levels would still exceed the thresholds of significance for construction noise. As such, with implementation of the mitigation measures provided, impacts with respect to construction noise would still be considered significant and unavoidable.

b) Mitigation Measures

- The Proposed Project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
- Construction and demolition shall be restricted to the hours of 7:00 AM to 6:00 PM Monday through Friday, and 8:00 AM to 6:00 PM on Saturday.
- All construction equipment engines shall be properly tuned and muffled according to manufacturers' specifications.
- Noise construction activities whose specific location on the site may be flexible (e.g., operation of compressors and generators, cement mixing, general truck idling) shall be conducted as far as possible from the nearest noise-sensitive land uses, and natural and/or manmade barriers (e.g., intervening construction trailers) shall be used to screen such activities from these land uses to the maximum extent possible.
- To the maximum extent feasible, the use of those pieces of construction equipment or construction methods with the greatest peak noise generation potential shall be minimized.
- If noise levels from construction activity are found to exceed 75 dBA at the property line of and adjacent property and construction equipment is left stationary and continuously operating for more than one day, a temporary noise barrier shall be erected between the noise source and receptor.
- 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. Any reasonable complaints shall be rectified within 24 hours of their receipt.

c) Finding

Specific economic, legal, social, technological or other considerations, including considerations identified in Section VIII of this Attachment A (Statement of Overriding

Considerations) make infeasible additional mitigation measures or alternatives to the Proposed Project identified in the Final EIR. Construction-related noise impacts would be significant and unavoidable.

d) Rationale for Finding

The Proposed Project would have a significant construction-related noise impact, as constriction noise could exceed existing ambient exterior noise levels by more than 10 dBA CNEL for more than one day and more than 5 dBA CNEL for more than 10 days in a three month period. Although the Proposed Project includes several mitigation measures to reduce the construction-related noise impacts to the maximum extent feasible, these impacts would still be considered significant and unavoidable.

e) Reference

For a complete discussion of construction-related noise impacts, see Section IV.F, Noise, of the Final EIR.

C. Construction Related Groundborne Vibration

a) Significant Environmental Effects

Vibration levels could exceed 81 VdB at the existing residences located along the north and west side of the Project Site on Gordon Street. This would exceed the 80 VdB threshold for residences and buildings where people normally sleep. Therefore, impacts would be significant and unavoidable.

b) Mitigation Measures

As stated in the Final EIR, the most likely source of groundborne vibration to create vibration impacts would be construction activities and roadway truck traffic. Accordingly, with assessing project-related vibration impacts, the same mitigation measures for construction noise would be applicable to groundborne vibration. They are re-stated below.

- The Proposed Project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
- Construction and demolition shall be restricted to the hours of 7:00 AM to 6:00 PM Monday through Friday, and 8:00 AM to 6:00 PM on Saturday.
- All construction equipment engines shall be properly tuned and muffled according to manufacturers' specifications.
- Noise construction activities whose specific location on the site may be flexible (e.g., operation of compressors and generators, cement mixing, general truck idling) shall be conducted as far as possible from the nearest noise-sensitive land

uses, and natural and/or manmade barriers (e.g., intervening construction trailers) shall be used to screen such activities from these land uses to the maximum extent possible.

- To the maximum extent feasible, the use of those pieces of construction equipment or construction methods with the greatest peak noise generation potential shall be minimized.
- If noise levels from construction activity are found to exceed 75 dBA at the property line of and adjacent property and construction equipment is left stationary and continuously operating for more than one day, a temporary noise barrier shall be erected between the noise source and receptor.
- 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. Any reasonable complaints shall be rectified within 24 hours of their receipt.

c) Finding

Specific economic, legal, social, technological or other considerations, including considerations identified in Section VIII of this Exhibit 1 (Statement of Overriding Considerations) make infeasible additional mitigation measures or alternatives to the Proposed Project identified in the Final EIR. Construction-related groundborne vibration impacts would be significant and unavoidable.

d) Rationale for Finding

The Proposed Project would have a significant construction-related groundborne vibration impact, as vibration levels could exceed 81 VdB at the existing residences located along the north and west side of the Project Site on Gordon Street. This would exceed the 80 VdB threshold for residences and buildings where people normally sleep. Although the Proposed Project includes several mitigation measures to reduce these impacts to the maximum extent feasible, impacts would still be considered significant and unavoidable.

e) Reference

For a complete discussion of construction-related groundborne vibration impacts, see Section IV.F, Noise, of the Final EIR.

D. Land Use/Noise Compatibility Standards for Multi-Family Residential Uses

a) Significant Environmental Effects

Ambient noise levels in the immediate project vicinity along Gordon Street and Sunset Boulevard were recorded between 60 and 68 dBA L. L noise levels of 73 -83 dBA were also recorded at these locations. Based on the City's Land Use Noise Compatibility

Guidelines, noise levels above 70 dBA CNEL and 72 dBA CNEL are clearly unacceptable for multi-family residential land uses and neighborhood park land uses, respectively. Thus, the Proposed Project would result in generally unacceptable exterior noise levels for the planned land uses, and impacts would be considered significant and unavoidable.

b) Mitigation Measures

- The Proposed Project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
- The Project Applicant must comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which ensure an acceptable interior noise environment. Specifically, the Project Applicant shall submit an acoustical report prior to the issuance of building permits that demonstrates that the proposed building design and materials would ensure that interior noise levels attributable to exterior sources are no greater than 45 dBA CNEL.
- All exterior windows within the Proposed Project 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. The applicant, as an alternative, 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.

c) Finding

Specific economic, legal, social, technological or other considerations, including considerations identified in Section VIII of this Exhibit 1 (Statement of Overriding Considerations) make infeasible additional mitigation measures or alternatives to the Proposed Project identified in the Final EIR. The Proposed Project would result in generally unacceptable exterior noise levels for the planned land uses, and impacts would be considered significant and unavoidable.

d) Rationale for Finding

Although the Proposed Project includes several mitigation measures to reduce these impacts to the maximum extent feasible, impacts would still be considered significant and unavoidable as the Proposed Project would result in generally unacceptable exterior noise levels for the planned land uses.

e) Reference

For a complete discussion of operational noise impacts, see Section IV.F, Noise, of the Final EIR.

## IX. ALTERNATIVES ANALYZED IN THE EIR

The CEQA Guidelines require that a reasonable range of alternatives to the project which could feasibly attain the basic objective of the project be described and evaluated, including the NO PROJECT Alternative. The Final EIR (Section VI) analyzed the following alternatives to the project:

**Alternative 1: No Project Alternative (No Buildout Scenario)**

**Alternative 2: By-Right Development Under the Current General Plan and Zoning Designations.**

**Alternative 3: Anticipated Development Under the Proposed Hollywood Community Plan Amendment.**

**Alternative 4: North/South Tower Alignment Alternative**

The feasibility of each alternative was analyzed in the Final EIR with respect to the following project Objectives:

- To contribute to the revitalization of the Hollywood Redevelopment Project area by providing an example of infill development consisting of mixed-use retail, office, and residential development which is consistent with the surrounding architectural elements of Sunset Boulevard corridor.
- To retain and incorporate the architectural character of the Sunset Boulevard street frontage by retaining and incorporating various structural and architectural features of the existing restaurant building that currently occupies the Project Site.
- To provide on-site parking in a manner that accommodates the project occupant's needs without providing more parking than is needed in an effort to promote the use of regional transportation modes given the close proximity of two MTA Metro Red Line Stations (Hollywood & Vine and Hollywood & Western) and multiple bus lines consistent with the Land Use Transportation Policy of the Circulation Element of the General Plan.
- To provide opportunities for viable retail and creative office space in a manner that is complimentary to the existing character of the adjoining residential neighborhood.
- To promote a safe pedestrian-oriented environment by providing extensive streetscape amenities and active retail storefronts along Sunset Boulevard.
- To provide a park in a manner that will provide a safe, attractive and well maintained open space environment.
- To provide a viable project that promotes the City's economic well-being by significantly increasing property and sales tax revenues.
- To accommodate a portion of the City's workforce housing demands in a manner that contributes to a safe and livable neighborhood.

- To enhance the visual appearance and appeal of the neighborhood by providing perimeter and interior landscaping.
- To eliminate and prevent the spread of blight and deterioration by providing housing ownership opportunities, retail and restaurant uses, and public open space within a City-designated Redevelopment Area.
- To orient housing and retail toward the street to make for a safer neighborhood ("eyes on the street").
- To support traffic reduction transportation policies by providing high-density multi-family housing and jobs in proximity to mass transit.
- To encourage the use of alternative modes of transit including bus, subway, walking, and bicycles by enhancing pedestrian connections, limiting large scale automobile access, and providing flex car opportunities and bicycle storage facilities on site.
- To create an environmentally responsible building that will act as a model for energy efficient building in Los Angeles.
- To provide a high-performance and environmentally efficient mixed-use project with the intent to achieve a Gold rating through the Leadership in Energy and Environmental Design (LEED) certification process.

**Alternative 1: No Project Alternative (No Buildout Scenario)**

The No Project Alternative compares the impacts of approving the Proposed Project with the impacts of not approving it. Under this alternative, no development would occur on the Project Site in the foreseeable future, and the Project Site would retain its existing residential uses and restaurant use with associated surface parking lots. The City Council rejects this alternative for the following reasons:

1. In contrast to the Proposed Project, the No Project Alternative would not provide an example of infill development and would result in the continuation of an underutilized property in the Hollywood Redevelopment Project Area. By continuing the existing commercial and residential uses on site, no substantial residential–based ridership opportunities to the public transportation system, no new retail opportunities beyond the existing restaurant use, no improvements to the streetscape or pedestrian walkways in the vicinity, no parkland or open space areas, no increased tax revenues from the property, no workforce housing opportunities, and no new housing opportunities would be provided.

2. The No Project Alternative would provide minimal new housing opportunities and thus would fail to provide housing opportunities in proximity to regional transit stations. The continued use of the large surface parking lot on site would not encourage the use of mass transit. This alternative would not result new energy efficiency standards or improvements to the existing residential structures or in the development of an energy-efficient building with the intent to achieve the highest-possible LEED rating.

3. The economic, legal, social, technological, and other considerations set forth in the Statement of Overriding Considerations justify rejection of this alternative in favor of the Proposed Project.

**Alternative 2: By-Right Development Under the Current General Plan and Zoning Designations**

This alternative proposes a possible scenario for future development of the Project Site consistent with existing General Plan land use and zoning designations with the objective of defining a reduced density project that is as close as possible to a "By-Right Development" that could be developed without any specific variances, deviations or special discretionary approvals from the CRA or Department of City Planning. Based on the existing General Plan and zoning constraints, the By-Right Development Alternative could include a 166,929 square foot mixed-use development with 148 dwelling units, 13,500 square feet of commercial retail space (including 5,000 square feet of retail space and 8,500 square feet of restaurant uses). With respect to scale and massing of the proposed alternative development, the three northern R4-zoned lots of the Project Site would be developed with a 3-story (45-foot high) condominium complex fronting Gordon Street and the C4-zoned area would be developed with an approximate seven-story building with a six-story residential tower on top of ground floor retail and restaurant uses. For practical land use and development purposes, a development of this nature would seek to unify the development and average floor area between the two zones on the site. Thus, similar to the Proposed Project, it was assumed that parking would be provided in three subterranean parking levels beneath the entire Project Site. Overall, in comparison to the Proposed Project, this alterative would be a smaller structure with reduced shade and shadow impacts, and the EIR designates it as the environmentally superior alternative. Significant impacts associated with operational and construction noise would still remain under this alternative. Under this alternative, the proposed urban park would not be built and the existing restaurant building would be demolished. The City Council rejects this alternative for the following reasons:

1. Although the By-Right Development Alternative would meet several objectives of the Proposed Project, such as creating a mixed-use retail/residential development that contributes to the revitalization of the Hollywood Redevelopment Project Area, it would not provide workforce housing opportunities in the Hollywood Area (which is currently lacking affordable housing options) and would not provide the 40,000 square feet of creative office space. While this alternative would provide high-density multi-family housing in close proximity to mass transit, it would not provide as much density as the Proposed Project and would thus fall short of the Project Site's potential to maximize traffic reduction transportation policies. By providing full code-required parking, the alternative would not meet the objective of encouraging the use of alternative modes of transit and limiting large-scale automobile access and infrastructure.

2. Under this alternative, the open space park on the northern three R4 zoned lots would be replaced by a 3-story residential building and portions of the existing restaurant building would not be incorporated into the new development. Although

this alternative would meet many of the objectives for the Proposed Project, it would be to a lesser extent than the Proposed Project.

3. The economic, legal, social, technological, and other considerations set forth in the Statement of Overriding Considerations justify rejection of this alternative in favor of the Proposed Project.

**Alternative 3: Anticipated Development Under the Proposed Hollywood Community Plan Amendment.**

This alternative builds upon the land use and zoning designations identified for the Project Site as shown in the Draft Hollywood CPU Appendix to Matrix, dated February 16, 2006. The General Plan Amendment Alternative would allow for a development of 216,288 square feet of developed floor area with up to 180 dwelling units, 13,500 square feet of retail and restaurant area, and 45,354 square feet of commercial office. With respect to scale and massing of the proposed alternative development, the three northern R4-zoned lots of the Project Site would be developed with a 3-story (45-foot high) condominium complex fronting Gordon Street and the C4-zoned area would be developed with an approximate twelve-story building with a seven-story residential tower on top of a 5-level podium structure with ground floor retail and restaurant uses. For practical land use and development purposes, a development of this nature would seek to unify the development and average floor area between the two zones on the site. The height of the residential tower under this alternative would be approximately 120 feet less than the Proposed Project and would result in an approximate 46% decrease in shade and shadow impacts during the winter months, but would still significantly and unavoidably impact two neighboring properties. Under this alternative, the proposed urban park would not be built and the existing restaurant building would be demolished. Impacts associated with Aesthetics (shade/shadow) would be reduced, but not to the extent that it would avoid a significant and unavoidable impact on adjacent land uses. Impacts associated with operational and construction noise would also still remain under this alternative. The City Council rejects this alternative for the following reasons:

1. The Proposed General Plan Amendment Alternative would not seek any development assistance or incentives from the CRA and the property would be developed in conformance with proposed General Plan and zoning designations for the Project Site being considered in the Hollywood Community Plan Update. Although this alternative would meet the objective of creating a mixed-use retail/residential development, it would not provide workforce housing in the Hollywood Area, which is currently lacking affordable housing options. The buffer and open space public park would not be developed under this alternative. While this alternative would provide high-density multi-family housing in close proximity to mass transit, it would not provide as much density as the Proposed Project and would thus fall short of the Project Site's potential to maximize traffic reduction transportation policies. Additionally, through provision of code-required parking, this alternative would fail to meet the objective of encouraging the use of alternative modes of transit and limiting large-scale automobile access and infrastructure.

2. Although this alternative would reduce the severity of some of the Proposed Project's impacts, the two significant unmitigated and unavoidable impacts of the Proposed Project (Aesthetics - shade and shadow, and Noise – construction and land use-noise compatibility standards) would still remain. Although this alternative would meet many of the objectives for the Proposed Project, it would be to a lesser extent than the Proposed Project.

3. The economic, legal, social, technological, and other considerations set forth in the Statement of Overriding Considerations justify rejection of this alternative in favor of the Proposed Project.

**Alternative 4: North/South Tower Alignment Alternative**

The North/South Tower Alignment Alternative involves an alternative design to develop the podium and residential tower along a north-south axis instead of the east-west alignment that is currently proposed in order to reduce the scale and massing of the structure along the Sunset Boulevard frontage, reduce the project's shadow impacts on neighboring properties, and open up the view corridor to and from the Hollywood Hills. Under this alternative, the residential tower would appear wider along Gordon Street and narrower along Sunset Boulevard. This alternative assumes complete demolition of the existing restaurant building on the site. This alternative would not reduce any of the project's significant and unavoidable impacts to less-than-significant levels. Impacts associated with Aesthetics (shade/shadow) would be reduced, but not to the extent that it would avoid a significant unavoidable impact on adjacent land uses. Impacts associated with operational and construction noise would also still remain under this alternative. The City Council rejects this alternative for the following reasons:

1. Although this alternative would generally meet all of the Project Objectives, it would not reduce any of the project's significant and unavoidable impacts to less-than-significant levels. In terms of the project's sustainability objectives, the north-south alignment would result in a less energy efficient building and would increase the building's future operating costs.

2. Incorporation of the existing restaurant building on the site would not be provided if this alternative were adopted. Although this alternative would meet many of the objectives for the Proposed Project, in terms of energy related objectives, it would be to a lesser extent than the Proposed Project.

The economic, legal, social, technological, and other considerations set forth in the Statement of Overriding Considerations justify rejection of this alternative in favor of the Proposed Project.

## X. STATEMENT OF OVERRIDING CONSIDERATIONS

The proposed Sunset and Gordon Mixed-Use Project will result in significant unavoidable impacts, for which alternatives and mitigation measures to reduce the impacts to insignificant levels are not available or feasible for the reasons described in

the Final EIR, in the following environmental impact or issue area(s): shade and shadow, construction related noise and vibration, and ambient noise exposure above land use/noise compatibility standards for multi-family residential uses. Despite these significant impacts which have not been mitigated to below a level of significance, the Advisory Agency has balanced the benefits of the Project against the unavoidable significant environmental effects as described in the CEQA Documents and makes the following Statement of Overriding Consideration that the Project will result in the following substantial community benefits, including economic, legal, social, technological, or other benefits, that outweigh and render acceptable the significant effects on the environment that cannot be mitigated to a level less than significant. Specifically such benefits include but are not limited to the following:

- Promotes housing choices by providing workforce housing options;
- Preserves and increases employment with the creation of new commercial and creative office targeted at the entertainment community;
- Promotes a balanced community by providing a mix of land uses including commercial residential, and open space;
- Provides a public park of approximately 21,500 square feet;
- Promotes rehabilitation and restoration by preserving key elements of the Peerless Auto Showroom/Old Spaghetti Factory, a vintage 1924 building;
- Improves the quality of the environment by constructing to a Leadership on Environment and Energy Design (LEED) Gold Standard; and
- Provides temporary construction-related employment opportunities using all-union labor with a local area hiring program in place.

The Advisory Agency hereby concurs in and adopts as its own the findings and statements of overriding considerations made by the CRA as set forth in Resolution No. 7095, which are incorporated herein by this reference.

XI. MITIGATION MONITORING PROGRAM

The Advisory Agency hereby concurs with and adopts the Mitigation Monitoring and Reporting Program for the Project as approved by the CRA.

XII. CUSTODIAN OF DOCUMENTS

The Advisory Agency specifies that the record of the proceedings upon which its decision is based is located in the City Clerk's Office, Room 360 City Hall, 200 North Spring Street, Los Angeles, California 90012, and in the offices of the CRA located at 354 South Spring Street, Suite 800, Los Angeles, California 90013.

**FINDINGS OF FACT (SUBDIVISION MAP ACT)**

In connection with the approval of Vesting Tentative Tract Map No. 68501, the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

(a) THE PROPOSED MAP WILL BE/IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.

The adopted Hollywood Community Plan currently designates the southerly portion of the site fronting Sunset Boulevard for Highway Oriented Commercial land use with the corresponding zones of C1, RAS3, RAS4, and P and the northerly portion of the property fronting Gordon Street for High Medium Residential land use with the corresponding zone of [Q]R4. The property contains approximately 1.65 net acres (71,653 net square feet after required dedication) and is presently zoned C4-1-SN and [Q]R4-1VL. The Community Plan provides further details regarding the appropriate zoning and height district classification for future development of the two portions of the site in the footnotes to the Community Plan. Footnote No. 12 specifies a maximum floor area ratio (FAR) of 1.5 to one for all Highway Oriented Commercial properties located within the Hollywood Redevelopment Project area and Footnote No. 5 specifies Height District No. 1VL and a maximum density for residential development limited to one dwelling unit per 600 square feet of lot for all High Medium Residential properties. The project site will contain a mix of uses including residential, commercial, and open space proposed under the tentative map are allowed by and consistent with the existing Community Plan designations as to use.

The property contains approximately 1.65 acres (72,096 square feet before required dedication) and is presently zoned C4-1-SN on the lots fronting on Sunset Boulevard and [Q]R4-1VL on the lots fronting on Gordon Street. The proposed residential density and floor area for the mixed-use development of the property will require a zone and height district change from C4-1-SN to C2-2D-SN on the southerly 50,518 square feet of the property and a zone change from [Q]R4-1VL to R4-1VL on the northerly 21,578 square feet of the site which comprises the three existing R4 lots (1528 – 1540 N. Gordon Street, Lots 17, 18 and 19 of Bagnoli Tract No. 2). Such zone and height district changes for the property have been applied for and are concurrently being processed under Case No. CPC-2007-515-GPA-ZC-HD-CU-PAB-ZV-ZAA-SPR-SPE-SPP, which includes not only these requests for the zone and height district changes, but also a request for a General Plan Amendment from Highway Oriented Commercial to Regional Commercial for the southerly 50,518 square feet of the property, conditional use permits for continued alcohol uses and floor area ratio averaging, several zoning variances, a zoning adjustment, site plan review, and sign approvals under the Hollywood Signage Ordinance. If the General Plan Amendment, Zone Change and Height District Change are approved by the City Council, the project will be consistent, as proposed.[1]

[1] On May 13, 2008 the City Planning Commission issued a determination which: approved and recommended that the City Council adopt a General Plan Amendment to the Hollywood Community Plan from Highway Oriented Commercial to Regional Center Commercial for the subject property (excluding 1528 – 1540 N. Gordon Street, Lots 17, 18 and 19 of Bagnoli Tract No. 2); approved and recommended that the City Council adopt a Zone and Height District Change from C4-1-SN and a portion of the [Q]R4-1VL zone (Lots 15 and 16 of Bagnoli Tract No. 2 only) to (T)(Q)C2-2D-SN; approved the "D" Limitation to limit the total allowable floor area for the entire site to not exceed 324,901 square feet as approved under Case No. CPC-2007-515-GPA-ZC-HD-CU-CUB-ZV-ZAA-SPR-SPE-SPP, comprised of 260,167 square feet from the C2-2D-SN zoned area at an FAR of 5:1 and 64,734 square feet

Section 17.05 C of the Los Angeles Municipal Code requires tentative maps to be designed in compliance with the zoning applying to the property or approved by the City Council for change, or be subject to a condition requiring compliance with such zoning prior to recordation of the final map. Because the zone and height district changes relating to the project are being processed concurrently under Case No. CPC-2007-515-GPA-ZC-HD-CU-CUB-ZV-ZAA-SPR-SPE-SPP, the tentative map has therefore been conditioned upon the final City action on the zoning approvals being sought in that CPC case. The Deputy Advisory Agency's decision makes clear that although the approved density would be the maximum permitted under the tract action, the density and other components of the Project may not be allowed by the existing or proposed zoning under the Los Angeles Municipal Code.

The mixed-use development is in conformance with the intent and purpose of the General Plan and will not be detrimental to the character of development in the immediate neighborhood. It is in harmony with the Hollywood Community Plan, the Housing Element, and the Transportation Element of the General Plan, all of which aim to promote mixed-use high-density developments close to public transit hubs. The development is consistent with the following goals and objectives of the Housing Element and the Transportation Element:

> ***Objective 3:*** *Support development in regional centers, community centers, major economic activity areas and along mixed-use boulevards as designated in the Community Plans.* (Transportation Element)

Sunset Boulevard is designated as a Scenic Major Highway in the Hollywood Community Plan. The zoning along Sunset Boulevard in the Hollywood Community Plan comprises varying Commercial and Industrial Zones (M1-1, (T)(Q)M1-2D, [Q]C4-1, C2-1-SN, C4-1-SN), which permit mixed-use development by right. The pending update of the Hollywood Community Plan is proposing increases in allowable density and floor area along parts of Sunset Boulevard, including the project site. Therefore, the project's location along Sunset Boulevard helps to meet this objective of the Transportation Element.

> The Policy should not be rigidly applied but must allow for flexibility in achieving its goals for future development around transit station areas. (Appendix F of the Transportation Element)
>
> Among the objectives of the Land Use-Transportation Policy are to:
>
> - Focus future growth of the City around transit stations.

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from the R4-1VL zoned area at an FAR of 3:1, for a total of 324,901 square feet of floor area in lieu of the 6:1 FAR otherwise permitted in Height District 2, subject to the attached Conditions of Approval; and, approved and Recommended that the City Council adopt a Zone Change to remove the [Q] Condition (Ordinance No. 165,662) from the [Q]R4-1VL Zone (1528 – 1540 N. Gordon Street, Lots 17, 18 and 19 of Bagnoli Tract No. 2 only) to permit a density of 400 square feet of lot area per unit in lieu of the current restriction of 600 square feet of lot area per unit.

- Increase land use intensity in transit areas, where appropriate.
- Create a pedestrian-oriented environment in context of an enhanced urban environment.
- Accommodate mixed commercial/residential use development.
- Provide for places of employment.
- Provide a wide variety of housing for a substantial portion of the projected citywide population.
- Reduce reliance on the automobile.

Through the provision of 305 for-sale residential units affordable at varying levels of income, creative office space, ground-floor retail/commercial space, and the creation of a new public park, the proposed project meets these stated goals of the Transportation Element of the General Plan. The proposed development's inclusion of Shared Ride cars for residents and shared parking for residential guests and retail/commercial and office uses helps to reduce reliance on the automobile.

> ***Policy 2.3.1****: Encourage and plan for high-intensity residential and commercial development in centers, districts, and along transit corridors, as designated in the Community Plans and the Transportation Element of the General Plan, and provide for the spatial distribution of development, that promotes an improved quality of life by facilitating a reduction of vehicular trips, vehicle miles traveled in order to mitigate traffic congestion, air pollution, and urban sprawl.* (Housing Element)

The proposed project is a high-density residential and commercial development located within one-quarter mile from a Red Line Metro station, along the Metro Rapid Bus line, and close to numerous other local bus routes. The Transportation Element of the General Plan designates the project site area as an Urban Complex, which shares many characteristics with Major Urban Centers, such as downtown LA. The combination of the high-density character of the proposed development and the proximity to local and rapid public transit routes will facilitate a reduction of vehicle trips and vehicle miles traveled and will help to mitigate traffic congestion, air pollution, and urban sprawl. The proposed project is also consistent with the following policies of the Hollywood Community Plan:

> ***Objective 1:*** *To further the development of Hollywood as a major center of population, employment, retail services, and entertainment...*

With 305 for-sale residential units, creative office space, ground floor retail space, and a public park, the proposed project will enhance Hollywood's growing reputation as a major center of population, employment, retail services, and entertainment. The proposed development is a large-scale project that is only possible in areas that have the infrastructure (e.g., proximity to grocery stores,

commercial and entertainment establishments, and locations of employment) to support this type of development.

> ***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.*

The proposed development incorporates a public park – a new public facility to help the region accommodate population and activities projected to the year 2010. The proposed creative office space will also help to keep employment opportunities close to the core of Hollywood, which will help to accommodate population growth and activities for the region.

> ***Objective 3:*** *To make provision the preservation and enhancement of the varying needs and desires of all economic segments of the Community, maximizing the opportunity for individual choice.*

The proposed development will allocate approximately 20 percent of its for-sale residential units as affordable at workforce housing levels. Therefore, it will add housing opportunities at both the market-rate and workforce housing levels, thereby meeting the needs and desires of a variety of economic segments of the Hollywood community and maximizing the opportunity for individual choice.

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

The proposed development includes the creation of a new public park located in close proximity to existing for-sale and rental housing in a medium-to-high density residential neighborhood.

Therefore, the proposed project is consistent with and will not adversely impact any aspect of the General Plan and, instead, meets many of the goals, objectives, and policies for development that are specified in various elements of the General Plan, including the Transportation Element, the Housing Element, and the Hollywood Community Plan. The proposed development will not be detrimental to the character of development in the immediate neighborhood.

Furthermore, the site is not subject to the Specific Plan for the Management of Flood Hazards (floodways, floodplains, mud prone areas, coastal high-hazard and flood-related erosion hazard areas). The map is in conformity with public necessity, convenience, general welfare, and good zoning practice in that it will allow the development of a project that directly addresses stated goals of the City and the Community Plan. The proposed Project will provide needed housing units close to existing shopping and job centers, in addition to future neighborhood retail that is included in the project's proposal, and will enhance a vibrant pedestrian-oriented neighborhood commercial district. Therefore, as

conditioned, the proposed tract map is consistent with the intent and purpose of the applicable General and Specific Plans.

(b) THE DESIGN AND IMPROVEMENT OF THE PROPOSED SUBDIVISION ARE CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.

The proposed map is located in the Hollywood Community Plan area, which is part of the Land Use Element of the General Plan, and is in substantial conformance with the purposes, intent and provisions of the General Plan. The proposed Project will allow for better overall site design as well as much needed multi-family housing, while promoting a distinctive commercial district and pedestrian-oriented area on a very accessible corner in the center of the City. The proposed density and floor area of the subdivision is contingent upon the approval of the zone and height district changes and other zoning requests under Case No. CPC-2007-515-GPA-ZC-HD-CU-PAB-ZV-ZAA-SPR-SPE-SPP. The project has been conditioned that in the event that the concurrent case is not approved by the City Council, the subdivider shall submit a tract modification for compliance with the established zoning.

Through the proposed development of mixed-use (residential, retail and office, and open space), the project envisions a mix of compatible uses that will create a community center. The Community Plan encourages new housing in proximity to goods, services, and facilities. The subject site is an ideal location for the proposed Project as it is located on an existing commercial corridor near transportation opportunities and a variety of employment centers.

Sunset Boulevard is a Major Highway Class II dedicated to a 100-foot width at the project's street frontage. Gordon Street is a non-continuous Local Street, currently dedicated to a 52-foot width at the project's street frontage. The Bureau of Engineering (BOE) is requiring a two-foot dedication to complete a 52-foot wide half street dedication in accordance with Major Highway Standards over that portion distant easterly from the easterly line of Gordon Street except for the portion from 29.3 feet to 85.8 feet easterly of the easterly line of Gordon Street. BOE is also requiring that a one-foot wide strip of land be dedicated along Gordon Street adjoining the subdivision at location where is no existing structure to remain to complete a 27-foot wide right-of-way dedication over that portion distant northerly approximately 63 feet from the northerly line of sunset Boulevard to a point 148.82 feet northerly from said Sunset Boulevard. Other limited dedications and merger for architectural and building projections are also conditioned accordingly herewith.

This project is not subject to any Geographic Specific Plan requirements. However, the project is located within the Hollywood Redevelopment Project area, the Hollywood Signage Supplemental Use District, the Los Angeles State Enterprise Zone, and the Central City Revitalization Zone. Being located within an Enterprise Zone allows the project to allocate less parking for the restaurant, retail, and office square footage (two parking spaces per 1,000 square feet of

floor area) as conditioned herewith. The residential parking has also been conditioned to one parking space per bedroom. The applicant proposed a deviation from the Deputy Advisory Agency's parking policy of two residential spaces and ½ guest parking space per unit for condominium projects in parking congested areas. The applicant has modified its request to a residential parking requirement to one parking space per bedroom. As currently proposed by the applicant, the 305 residential units include 197 one-bedroom units and 108 two-bedroom units, which would have 413 parking spaces resulting in a residential parking ratio of approximately 1.35 spaces per unit which, given the project's close proximity to various transit opportunities and consideration of other approved high-rise mixed use structures is considered adequate and is consistent with the parking approved by the City Planning Commission. As conditioned the design and improvements of the proposed project are consistent with the applicable General and Specific Plans.

(c) THE SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED TYPE OF DEVELOPMENT.

The site is currently developed with the Old Spaghetti Factory Restaurant, associated parking, a duplex, triplex, and a four-plex. The site is one of the several under improved properties in the vicinity. The development of this tract is an infill of an otherwise mix-density area. The site is level and is not located in a slope stability study area, high erosion hazard area, or a fault-rupture study zone. The tract has been approved contingent upon the satisfaction of the Department of Building and Safety, Grading Division prior to the recordation of the map and issuance of any permits (Geology and Soils Report Correction Letter issued January 22, 2007; Log No. 56219).

The site is adequate in size and shape to accommodate the development features of the proposed Project and is a proper location for the Project given its location along a commercial corridor. The Hollywood Community Plan designation emphasizes pedestrian-oriented uses and design on this site, and the inviting design of the proposed development will encourage pedestrian activity on the site. The site is also adjacent to many existing and proposed retail 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.

d) THE SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED DENSITY OF DEVELOPMENT.

Adjacent land uses include medium-density residential to the north in the [Q]R4-1VL Zone, surface parking to the east in the C4-1-SN and P-1 Zones, surface

parking and low-rise retail/commercial to the south across Sunset Boulevard in the [Q]C4-1 Zone, and low-rise commercial/retail uses and associated surface parking across Gordon Street to the west in the C4-1-SN & [Q]R4-1VL Zones. The site is in close proximity to entertainment and jobs, and within walking distance of a Metro Rail Red Line transit station, numerous bus lines and the Dash bus system. The Project site is located within the Hollywood Redevelopment Plan Project Area and would serve to implement several of the Redevelopment Plan goals and objectives, as detailed in the Final EIR (pages IV.H 28-30).

The proposed project has been designed to provide an appropriate transition and buffer between the massing of the development along Sunset Boulevard and the smaller scaled multiple-family residential located to the north of the site by providing a half acre park. The site currently contains a total of nine-units, and the proposed project would provide up to 311 condominium units. The proposed density of 305 residential condominium units is contingent upon the approval of Case No. CPC-2007-515-GPA-ZC-HD-CU-PAB-ZV-ZAA-SPR. The project is conditioned that in the event that the concurrent case is not approved by City Council, the subdivider shall submit a tract modification for compliance with the current zones. Therefore it is found that the proposed tract is physically suitable, as conditioned.

(e) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SUBSTANTIAL ENVIRONMENTAL DAMAGE OR SUBSTANTIALLY AND AVOIDABLY INJURE FISH OR WILDLIFE OR THEIR HABITAT.

The implementation of the proposed project may have significant and adverse effects on the environment as described in the Final EIR Resolution; specifically impacts on Aesthetics (Shade-Shadow), Construction Noise and Vibration, and D. Land Use/Noise Compatibility Standards for Multi-Family Residential Uses. No further changes or alterations in the Project to avoid or substantially lessen these significant environmental effects are feasible (i.e., no feasible mitigation measures or alternatives to the Proposed Project have been identified which will reduce the impacts listed above to less than significant levels).

In accordance with State CEQA Guidelines Section 15093(a), CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological or other benefits of a Project against its unavoidable environmental risks. If the specific economic, legal, social, technological or other benefits of a proposal outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable".

The Agency, having balanced the benefits of the proposed Sunset and Gordon Mixed-Use Project against the adverse environmental effects of the Project as described in the Final EIR, the Resolution and these findings, the Agency, acting pursuant to Section 15093 of the CEQA Guidelines, hereby determines that the

Proposed Project will result in substantial community benefits, including economic, legal, social, technological, or other benefits, that outweigh and render acceptable the significant effects on the environment that cannot be mitigated to a level less than significant. Specifically such benefits include but are not limited to the following:

- Promotes housing choices by providing workforce housing options;
- Preserves and increases employment with the creation of new commercial and creative office targeted at the entertainment community ;
- Promotes a balanced community by providing a mix of land uses including commercial residential, and open space;
- Provides a public park of approximately 21,500 square-foot;
- Promotes rehabilitation and restoration by preserving key elements of the Peerless Auto Showroom/Old Spaghetti Factory, a vintage 1924 building;
- Improves the quality of the environment by constructing to a Leadership on Environment and Energy Design ("LEED") Gold Standard; and
- Provides temporary construction-related employment opportunities using all-union labor with a local area hiring program in place.

Lastly, the Final EIR prepared for the project identifies no potential adverse impact on fish or wildlife resources as far as earth, air, water, plant life, animal life, or risk of upset are concerned. No wildlife habitat occurs on the project site, nor does suitable habitat for sensitive mammal, reptile, amphibian, or fish species exist on the Project site or in the vicinity. The project site is improved as a restaurant building, asphalt surfaced parking lot and multi-family apartment buildings, similar to the surrounding area, and such structures and urban uses do not provide a natural habitat for either fish or wildlife.

(f) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SERIOUS PUBLIC HEALTH PROBLEMS.

There are specific impacts stated in the Final EIR that no feasible mitigation measures or alternatives have been identified which will reduce the impacts to less than significant levels. However, there appears to be no potential public health problems caused by the design or improvement of the proposed subdivision. The Final EIR includes mitigation measures to insure that no potential public health problems will be caused by the design or improvement of the proposed subdivision. Likewise, the development is required to be connected to the City's sanitary sewer system, where the sewage will be directed to the LA Hyperion Treatment Plant, which has been upgraded to meet Statewide ocean discharge standards. (The Bureau of Engineering has reported that the proposed subdivision does not violate the existing California Water Code because the subdivision will be connected to the public sewer system and will have only a minor incremental impact on the quality of the effluent from the Hyperion Treatment Plant.)

(g) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS WILL NOT CONFLICT WITH EASEMENTS ACQUIRED BY THE PUBLIC AT LARGE FOR ACCESS THROUGH OR USE OF PROPERTY WITHIN THE PROPOSED SUBDIVISION.

It is stated on the tract map stamped that there are no easements of record shown on Title Report No. 4101943-76 (dated July 10, 2006) and Item 10 on Tile Report No. 9892425 (dated May 26, 2006). Needed public access for roads and utilities will be acquired by the City prior to recordation of the proposed tract.

(h) THE DESIGN OF THE PROPOSED SUBDIVISION WILL PROVIDE, TO THE EXTENT FEASIBLE, FOR FUTURE PASSIVE OR NATURAL HEATING OR COOLING OPPORTUNITIES IN THE SUBDIVISION. (REF. SECTION 66473.1)

In assessing the feasibility of passive or natural heating or cooling opportunities in the proposed subdivision design, the applicant has prepared and submitted materials which consider the local climate, contours, configuration of the parcels to be subdivided and other design and improvement requirements.

The building is intended to be light in color which will help to decrease cooling loads. In addition, horizontal projections and private decks (ranging from 2-6 feet in depth) will provide shading on the building helping to further decrease cooling loads. Passive features include high-performance glazing and insulated walls and roof area. Landscaping will be applied to the project including a planted eco-roof, planted areas, trees at roof terrace levels, and a public park serving as a roof to the below grade parking garage which will reduce heat gain and heat loss at night.

Providing for passive or natural heating or cooling opportunities will not result in reducing allowable densities or the percentage of a lot which may be occupied by a building or structure under applicable planning and zoning in effect at the time the tentative map was filed. The project is currently planned to utilized active solar-thermal heat for a pool and residential units within the building and is being designed as an energy efficient building that will attempt to achieve Leadership in Energy & Environment Design (LEED) Gold certification through the U.S. Green Building Council (USGBC).

In addition, prior to obtaining a building permit, the subdivider shall consider building construction techniques, such as overhanging eaves, location of windows, insulation, exhaust fans, planting of trees for shade purposes and the height of the buildings on the site in relation to adjacent development.

These findings shall apply to both the tentative and final maps for Vesting Tentative Tract Map No. 68501.

Note: If you wish to file an appeal, it must be filed within 10 calendar days from the decision date as noted in this letter. For an appeal to be valid to the Los Angeles City Council, it must be accepted as complete by the City Planning Department and appeal fees paid, prior to expiration of the above 10-day time limit. Such appeal must be submitted on Master Appeal Form No. CP-7769 at the Department's Public Offices, located at:

Figueroa Plaza
201 N. Figueroa St., 4th Floor
Los Angeles, CA 90012
(213) 482-7077

Marvin Braude San Fernando
Valley Constituent Service Center
6262 Van Nuys Blvd., Room 251
Van Nuys, CA 91401
(818) 374-5050

**Forms are also available on-line at www.lacity.org/pln.**

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

If you have any questions, please call Subdivision staff at (213) 978-1362.

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ORIGINAL



**CITY OF LOS ANGELES**
**PLANNING DEPARTMENT**

**MASTER APPEAL FORM**

APPEAL TO THE: LOS ANGELES CITY COUNCIL

REGARDING CASE NO.: VTT-68501-1A-2A

This application is to be used for any authorized appeals of discretionary actions administered by the Planning Department. Appeals must be delivered in person with the following information filled out and be in accordance with the Municipal Code. **A copy of the action being appealed must be included. If the appellant is the original applicant, a copy of the receipt must also be included.**

**APPELLANT INFORMATION: PLEASE PRINT CLEARLY**

Name ROBERT BLUE

Mailing Address 1001 N. WILTON PLACE

LOS ANGELES, CA. Zip: 90038

Work Phone: (___) _____ Home Phone: (310) 420-4918

a) Are you or do you represent the original applicant?
(Circle One) YES (NO)

b) Are you filing to support the original applicant's position?
(Circle One) YES (NO)

c) Are you filing for yourself or on behalf of other parties, an organization or company?
(Circle One) (SELF) OTHER

d) If "other" please state the name of the person(s), organization or company (print clearly or type)

_____

_____

REPRESENTATIVE

Name _____

Mailing Address _____

_____

_____ Zip _____

Work Phone: ( ) _____ Home Phone : ( ) _____

**APPEAL INFORMATION**

A complete copy of the decision letter is necessary to determine the final date to appeal, under what authorizing legislation, and what, if any, additional materials are needed to file the appeal.

**Appeals to the City Council from a determination on a Tentative Tract (TT or VTT) by the City (Area) Planning Commission must be filed within 10 days of the written determination of the Commission.**

Final Date to Appeal: AUGUST 8, 2008

**REASONS FOR APPEALING**

Are you appealing the entire decision or parts of it?

☒ Entire ☐ Part

Indicate: 1) How you are aggrieved by the decision; and 2) Why do you believe the decision-maker erred or abused their discretion? If you are not appealing the whole determination, please explain and specifically identify which part of the determination you are appealing.

Attach additional sheets if necessary.

SEE ATTACHED LETTER & SUPPORTING DOCUMENTS.

**ADDITIONAL INFORMATION**

- Original receipt required to calculate 85% filing fee from original applicants.
- Original applicants must pay mailing fees to BTC and submit copy of receipt.
- Any additional information or materials required for filing an appeal must be provided in accordance with the LAMC regulations as specified in the original determination letter. **A copy of the determination/decision letter is required.**
- Acceptance of a complete and timely appeal is based upon successful completion and examination of all the required information.
- **Seven copies and the original appeal are required.**

I certify that the statements contained in this application are complete and true:

Appellant Robert Blue

OFFICIAL USE ONLY

Receipt No. 277567 Amount $65 Date 8-8-08

Application Received Dress

Application Deemed Complete

Copies provided: ☑ Determination ☐ Receipt (original applicant only)

Determination Authority Notified (if necessary) ☑

*June 10, 1996*

*TO:* *Public Counters*
*Zoning Administrators*

*FROM:* *Robert Janovici*

*SUBJECT:* ***REJECTION OF IMPROPER APPEALS***

*The Municipal Code provides that an appeal from a Zoning Administrator's action must "..set" forth specifically the points at issue, the reasons for the appeal, and wherein the appellant believes there was an error or abuse of discretion by the Zoning Administrator".*

*It has historically been the City's policy to be liberal when viewing appeals and determining whether they met the requisite minimum threshold. However, a review of the requirements seems appropriate at this time. Recently, I dismissed an appeal which by its terms clearly was based upon a personal dispute between two adjoining property owners and having nothing to do with the historic, current or prospective use of the property which was the subject of the original application.*

*I am requesting that all appeals be reviewed upon submittal in detail to ensure that the prospective appellants indicate clearly how they are personally aggrieved (impacted) by the underlying action and wherein the Zoning Administrator erred or abused discretion. Staff should never write out language for an individual nor give advice as to the possible outcome of an appeal or underlying action. If there is an issue in a particular case as to whether an appeal is properly filled out, contact me directly. If I am unavailable, contact the Administrator who is liaison to the counter.*

*Persons asking questions about appeals should be advised not to wait until the last minute to do so - in the event they are unexpectedly late due to traffic or other reasons, no exceptions will be made. Likewise, no leeway will be given due to the mail, private delivery service or other source not delivering the appeal on time. As such, prospective appellants should be strongly urged to file the appeals personally.*

*RJ:lmc*

I spoke too complained about a lack of parking and were surprised to hear that the project would be "under-parked."

The nearby LAUSD Helen Bernstein High School will negatively impact the area's parking since there are no spaces provided for students and spillover parking onto streets will dramatically impact available parking to employees and residents of the area. There are cumulative affects of the Sunset Gordon project, the Helen Bernstein HS, and other projects in the area that are not adequately mitigated.

It is obvious to a reasonable person that there will be a major impact on parking by the project as currently proposed. Any assumption that the majority of occupants of the project will rely on public transportation by bus and other means other than automobile is not realistic.

It is also illogical to suggest that the impact of reduced parking is mitigated by granting a variance. This does not specifically address the negative impact on the community and only serves to decrease the costs associated with the project resulting in an increased profit for the applicant - providing a "gift" to a private developer through action on behalf of the public by a governmental entity.

Furthermore, based on the 2003 Court of Appeal decision in Stolman v. the City of Los Angeles, the reasons stated for granting the variance in the Planning Department's Determination are inadequate.

**INCREASED DENSITY NEGATIVELY IMPACTS ON INFRASTRUCTURE "PUTTING THE CART BEFORE THE HORSE"**

Many reports and articles including statements and reports made by the City of Los Angeles Department of Water & Power describe an aging infrastructure that needs to be urgently addressed. Increasing the density beyond what is currently allowed further pushes the limit of the City's infrastructure. It is irresponsible for the City to ignore water supply and usage in granting approval of this VTT. Compared to an alternative project such as that proposed by the previous site owner, GTO Development, LLC, this project will use approximately twice as water.

**THE PROPOSED PROJECT IS INCONSISTENT WITH CURRENT ZONING, THE EXISTING COMMUNITY PLAN, AND DESIGN GUIDELINES**

The project site is adjacent to many small-size historical single story homes. The size and height (23 stories) of the project overwhelms the adjacent properties and is inconsistent with design guidelines. There is no transition, only a "sudden impact" of this overwhelming tall and large building especially when coupled with zero (0) side and rear yard setbacks. The proposed project height of 23 stories or 260-feet is massively greater than the limitation on the existing site area zoned [Q]R4-1VL which is limited to 45-feet or 3 stories.

**ENVIRONMENTAL IMPACT REPORT (EIR) GROSSLEY INACCURATE**

- **EIR - Did Not Adequately Address or Even Propose an Alternative Project**

The EIR should have addressed the scope of the conceptual plans of the previous owner of the site, GTO Development, LLC (GTO) including, but not limited to the numbers of residential and commercial units and parking. An alternative project such as that referenced above would have less negative impact to the surrounding neighborhood and to the entire City of Los Angeles.

According to GTO's website (http://www.gtodevelopment.com/), their project was called "Sunset Edge" and was entitled for a "12-story, mixed use development on Sunset Blvd. The building was to include 125 units of workforce housing, ground floor retail, and two floors of commercial office space.

I respectively urge a denial of the entire action taken by the City Planning Commission as outlined in the Determination letter dated July 29, 2008.

Sincerely,

Robert Blue

Robert Blue

Attachments

**Robert Blue**
**1001 N. Wilton, #1**
**Hollywood, CA 90038**

August 6, 2008

**Los Angeles City Council**
File with:
City of Los Angeles Planning Department
201 N. Figueroa Street, 4th Floor
Los Angeles, California 90012

**Subject:** Sunset and Gordon Mixed Use Project

**Case Number VTT-68501-1A**

**Project Address:** 5939-5945 Sunset Boulevard
1512-1540 N. Gordon Street
Hollywood, CA 90028 (CD-13)

**Honorable Council Members:**

I am appealing this as an individual who is active within the community where this proposed project (Sunset-Gordon) is located. I am the past Chairperson of the Hollywood Studio District Neighborhood Council (HSDNC), a Board member of the Historic Hollywood-Highland Democratic Club, and a member of Hollywood Heritage, Inc. I also have over 20 years of training and hands-on experience with Public Utilities including Power, Water, and Natural Gas.

**NEIGHBORHOOD COUNCIL OPPOSITION**
**BASED ON PROPOSED PARKING**

This project lies within the boundaries of the HSDNC, which is on record to opposing this project since the HSDNC's initial support was conditional upon the project utilizing the code-required parking. The project currently proposes 508 spaces of total parking instead of the required 870 spaces of total parking resulting in a 42% reduction in required parking which will result in an extremely negative impact to the community and immediate neighbors. The immediate neighborhood is currently underserved with off-street on on-street parking because of the age of the existing residential structures including many historical single family homes. I personally canvassed the neighborhood early this year and all of the residents that

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sunset edge
in development
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## projects » sunset edge

Sold in 2006, Sunset Edge was entitled for a 12-story, mixed-use development on Sunset Blvd. and Bronson St. in Hollywood. The building was designed to include ground level retail, two floors of commercial office space and 125 units of workforce housing. The creative design incorporated the

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Old Spaghetti Factory restaurant, one of the original commercial buildings in Hollywood.

2301 Rosecrans Ave. Suite 3100
El Segundo, CA 90245
Tel 310.314.4600
Fax 310.314.4501
info@gtodevelopment.com

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# HOLLYWOOD ECONOMIC DEVELOPMENT UPDATE 2006

**AMERICAN SOCIETY OF CINEMATOGRAPHERS**
American Society of Cinematographers
1782 N. Orange
The American Society of Cinematographers is planning a $6-million addition to their headquarters. The 15,000-sq.ft. building will include a museum and meeting space. They hope to break ground in 2006. (323)969-4333.

**ACADEMY OF MOTION PICTURE ARTS & SCIENCES MUSEUM**
1313 N. Vine Street
The Motion Picture Academy has announced the selection of a site surrounding their Pickford Center in Hollywood for a $200-million museum.

**CINERAMADOME ENTERTAINMENT CENTER**
Robertson Properties Group
6360 Sunset
The center is completely leased. Final tenants opening in 2006 include restaurants Chatroeil (4,000-sq.ft.) and Club Sushi (9,300-sq.ft.). (310)855-8242.

**THE ORIGINAL FARMERS MARKET**
A.F. Gilmore Co.
Third and Fairfax
Farmers Market is opening Maki Maki, a new Japanese restaurant of nearly 10,000-sq.ft. in 2006.

**THE GROVE AT FARMERS MARKET**
Caruso Affiliated Holdings
Adjacent to the Original Farmers Market
American Girl, a 40,000-sq.ft. doll store, opened in April 2006, one of only three locations in the U.S.

**H & M**
CIM Group
6922 Hollywood Blvd.
This popular British clothing store will open a 10,000-sq.ft. Hollywood store in summer 2007. (323)860-4900

**HOLLYWOOD & CHEROKEE**
CIM Group
6921 Hollywood Blvd.
East, a new concept Asian restaurant by David Jucksch, is expected to open in the first quarter of 2007. (323)860-4900.

**HOLLYWOOD & HIGHLAND**
CIM Group
6501 Hollywood Blvd.
A 24,000-sq.ft., west coast flagship Virgin Megastore opened fall 2005, as did the first west coast location for Beard Papa Sweets Cafe. New stores opening in 2006, include Skechers, Cosmkids, and the French Crepe Company. CIM Group also added escalators from the Grand Staircase to the third and fourth levels of the complex and a new themed fountain in the past year. (323)817-0220.

**HOLLYWOOD & ORANGE**
Steve Ullman/Larry Worchell
6931 Hollywood Blvd.
Plans call for a 72,248-sq.ft. commercial building, with 123 on-site and 136 off-site parking spaces. (323)463-2739.

**HOLLYWOOD & VINE PROJECT**
Legacy Partners &
Gatehouse Capital
Hollywood Blvd. at Argyle
The largest project now in development in Hollywood. The proposed project would occupy 4.56 acres. A $500-million project is planned, which will include a 295-room W Hotel (managed by Starwood Hotels & Resorts Worldwide), 378 apartment units (including 20 percent affordable housing), 145 luxury condominiums, approximately 60,000-sq.ft. of ground-level retail space, an intermodal transit plaza and 1,311 parking spaces. Groundbreaking is expected before the end of 2008, with occupancy in early 2009. (949)930-6000.

**HOLLYWOOD PASSAGE**
ABS, LLC
5500 block of Hollywood Blvd.
This two-phased project includes the rehabilitation of two existing buildings as well as new construction. The historic Louis B. Mayer building will include an event space on the ground floor and basement, while the adjacent Becker Building is being converted to 16 residential units. In the second phase, 240 residential units and 15,000-sq.ft. of retail space will be built. Construction is anticipated to begin by March 2007. (877)ABS-6050.

**PASEO PLAZA**
Continental Management
5501 Santa Monica Blvd.
A mixed-use project is in the approval stage in the area surrounding Sears, that would include 377,000-sq.ft. of new retail space and 437 residential units. Estimated value $130-million. Developers hope to break ground in September 2007. (310)253-9998.

**SUNSET & FULLER**
MMS-Sunset Development, LLC
This 15,000-sq.ft. project, scheduled for completion in November 2006, will include 7,300-sq.ft. of ground floor retail and 7,600-sq.ft. of office space. (323)314-4173.

**TOYOTA OF HOLLYWOOD**
6000 Hollywood Blvd.
Groundbreaking is anticipated in 2007 on a project estimated to cost $8-million that will add a new showroom and dealership, with rooftop parking. (323)850-5500.

**WESTERN AVENUE GATEWAY**
North side – CIM Group
Hollywood Blvd. between Western and Garfield
CIM will develop 30,000-sq.ft. of retail and 450 parking spaces in addition to residential.

**7021 HOLLYWOOD BLVD.**
CIM Group
7021 Hollywood Blvd.
A 53,000-sq.ft. L.A. Fitness Center is slated to open in July and an 11,000-sq.ft. Long's Drugstore opens in June 2006 at the former Galaxy Shopping complex. (323)850-4900.

**CENTRAL L.A. AREA HIGH SCHOOL #1**
L.A. Unified School District
Broad
Sunset at Van Ness Ave.
L.A. Unified is building a new high school on the 12.4-acre former Metro Media property. Estimated completion is third quarter 2007. Project is valued at $100-million, of which $31-million was for land acquisition. (213)893-6800.

**LOS ANGELES CITY COLLEGE**
L.A. Community College District
855 N. Vermont
LA City College has broken ground on a $52.3-million parking structure that will provide 980 parking spaces with physical education fields on the roof. Completion expected in Oct. 07. Four other buildings are expected to break ground before the end of 2006. They include a $23-million library, a $32-million health, fitness and physical education building, a $52.3-million science and technology building, and a $13.5-million child development center. (323)953-4000, ext. 2065.

**KINGSLEY ELEMENTARY**
L.A. Unified School District
5200 block of Virginia Ave.
The former site of Hollywood Star Lanes has been replaced with a new elementary school. The 3.02-acre site will accommodate 26 classrooms and a 560-student school. Opened September 2005. (213)893-6800.

**RAMONA ELEMENTARY ADDITION**
L.A. Unified School District
1133 N. Mariposa
Completion of eight new classrooms, valued at $3.3-million, is expected in the third quarter 2006. (213)893-6800.

**CHILDREN'S HOSPITAL**
Children's Hospital
4650 Sunset Blvd.
Children's Hospital will complete a massive renovation of their campus when their new 460,000-sq.ft., 280-bed hospital building is completed in 2009, at a cost estimated to approximate $450-million. (323)669-4121.

**KAISER PERMANENTE HOSPITAL**
Kaiser Permanente
4747 Sunset Blvd.
Between March 2001 and 2009, Kaiser Permanente will invest $545-million in rebuilding its Hollywood facilities to meet future seismic requirements. The project will be completed in two phases and will bring the hospital up to a total of 464 beds. The new hospital is expected to open in 2008 and will add nearly 1-million sq.ft. in a seven-story facility. (323)783-4498.

**CITIZEN NEWS BUILDING**
Brentwood Capital Partners
1545 Wilcox Ave.
Developer is rehabbing and retenanting Citizen News building for creative office space, with improvements to be completed by end of 2006. When current leases are finalized, it will be 65 percent leased. (310)405-7800.

**GTO SUNSET**
GTO Development LLC
5925 Sunset Blvd.
The Old Spaghetti Factory site is proposed for a mixed use project that would include 38,000-sq.ft. of office space, along with 125 condos and 10,000-sq.ft. of retail. (310)314-4880.

**METROPOLITAN HOTEL SITE**
DS Ventures, LLC
5825 Sunset Blvd.
Developer plans to convert adjacent commercial building into 40,000-sq.ft. creative office space. Completion in 2008.

**SUNSET & GOWER STUDIOS**
1438 N. Gower Street
Construction began in May 2006 on a 115,000-sq.ft. building that will be fully occupied by Technicolor. Completion expected end of 2007. (323)467-1001.

**1601 N. VINE STREET**
Selma & Vine Partners
Developers hope to break ground by the end of 2006 on this 120,000-sq.ft. class A office building, which will include 216 parking spaces on site. (310)278-3352.

**1800 HIGHLAND AVE.**
CIM Group
1800 Highland Ave.
Renovation of this 84,000-sq.ft. office building to class A is expected be completed by November 2006. TV Guide Channel has signed for 25,000-sq.ft. (323)860-4900.

**BELLA CUCINA ITALIANA**
1708 N. Las Palmas
New Italian Restaurant opened July 2005. (323)468-8815.

**BLACK STEEL**
6663 Hollywood Blvd.
Asian-French eatery. (323)469-3456.

**THE BOWERY**
6262 Sunset Blvd.
New York-style bar and bistro opened in fall 2005. (323)465-3400

**CITIZEN SMITH**
1600 N. Cahuenga
Avant-garde eatery serving American cuisine opened spring 2006. (323)461-5001.

**L'ESCORPION**
6679 Hollywood Blvd.
Sophisticated new tequila lounge opened spring 2006. (323)464-3026.

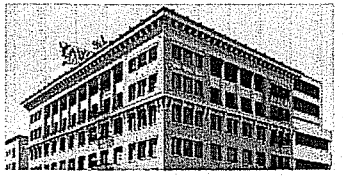
**LUCKY DEVILS**
6613 Hollywood Blvd.
Upscale burgers and sandwich joint opened spring 2006. (323)463-8259.

**MAGNOLIA**
6266 ½ Sunset Blvd.
Contemporary American restaurant opened 2005. (323)467-0660.

**MEMPHIS**
6541 Hollywood Blvd
Deep South-style restaurant/bar opened end of 2005. (323)465-8600.

**SHAG**
1635 N. Cahuenga Blvd.
French-themed club by creators of Geisha House, opened in May 2006. (323)465-4400.

**SOCIAL HOLLYWOOD**
6525 Sunset Blvd.
Multi-faceted 28,000-sq.ft. restaurant and lounge opened in spring 2006 in the historic Hollywood Athletic Club. (323)462-5222.



**STERLING STEAKHOUSE**
1429 N. Cahuenga
Lounge-steakhouse opened July 2005 in conjunction with adjacent Cabana Club, a sexy, Cabana-style lounge. (323)463-0068.

**25 DEGREES**
7000 Hollywood Blvd.
Swanky new burger joint adjacent to Roosevelt Hotel. (323)785-7244.

**BROADWAY BUILDING**
KOR Group
1545 Vine Street
This adaptive reuse project, now under construction, will create 86 condos with 152 on-site parking spaces. Retail on ground floor. Completion anticipated before the end of 2006. (323)830-3798.

**CAMDEN DEVELOPMENT**
Camden Property Trust
Vine at Selma
This $200-million project will feature a 60,000-sq.ft. Whole Foods Market, with 306 apartments above in an 11-story building. Anticipated groundbreaking is 2006. (949)629-3313.

**CITIZEN NEWS BUILDING** SEE
Brentwood Capital Partners
1545 Wilcox Ave.
Developer is planning to construct a 40-unit condo development and parking structure on an adjoining parcel to serve condos and offices in the rehabbed Citizen News buildings. (310)405-7800.

**ENCORE HALL**
Gay & Lesbian Elder Housing Corp. & McCormack Baron Salazar.
City parking lot on Vine St.
Adjacent to Deadtte Theatre
Construction began in summer 2005 on a $20.7-million project that will feature 104 units of senior housing, in addition to a 450-space parking garage. Construction on the housing is expected to be completed at the end of 2006. (213)236-2660.

**FOUNTAIN AT WILCOX**
DS Ventures, LLC
The developers are proposing 37 row houses to wrap around a historic building at the southwest corner of Fountain and Wilcox. Construction anticipated to begin in early 2007, with completion by the beginning of 2008. (323)658-1511.

**GTO SUNSET** SEE
GTO Development LLC
5925 Sunset Blvd.
Developer has proposed 125 condos, 10,000-sq.ft. of retail, and 38,000-sq.ft. of office space. (310)314-4880.

**HILLVIEW APARTMENTS**
Hollywood Hillview, LLC
6531-33 Hollywood Blvd.
The developers have rehabilitated this historic building to restore its 54 residential units. In addition, it will have Lit, a 24-hour gourmet bistro, Club 86, a restaurant, lounge, jazz bar, and an on-site fitness center. Completion in 2006.

**THE HOLLYWOOD**
Metro Modern Developers
6735 Yucca
Fifty-four condos are under construction at this site, with completion anticipated by May 2007. (818)348-0038.

**HOLLYWOOD & VINE** SEE
Legacy Partners &
Gatehouse Capital
Hollywood Blvd. at Argyle
A total of 375 apartment units and 145 luxury condominiums are being proposed as part of a development by Legacy Partners and Gatehouse Capital, anticipated to begin construction by the end of 2006. Completion in early 2008. (949)261-2100.

**HOLLYWOOD GARFIELD**
Bond Companies
5555 Hollywood Blvd. at Garfield
A 90-unit apartment building is planned for this site, along with 6,000-sq.ft. of retail. Construction start anticipated by spring 2007. (310)395-4250.

**HOLLYWOOD EVOLUTION**
Metro Core Developers
1600 N. Whitley
A September 2006 groundbreaking is anticipated for this 32-unit condo project, with completion by March 2008. (818)992-6345.

**HOLLYWOOD PROFESSIONAL BUILDING**
CIM Group
7045 Hollywood Blvd.
A total of 42 units will open at the end of 2006 in an adaptive reuse of this historic property. Ground floor will continue retail use. (323)860-4900.

**HOLLYWOOD REGENCY**
GTO Development LLC
7926-7940 Hollywood Blvd.
GTO plans for 61 condos in a three-story building. Ground-breaking anticipated by December 2006 with completion in May 2008. (310)314-4880.

**HOLLYWOOD SERRANO**
James J. Todd & Dean Ferrier
5400 Hollywood Blvd.
A total of 40 apartments are proposed at this location. Groundbreaking is anticipated in late 2006.

**THE JEFFERSON AT HOLLYWOOD**
JFI
Highland Avenue at Yucca
Developers propose 270 apartments, 8,500-sq.ft. of retail, with 750 parking spaces. Anticipated start June 2007. (213)533-4139.

**THE LOFTS @ HOLLYWOOD AND VINE**
Palisades Development Group
6263 Hollywood Blvd.
This rehab of the former Equitable Building is scheduled for completion in December 2006 and will provide 60 residential units and 5 office units. (310)450-2200.

**MADRONE**
Lang Urban
1625 La Brea Ave.
Lang Urban began construction in May 2006 on a 180-unit, seven story condo project with 18,000-sq.ft. of ground floor retail space. Completion anticipated in early 2008. (323)938-0000.

**METROPOLITAN HOTEL SITE** SEE
DS Ventures, LLC
5825 Sunset Blvd.
Developers plan to rehab the existing Metropolitan Hotel into 140 apartments and convert the adjacent commercial building into creative office space. Plans are anticipated completion end of 2007, with phase two to be completed in mid-2008. (323)658-1511.

**NEDERLANDER SITE (Boulevard 6200)**
Clarett Hollywood LLC
Hollywood Blvd.
between Argyle and Gower
The Clarett Group plans to build a large scale, mixed-use project with up to 1,000 residential units on land adjacent to the Pantages Theatre. The project is in the entitlement phase, and developers hope to break ground in summer 2007. (310)461-1470.

**PALI HOUSE**
Palisades Development Group & Herman Properties
1717 N. Vine Street
Developers plan 57 residential units with 154 parking spaces, ground-level restaurant and bar/lounge on the courtyard level. Construction starts June 2006 with completion anticipated in spring 2008. (310)450-2200.

**SUNSET VINE TOWER**
CIM Group
SE corner of Sunset & Vine.
CIM is rehabbing this former landmark tower into a 63-residential unit adaptive reuse project at this site, with 11,000-sq.ft. of retail space. Completion expected in 2007. (323)860-4900.

**WESTERN AVENUE GATEWAY** SEE
CIM Group
Hollywood Blvd. between Western and Garfield
North side of Hollywood Blvd. will include 77 condo units, 76 affordable rental units and rehabilitation of the 140-room St. Francis Hotel, plus 450 parking spaces.

**YUCCA & ARGYLE**
Second Street Ventures
SW corner of Yucca and Argyle
Developers propose erecting 80 to 85 residential units and up to 20,000-sq.ft. of office space on the old KFWB site. Anticipated groundbreaking by first quarter 2008. (310)301-0743.

**1427 N. COLE AVE.**
Bond Companies
1417-1433 Cole Ave.
Forty eight condos are proposed at this site. Construction start expected winter 2006. (310)395-4250.

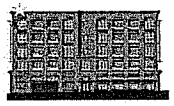
**1538-1542 CAHUENGA BLVD.**
Hermitage LLC
1538-1542 Cahuenga Blvd.
Developer proposes 32 condos above 7,000-sq.ft. of retail space. (818)345-5828.

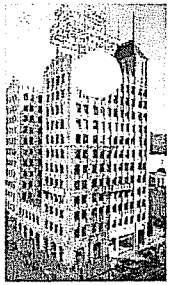
**1714 McCADDEN**
DS Ventures, LLC
The block bounded by McCadden, Yucca, and Las Palmas, is proposed for 216 condos, with a construction start anticipated at the end of 2006, with occupancy in 2008. (323)658-1511.

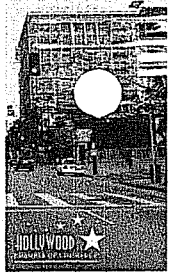
**2775 CAHUENGA**
DS Ventures, LLC
Former Banana Bungalow site is proposed for 75 townhomes and six single-family homes. Construction anticipated to begin in early 2007, with occupancy in late 2008. (323)658-1511.

**7050 HOLLYWOOD BLVD.**
(Broadstone Hollywood)
Alliance Residential Co.
The developer is proposing up to 130 condos, with a 99-seat theatre on the ground floor. Construction expected to begin February 2007, with completion in 2008.

**7650 W. SUNSET**
Legacy Partners
Sunset Blvd. at Hayworth
Legacy has begun construction on 183 apartments over four levels of underground parking on the block west of the Directors Guild, with 13,000-sq.ft. of retail. A June 2007 completion is anticipated. (949)930-7700.







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Los Angeles Times

http://www.latimes.com/news/la-me-bond18-2008jul18,0,4762000.story
*From the Los Angeles Times*

# L.A. board moves to limit public subsidy for Chinatown project

**Developer's disparate profit estimates for Blossom Plaza raise concerns.**

By David Zahniser
Los Angeles Times Staff Writer

July 18, 2008

Los Angeles redevelopment officials took the unusual step Thursday of limiting taxpayer subsidies to a real estate project after learning that the developer had told another city agency it expected the work to deliver a sizable profit to investors.

Last year, the Community Redevelopment Agency agreed to provide millions of dollars in subsidies to Bond Cos. to develop Blossom Plaza, a seven-story residential and retail building planned next to an MTA Gold Line station in Chinatown.

Redevelopment officials said at the time that the $41 million in public assistance would allow the project to make an 11% return on its investment -- and that without the city's help, the project would not happen at all.

Last month, Bond officials offered a far more upbeat message about the project, telling a different city board that Blossom Plaza would probably give investors a return of 42.3%.

On Thursday, one redevelopment commissioner complained about that disparity, calling for greater restrictions on the amount of financial return Bond should earn from the project. Commissioner Madeline Janis also grilled the firm's lobbyist on its sales pitch for Blossom Plaza, saying she was "disturbed and distressed" by the company's marketing literature.

"It made me question not only the integrity of this developer, who I supported, but it also made me question other projects that are brought before us," said Janis, who sought the changes after The Times asked questions about the project and provided her with the firm's marketing booklet.

The redevelopment commission voted 4-0 to seek an agreement that will reduce the size of the city's subsidy to Bond if Blossom Plaza delivers a return of more than 10% to the company.

Bond lobbyist Jerold Neuman said the investment return calculation contained in the company's sales book, which was submitted to the city's primary pension board, was incorrect. Neuman said the 42.3% figure only applied to a small portion of the project's financing -- and that it would be closer to the low teens over a five- to seven-month investment period.

One city pension board voted to invest up to $10 million in Bond Cos. after receiving the higher profit projection for Blossom Plaza. A second city pension board voted to commit up to $20 million. Neuman said the latter board received the lower figure.

Neuman said the mistake was made, in part, because it was based on financial assumptions from two years ago, before the region's real estate market stalled. And he argued that his client would receive a 6.6% return on Blossom Plaza in the first year that it is fully leased -- a figure he called "dismal."

Bond Cos. provided the marketing booklet last month to the investment committee of the Los Angeles City Employment Retirement System, a pension fund that has a portfolio of roughly $11 billion. At the time, the firm was asking the pension system to invest $10 million in its Bond Companies Sustainability Fund, which the firm says is an entity committed to social responsibility and environmentally friendly construction.

In its sales booklet, Bond Cos. touted its success at receiving millions in subsidies for Blossom Plaza, a complex of restaurants, shops and homes planned at Broadway and College Street.

The company also provided information showing Blossom Plaza would provide a return greater than all but one of its upcoming real estate projects.

On Thursday, the redevelopment commission also voted to allow Bond Cos. to rework its project so that it contains 262 apartments. The original proposal called for 169 condominiums. Both the redevelopment agency and pension board changes must be approved by the City Council.

In January 2007, the redevelopment agency agreed to subsidize the project, in part, because Bond Cos. promised to earmark 20% of the units for low-income households. City officials also agreed to pay for 175 parking spaces at the site.

The subsidies will also help cover the cost of such expenses as a plaza and walkway between Blossom Plaza and the light rail station.

On Thursday, the commission voted for the new agreement with Bond Cos. in concept, then spent nearly an hour reviewing the deal points after it lost a quorum and had only three of its seven members.

After the meeting, Commissioner Joan Ling said the changes would ensure that the agency isn't providing "windfall profits for developers." Meanwhile, Janis said the experience would cause her to look at the numbers for each real estate deal much more closely. "They're welcome to make a 50% profit, just not on the CRA's dime," she said.

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*From the Los Angeles Times*

# Firm boasts about 'mining' tax dollars to make big profits

L.A. pension boards invest millions in real estate companies that rely on city funds and planning choices.

By David Zahniser
Los Angeles Times Staff Writer

July 20, 2008

Los Angeles City Hall has any number of lobbyists, lawyers and consultants who make a good living on their ability to artfully and quietly work the political system.

But rare it is when someone brags -- in writing, no less -- about knowing how to turn handsome profits by persuading city, state and federal officials to let them tap millions of dollars in taxpayer funds.

That may explain why a marketing booklet prepared by Bond Companies, a real estate firm with offices in Los Angeles and Chicago, drew so much attention last week from top officials at the Community Redevelopment Agency.

While urging a city pension board to invest in Bond Companies, the firm's chairman and co-founder, Lawrence Bond, talked up his firm's success at securing taxpayer subsidies, lenient parking requirements and approval for high-density housing projects. In a sales packet to the board, Bond's firm said public dollars were central to its business plan.

Redevelopment commissioner Madeline Janis responded by pushing her agency to put new financial limits on one of the company's projects. Janis also voiced dismay that the company boasted in writing that it has a team assigned to "mine subsidies" at the city and elsewhere.

"Putting all this stuff in your public report . . . about mining subsidies, and how good you are at mining subsidies, it doesn't make the public agencies feel real good about investing," she told the company's representative.

One neighborhood activist went further, saying the 24-page sales booklet from Bond Companies made it appear that subsidies and favorable planning decisions were the rule, not the exception.

"It confirms my worst fears," said Robert Blue, who spent the last three years on the Hollywood Studio District Neighborhood Council. "Whatever the developers propose, whatever subsidies they request, it's all rubber-stamped."

In an era when many private-sector workers do not have pensions at all, the city's two primary public retirement systems have been directing millions of dollars toward companies that rely, at least in part, on other city agencies to make their real estate projects profitable.

One city pension board committed up to $40 million to MacFarlane Partners after that company described taxpayer subsidies as a key way to cut costs in the urban real estate market. MacFarlane is financing L.A. Live, a hotel complex that has permission to tap up to $270 million in tax breaks and city support.

Two city pension funds agreed last year to invest up to $50 million in CityView, which talked up its chief operating officer's "strong relationship" with city officials. CityView also included a photo of Mayor Antonio Villaraigosa in its sales packet and boasted of its success at persuading the mayor and a city councilman to change zoning for an 84-unit loft project on the Westside, increasing the property's value by millions of dollars.

Bond Companies may have been the most brazen, telling city pension board members that it has "proven ability and resources to capitalize on government subsidies" -- and its own database of public funds.

One urban analyst said the only surprise about the marketing pitch is that Bond was so candid about its ability to work the system.

"It's the ultimate insider's game, and that's what we're really seeing," said Joel Kotkin, author of "The City: A Global History."

"The people of Los Angeles are the backdrop to a bunch of people who use the city as a way of enriching themselves."

A Bond Companies spokesman defended the firm, saying it had worked to invigorate neighborhoods such as Hollywood, Chinatown and the South of Market section of San Francisco -- areas with higher crime, a lack of investment, or both.

Spokesman Raymond Minkus said taxpayer support for the firm's projects was based on requests from neighborhood residents for amenities such as restaurants, supermarkets and affordable housing.

"Subsidies are needed to address specific needs of a community," he wrote in an e-mail.

The pitch is working. Two city pension boards, both with members appointed by Villaraigosa, have voted to invest up to $30 million in Bond Companies. One high-level pension official commended Bond Companies for trying to improve neighborhoods, but said the city's investment was driven by a desire for strong returns. Bond Companies has projected a 16% return for LACERS, the Los Angeles City Employees' Retirement System.

"Everything they touch, they make money on," said Dan Gallagher, LACERS' chief investment officer.

Bond Companies and its employees have given more than $82,000 in contributions to city politicians and ballot measures. The sales booklet issued to LACERS points out that Bond was the finance co-chairman for Proposition H, a city housing bond measure.

Bond Companies also wooed LACERS by highlighting a few projects where it had obtained taxpayer support.

In materials submitted to LACERS' board members, Bond Companies predicted it would achieve a return for its investors of more than 42% for Blossom Plaza, a complex of condominiums and stores being built in Chinatown with at least $41 million in subsidies.

The number so disturbed redevelopment officials that they wrote an agreement to reduce the size of its subsidy if Blossom Plaza exceeds 10% on its return after costs. Bond Companies later said the 42% figure was wrong and should be readjusted to the low teens.

"We apologize for any misunderstanding that this may have caused," said Minkus, who blamed the marketing booklet information on a "third-party consultant."

Still, Bond Companies offered pension board members other cases where subsidized projects delivered double-digit returns.

In its booklet, the company promoted Aurora, an apartment building in San Francisco. City officials sold the site for $12 million below market value to ensure that 10% of the apartments would be reserved for lower-income residents, according to the booklet.

But Bond Companies renegotiated the pact to allow for the construction of a Whole Foods supermarket instead of subsidized housing. That project, when sold, gave investors a financial return of more than 42%, the booklet says.

In Hollywood, Bond Companies secured a $3.3-million subsidy for Sunset + Vine, apartments over a Borders bookstore and other retail space. Sunset + Vine also received special approval to erect billboards that generate $3 million in revenue each year.

The financial return? Twenty-nine percent, according to documents given to the pension board.

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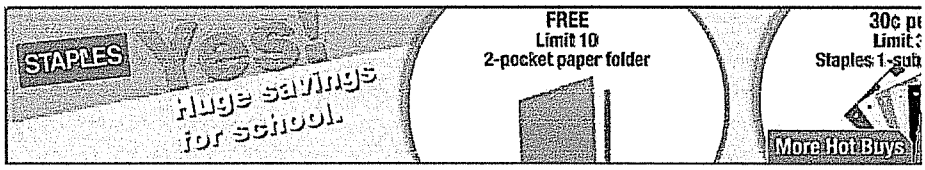


Los Angeles Times

http://www.latimes.com/news/opinion/la-op-lowe20-2008jul20,0,7431967.story
*From the Los Angeles Times*

# Is growth over?

**California's continuing water crisis may mean the end of the state as we have known it.**

By Cary Lowe

July 20, 2008

Gov. Arnold Schwarzenegger's recent executive order certifying that California is in a drought and directing state agencies to start thinking about what to do about it is only the latest sign that a way of life built on cheap and readily available water is coming to a close. For much of the state, June was the driest month on record, according to the National Climatic Data Center. The continuing water crisis raises the question of whether we are approaching the limits of growth in California.

For the last century, it seemed there was no limit. More than any other state, California's economy and population exploded, a growth spurt fueled in large part by abundant water supplies. Now we may be at a turning point, especially in Southern California.

**FOR THE RECORD:**
Water: A July 20 Opinion article on how the shortage of water may imperil California's future growth asserted that the Metropolitan Water District annually imports 2.1 million gallons of water to Southern California. It should have been 2.1 million acre feet a year. —

The most obvious indicators certainly point in that direction. Snowmelt in the Sierras, which historically has filled the state's major reservoirs and aqueducts, has been shrinking steadily. California's rights to Colorado River water have been gradually scaled back by regional agreements and mounting claims by other states. Court orders in response to environmental lawsuits aimed at protecting endangered fish species have slashed water deliveries from the San Joaquin-Sacramento River Delta. And reduced rainfall throughout the region has made it increasingly difficult to replenish groundwater basins.

Initially, the public agencies responsible for ensuring water supplies were cautious in their response to the signs of a growing water crisis, perhaps fearing a political backlash from Californians who expect to be able to open a tap and let it flow, without limits, any time, anywhere, for any purpose. Adding a reservoir, drilling a few more wells or cutting deals with farmers to transfer some of their water to nearby cities helped soften, if not avoid, the effects of the state's growing water shortage. Now, however, the situation is becoming sufficiently dire that the water agencies are beginning to give the public a taste of what lies ahead.

Earlier this year, the Metropolitan Water District of Southern California, the largest water agency in the region and the principal supplier to the cities of Los Angeles, San Diego and numerous others in between, announced a 30% reduction in deliveries to agricultural customers, which means that farmers will have less water for their crops and to give to cities. And things could get worse. The agency also adopted a contingency plan that could result in similar cutbacks to urban consumers and rate hikes of up to 20%. Local water agencies, including the Los Angeles Department of Water and Power, followed suit, beginning with voluntary conservation programs but warning of mandatory ones to come.

Such steps alone will probably not make enough of a difference to avert a water-supply crisis. There is a finite amount of water available in Southern California, and it has not increased since 1990. The MWD annually imports

2.1 million gallons of water to the region. Without a plan of action by state and local governments, coupled with across-the-board changes in how we consume, major sectors of the state's economy such as agriculture and real estate development will soon face previously unimagined restrictions.

Meanwhile, environmental groups such as the California Water Impact Networkare contending that many of our water-use practices violate the state's constitutional mandate that water be put to beneficial use to the maximum possible extent and that waste or unreasonable use be prevented.They particularly object to pumping water from the San Joaquin-Sacramento River Delta to irrigate thirsty crops like cotton and alfalfa, as well as lawns. These environmentalists plan to petition the state Department of Water Resources to permanently reduce Delta pumping. If state officials or the courts agree, it would affect virtually every aspect of water use.

Real estate development already is feeling the pinch. State laws that took effect six years ago require water agencies to document sufficient long-term water supplies to support large developments. If they can't, they must block the developments, and these agencies are increasingly doing just that. The Eastern Municipal Water District, the largest water agency in Riverside County, recently delayed approval of a huge industrial development because it couldn't guarantee water supplies to the facility. The agency also indicated that it may withhold certifications of water availability for other projects if conditions do not improve.

Courts are increasingly weighing in on the issue. Last year, the state Supreme Court overturned approval of a major new planned community in the Sacramento area because the project's environmental impact report did not adequately address long-term water supplies. Earlier this year, a court in Riverside County reversed the go-ahead for a large residential project in Banning, in part on similar grounds. All told, dozens of planned developments throughout Southern California already have been delayed or abandoned because of uncertainty about long-term water supplies. And that number will soar once the recession in real estate eases.

Scaled-down developments that clear the water-supply hurdle must still meet tough new water-use standards. For instance, don't expect new homes to be built along the fairways of a new golf course or the shores of a man-made lake. The appliances in the new homes will be low-flow, and the pavement outside permeable to help replenish groundwater. State legislation that would have required developers to utilize all feasible water-efficiency measures in new construction and carry out other conservation measures in the surrounding community didn't pass earlier this year, but it undoubtedly will be back. Meanwhile, the Legislature is considering a requirement that all urban water agencies reduce their consumption by 20% within 12 years.

Agriculture, which consumes two-thirds of the delivered water in the state and remains a huge component of the California economy, is also feeling the sting of dwindling water supplies. Beginning with the MWD's reduction in water supplies, agencies throughout the state are pressing farmers to cut their water consumption by not growing water-intensive crops, investing in more efficient irrigation systems and even taking land out of agricultural use altogether. Pending state legislation would establish agricultural water conservation requirements.

The entire state economy ultimately will be affected by the water crisis. Yet it is unrealistic to expect that California's population and economy will stop growing. Accommodating that growth will require major commitments to reducing water consumption and increasing supply.

Unlike previous droughts, the current shortage of water is largely the product of long-term climate change because of global warming. This means that the shortage will not abate without major changes in how we consume water.The cheapest and easiest way to increase water supplies is conservation. Even small increases in the efficiency of agriculture's use of water can produce huge savings. Cutting back landscape irrigation, which accounts for more than half of urban and suburban consumption, is another option, as is treating and recycling water. Finally, rain and snowmelt can be collected and stored for future use.

As things stand now, California is rapidly approaching the limits of growth. Those areas of the state with limited local water supplies already are off-limits for development, and those sectors of the economy that are big users of water, such as agriculture, are cutting back. We can extend the period of growth and prosperity by pursuing the measures mentioned above. What remains to be seen is whether that will just postpone the day of reckoning -- when we have done all we can do to cut consumption but demand still exceeds supply. At the point, California will

have reached the limit of its growth.

Cary Lowe is a land-use lawyer and urban planning consultant.

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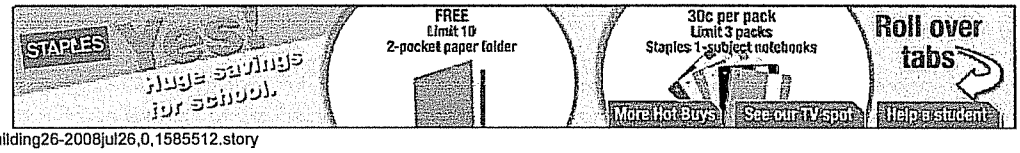


Los Angeles Times
http://www.latimes.com/news/local/la-me-building26-2008jul26,0,1585512.story
*From the Los Angeles Times*

# Los Angeles City Council approves 23-story condo tower in Hollywood

The project is passed despite objections from critics who say too many exceptions were made to city codes, with a higher density and fewer parking spaces allowed at the site.

By David Zahniser
Los Angeles Times Staff Writer

July 26, 2008

The Los Angeles City Council on Friday approved a 23-story condominium tower on the site of the vacant Old Spaghetti Factory restaurant in Hollywood and also gave permission to place two billboard-sized signs on the building's south and west sides.

The 305-unit project was approved despite objections from critics who argued that it had received too many exceptions to the city's planning and zoning rules, such as the location of the "supergraphics" -- vinyl signs stretched across part of the building's exterior.

The council simultaneously approved a higher density for the project and fewer parking spaces. Although the city's code required 512 spaces, the developer has been allowed to build 416, according to a city report.

"This project is drastically under-parked," said neighborhood activist Ziggy Kruse. "This area already has a recognized critical parking shortage."

Councilman Ed Reyes described the project as part of a larger effort to persuade residents to walk to their amenities instead of driving. "This is a change in our culture," he said.

Sunset and Gordon Investors LLC, which is developing the project, will receive more than $13 million in city financial help to build the project, which is to include a park, restaurants and offices.

The developer intends to preserve the Old Spaghetti Factory building, which was built in 1924 and originally housed an auto dealership. Craig Lawson, a lobbyist for the developer, said that the project would provide Hollywood with much-needed office space and that his client has a track record of building residential projects in Los Angeles with "outstanding design."

Friday's vote comes two weeks after the council voted to approve a 16-story residential tower in Hollywood next to the Capitol Records building. Construction is already under way on the multistory W Hotel at Hollywood and Vine.

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| Telephone Number | (310) 420-4918 ~~$4,900~~ | | |
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| VTT-68501-2A (appeal to City Council) | | | $ 74 — |
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| | | | $ |
| | **Sub Total Fees Paid** | | $ 74 — |
| OSS Surcharge - 2% | | | $ 2 — |
| Development Surcharge - 6% | | | $ 4 — |
| Operating Surcharge - 7% | | | $ 5 — |
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