



DEPARTMENT OF CITY PLANNING  
RECOMMENDATION REPORT  
**ITEM 5**



**City Planning Commission**

**Date:** May 28, 2015  
**Time:** After 8:30 a.m.  
**Place:** Van Nuys City Hall Council Chamber  
2nd Floor  
14410 Sylvan Street  
Van Nuys, CA 91401

**Public Hearing:** Required  
**Appeal Status:** Zone Change appealable to City Council.

**Expiration Date:** May 28, 2015

**Case No.:** CPC-2015-1556-ZC-HD  
**CEQA No.:** ENV-2011-2158-MND  
**Related Case No.:** CPC-2011-2157-ZV-SPR  
**Council No.:** CD 13- O'Farrell  
**Plan Area:** Hollywood  
**Certified NC:** Central Hollywood  
**GPLU:** Regional Center  
Commercial  
**Zone:** C4-2D, C4-2D-SN  
**Applicant:** Robert D. Champion,  
Highland Selma Venture,  
LLC  
**Representative:** Jerry Neuman, Esq., Liner  
Law, LLP

**PROJECT LOCATION:** 1600, 1604, 1606, 1608, 1610, 1612, 1614, 1616, 1616 ½, 1618, and 1618 ½ North Highland Avenue; 1600, 1606, 1612, 1616, and 1622 North McCadden Place; and 6709, 6757, 6757 ½, 6759, 6759 ½, 6761, 6763, 6765, 6767, 6773, 6775, and 6777 West Selma Avenue.

**PROPOSED PROJECT:** In May 2013, the City Planning Commission approved case CPC-2011-2157-ZV-SPR under the Hollywood Community Plan Update (HCPU) that was adopted by City Council in 2012. The approval granted development of the site for a maximum Floor Area Ratio (FAR) of 3.6:1, above the 3:1 FAR per the "D" Limitation established for the subject parcels. The 2012 Hollywood Community Plan had changed the "D" Limitation on the subject site for both zones, increasing the maximum FAR from 2:1 to 3:1. A Mitigated Negative Declaration (MND) ENV-2011-2158-MND, was also adopted.

During the entitlement process for the approved project, the adopted HCPU was challenged in Court and on April 2, 2014 the City Council took action to rescind the HCPU and its associated zoning Ordinance (No. 182,173). As a result of the action, the City reverted by operation of law to the Hollywood Community Plan and zoning regulations that existed immediately prior to June 19, 2012, (the date of the adoption of the HCPU and ordinance) thereby changing the "D" Limitation back to 2:1 FAR (per Ordinance No. 165,662, effective May 7, 1990).

As the Project is entitled pursuant to the adopted approvals described above, the zone/height district change to remove the "D" Limitation is requested by the applicant to address this inconsistency. There is no project being proposed with this entitlement. The purpose of the request is to address the inconsistency in the approval under CPC-2011-2157-ZV-SPR as it relates to the current Hollywood Community Plan. The applicant is seeking a Zone/Height District Change to remove the existing "D" Limitation on the subject lots, which would change the zone from C4-2D and C4-2D-SN, to C4-2 and C4-2-SN. The site consists of 15 total parcels totaling 1.74 acres on three separate blocks. Existing uses on the site include surface parking lots.

A separate public hearing has not been held for the subject request. The City Planning Commission Meeting being held on May 28, 2015 will serve as the public hearing.

**REQUESTED  
ACTIONS:**

1. Pursuant to Section 21082.1(c)(3) of the California Public Resources Code, find that the previously adopted **Mitigated Negative Declaration** ENV-2011-2158-MND is adequate environmental clearance.
2. Pursuant to Section 12.32. F of the LAMC, a **Zone/Height District change** to remove the "D" Limitation, changing the zone from C4-2D and C4-2D-SN, to C4-2 and C4-2-SN.

**RECOMMENDED ACTIONS:**

1. Pursuant to Section 21082.1(c)(3) of the California Public Resources Code, find that the previously adopted **Mitigated Negative Declaration** ENV-2011-2158-MND is adequate environmental clearance.
2. Pursuant to Section 12.32. F of the LAMC, adopt a **Zone/Height District change** to remove the "D" Limitation, changing the zone from C4-2D and C4-2D-SN, to C4-2 and C4-2-SN.

MICHAEL J. LOGRANDE  
Director of Planning



Daniel Scott, Principal City Planner



Shana Bonstin, Senior City Planner



Debbie Lawrence, AICP, City Planner  
Telephone: 213-978-1163

## TABLE OF CONTENTS

<b>Project Analysis</b> .....	<b>A-1</b>
Project Summary	
Conclusion	
<b>Conditions of Approval</b> .....	<b>C-1</b>
<b>Findings</b> .....	<b>F-1</b>
Entitlement Findings: Zone/Height District Change	
CEQA Findings	
<b>Exhibits:</b>	
A – Maps	
A1 – Vicinity Map	
A2 – Radius Map	
B – CPC-2011-2157-ZV-SPR	
C – Environmental Clearance: ENV-2011-2158-MND	

## PROJECT ANALYSIS

The project site is located within the Hollywood Community Plan area at the intersection of Highland Avenue and Selma Avenue, and Selma Avenue and McCadden Place. On May 23, 2013, the City Planning Commission approved CPC-2011-2157-ZV-SPR to allow the construction of two mixed-use buildings ("Building A and Building B") with 248 residential units and 12,785 square feet of retail uses.

The project was approved under the Hollywood Community Plan Update (HCPU) that was adopted in 2012. The HCPU had changed the "D" Limitation on the subject site, increasing the maximum Floor Area Ratio (FAR) from 2:1 to 3:1. Because the HCPU provided a process by which the applicant could request an increase in the allowable FAR up to 6:1, the applicant requested CPC approval for a project that exceeds a 3:1 FAR for a total FAR of 3.6:1 for Building A. The approval was granted for a maximum FAR of 3.6:1. A Mitigated Negative Declaration (MND) ENV-2011-2158-MND, was also adopted.

While the Project is entitled pursuant to the adopted approvals described above, the applicant is seeking a Zone/Height District Change to remove the existing "D" Limitation on the subject lots, which would change the zone from C4-2D and C4-2D-SN, to C4-2 and C4-2-SN. The project as approved by CPC-2011-2157-ZV-SPR remains unchanged. There is no project being proposed with this entitlement.

### **Project Summary**

The project as approved by CPC-2011-2157-ZV-SPR includes the construction of two mixed-use commercial and residential buildings ("Building A and Building B") that will include 248 residential units and 12,785 square feet of retail uses. Building A will consist of a total of 138,947 square feet - 12,291 square feet of retail uses and 134 residential units. Building B will consist of a total of 110,775 square feet - 494 square feet of retail uses and 114 residential units. Both buildings will be constructed to a height of 6 stories.

### *FAR*

The site is currently zoned C4-2D-SN and C4-2D. The "D" Limitation limits the allowable Floor Area Ratio (FAR) on the site to 2:1. The HCPU amended the "D" Limitation, thereby increasing the FAR on the site from the previous limitation of 2:1 FAR, to 3:1 FAR. The Plan identified the project location as a Mixed-Use Incentive Area, where the minimum 3:1 FAR is encouraged and where a maximum of 6:1 FAR may be considered with City Planning Commission Approval. The approval was granted for a maximum FAR of 3.6:1, above the 3:1 FAR per the "D" Limitation.

### *Existing Uses*

The site is approximately 75,660 square feet or 1.74 acres in size. Existing uses on the site include surface parking lots. The site is bounded by Hawthorn Avenue to the north, a surface parking lot to the east that fronts Las Palmas Avenue, Selma Avenue to the south, and Highland Avenue to the west. McCadden Place runs north/south between the eastern portion of the project that consists of Building B and the center portion of the project site.

### *Surrounding Zones and Uses*

North of the project site, across Hawthorn Avenue, is a parking lot, located at 1650 Highland Avenue, zoned C2-2D-SN, and commercial buildings occupied by the Musician's Institute, at 6779 Hawthorn Avenue and 1655 McCadden Place, zoned C2-2D. Directly north of the west portion of the project site is an office building also occupied by the Musician's Institute at 1620 and 1622 North Highland Avenue abutting Hawthorn Avenue. Also, on the eastern side of the alley is the Department of Water and Power facility, zoned C4-2D.

To the south of the site across Selma Avenue is a commercial building, located at 1556 Highland Avenue, zoned C4-2D-SN, and another commercial building located at 6750 Selma Avenue is also zoned C4-2D. There are single family residences located at 6732-3736 Selma Avenue, zoned C4-2D, an apartment building located at 1545 Las Palmas Avenue and a First Baptist Church building located at 6682 Selma Avenue, all zoned C4-2D.

To the east of the site, there is a parking lot and east of the center and east portions of the project site, is an offsite apartment building located at 6753 Selma Avenue, zoned C4-2D, the Panavision building, and several surface parking lots zoned PF-2D.

To the west of the site, located at 1521 Highland Avenue across the street from the project site, is Hollywood High School, zoned PF-1XL.

#### *Streets and Circulation*

Highland Avenue is a designated Modified Major Highway Class II as updated in the recent adoption of the Hollywood Community Plan Update, with a required 35-foot half-width roadway within a 50-foot half foot right-of-way.

Selma Avenue, McCadden Place and Hawthorn Avenue are all classified as Local Streets. According to the street dimensions defined in the General Plan, a Local Street requires a 20-foot half-width roadway within a 30-foot half-width right-of-way in commercial and multiple residential areas.

#### **Conclusion**

As the Project is presently entitled pursuant to the adopted approvals described above, the Department recommends the zone/height district change to remove the "D" Limitation as requested. The conditions of approval as previously approved CPC-2011-2157-ZV-SPR would remain. Building A would be built to an FAR of 3.6:1 as previously approved by the City Planning Commission, and Building B would be built to an FAR of 2.99:1.

The project will provide commercial options at the ground floor and residential units above. As conditioned, the project will be designed in harmony with the existing neighborhood and minimize impacts on neighboring properties. The area is characterized by other mixed-use projects, commercial uses, and high density residential. The project will provide a high quality project that incorporates existing uses on the site and will also provide new housing options for residents. The location is just one block away from a major transit hub, at Hollywood and Highland.

The project, at the recommended floor area, height, scale, design and layout, will be a compatible addition to the local neighborhood and will provide a sense of place to the stretch of Highland Avenue between Hawthorn and Selma Avenues that is distinct and unique in its design. The removal of the "D" Limitation to allow development of the project as approved is compatible with the existing development of the community, consistent with the General Plan Framework Element and Hollywood Community Plan, and is deemed consistent with public necessity, convenience, general welfare and good zoning practice.

## CONDITIONS OF APPROVAL

### A. Entitlement Conditions

1. **Use.** Use of the subject property shall be limited to the use and area provisions of the C4-2D and C4-2-D-SN zone, permitting a mixed use development as defined by 12.16 of the Los Angeles Municipal Code (LAMC), except where conditions herein may be more restrictive. Residential uses and retail commercial uses shall be permitted.

## FINDINGS

### General Plan Findings

1. **General Plan Land Use Designation.** The subject site is located within the Hollywood Community Plan, which was adopted by the City Council on December 13, 1988 (pursuant to Council File 86-0695-S1). The existing Community Plan designates the land use of the subject lots as Regional Center Commercial with corresponding zones of C4-2D and C4-2D-SN. The requested zone change would not change the zone, but would remove a "D" Limitation that limits the FAR on the site to 2:1. The zone change would be consistent with the proposed General Plan Land Use Designation and is in substantial conformance with the purposes, intent and provisions of the General Plan as reflected in the adopted Community Plan.
2. **General Plan Text – Framework Element.** The Citywide General Plan Framework text defines policies related to growth and includes policies for land use, housing, urban form/neighborhood design, open space/conservation, economic development, transportation, and infrastructure/public services. The Framework Element's Land Use Chapter (Chapter Three) establishes general principles to encourage growth and increase land use intensity around transit nodes, to create a pedestrian oriented environment while promoting an enhanced urban experience and provide for places of employment. The proposed project would be in conformance with several goals of the Framework as described below.

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

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

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

The above objectives seek to concentrate commercial development in existing commercial districts and in areas that are able to support such development that are in close proximity to rail and bus transit stations. The site is located along a major transit corridor, Highland Avenue, and is a block from the intersection of Hollywood Boulevard and Highland Avenue. This area is served by local and regional bus lines operated by the Los Angeles County MTA and the Los Angeles DOT, including the MTA Metro Rapid 780 and Metro buses. Additionally, the project is only one block from the Metro Red Line Station at the intersection of Highland Avenue and Hollywood Boulevard. The project takes advantage of the location by offering a mixed-use project with residential units and ground floor commercial uses.

Additionally, the Framework Element's Economic Development Element establishes general principles to encourage economic viability through the distribution of different businesses.

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

*Objective 7.3: Maintain and enhance the existing businesses in the city.*

*Objective 7.6: Maintain a viable retail base in the city to address changing resident and business shopping needs.*

The removal of the "D" Limitation will provide an economic and social benefit to the residential, commercial, and other types of businesses located in the area. As the project was approved for a mixed-use development, it will generate an additional number of employees, who will likely patronize the various retail businesses and restaurants in the area. In addition, it will be a source of jobs for nearby residential uses.

The above objectives seek to concentrate commercial development in existing commercial corridors and in areas that are able to support such development because of their close proximity to rail and bus transit stations. They also encourage the development of general commercial uses, which support community needs. Additionally, this would provide an opportunity for continued investment in the surrounding local Hollywood vicinity.

- 3. Community Plan Text.** The Hollywood Community Plan provides an official guide to the development of the Community, proposing locations for various types of land use. Following are the relevant land use goals and policies:

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

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

*The Hollywood Center shall function as the commercial center for Hollywood and surrounding communities....Developments combining residential and commercial uses are especially encourage in this center area.*

The approved mixed-use developing combining residential and commercial uses is located within the Hollywood Center, identified in the City's Framework Element as a Regional Center. These centers contain a diversity of uses such as corporate and professional offices, retail commercial malls, government buildings, major health facilities, major entertainment and cultural facilities and supporting services. The development of sites and structures integrating housing with commercial uses is encouraged in concert with supporting services, recreational uses, open spaces, and amenities.

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

### Zone Change Findings

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

The approved project, at the intersection of Highland Avenue and Selma Avenue will include the construction of two mixed-use commercial and residential buildings ("Building A and Building B") that will include 248 residential units and 12,785 square feet of retail uses. Building A will consist of 12,291 square feet of retail uses and 134 residential units. Building B will consist of 494 square feet of retail uses and 114 residential units. Both buildings will be constructed to a height of 6 stories.

The applicant is requesting a Zone/Height District change from C4-2D and C4-2D-SN, to C4-2 and C4-2-SN, to remove the "D" Limitation on the site. During the course of the HCPU, the "D" Limitation on the subject site was amended, thereby increasing the FAR from 2:1 FAR to 3:1 FAR. However, the reinstatement of the 1988 Hollywood Community Plan rescinded the limitation to an FAR of 2:1. The City Planning Commission on May 23, 2013 approved Building A to be constructed to a 3.6:1 FAR, and Building B to be constructed to a 2.99:1 FAR.

As the project is entitled pursuant to the adopted approvals described above, the removal of the "D" Limitation to allow development of the project as approved, is consistent with public necessity, convenience, general welfare and good zoning practice. The project will provide a high quality project that incorporates existing uses on the site and will be scaled and massed in a manner compatible to the surrounding development and neighborhood character. The project will provide much needed residential housing in an urban center, and is located just one block away from a major transit hub, at Hollywood and Highland.

The area is characterized by other mixed-use projects, commercial uses, and high density residential. As conditioned, the project will be designed in harmony with the existing neighborhood and minimize impacts on neighboring properties. The project, at the recommended floor area, height, scale, design and layout, will be a compatible addition to the local neighborhood and will provide a sense of place to the stretch of Highland Avenue between Hawthorn and Selma Avenues that is distinct and unique in its design.

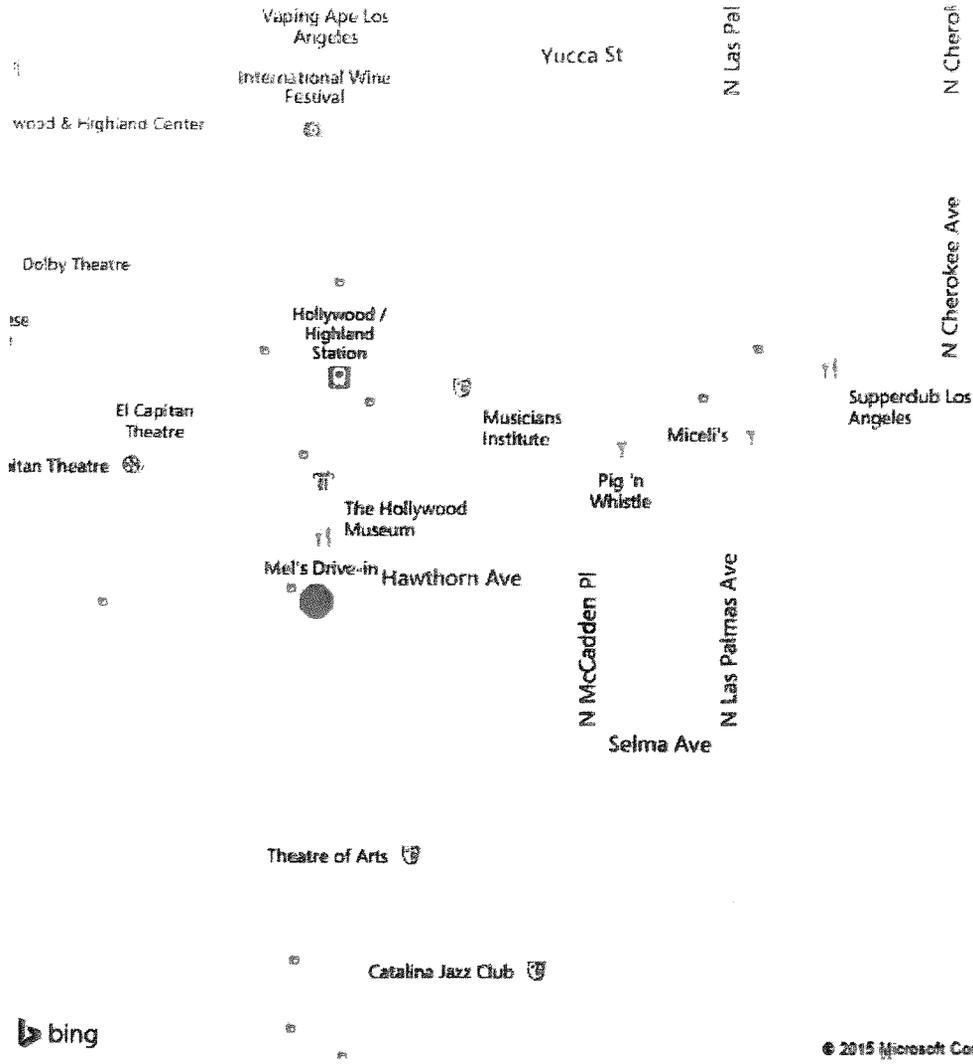
The proposed Zone Change to remove the "D" Limitation preserves and strengthens an existing, viable commercial development within a mixed residential and commercial neighborhood. The recommended Zone Change is consistent with the Regional Commercial Land Use Designation in that the underlying zoning will remain the same. The requested Zone Change is therefore compatible with the existing development of the community, consistent with the Hollywood Community Plan and is consistent with public necessity, convenience, general welfare and good zoning practice. The action, as recommended, has been made contingent upon compliance with the "Q" Conditions imposed herein, which make all future projects subject to discretionary review.

### CEQA Findings

A Mitigated Negative Declaration (ENV-2011-2158-MND) was prepared for the proposed project. On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that, with imposition of the mitigation measures described in the MND, there is no substantial evidence that the proposed project will have a significant effect on the environment. The Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are with the Neighborhoods Projects Division of the Planning Department in Room 621, 200

North Spring Street. The records upon which this decision is based are with the Environmental Review Section of the Planning Department in Room 750, 200 North Spring Street. I hereby adopt that the Mitigated Negative Declaration, imposed the conditions shown in that document on this approval. No specific project is proposed as part of this approval, therefore no new environmental impacts are identified.

# Vicinity Map



Address: 1600-1618 1/2 HIGHLAND AVENUE, 1600-1622 MCCADDEN PLACE,  
6709-6777 W. SELMA AVENUE, LOS ANGELES



15-125

# EXHIBIT A2

RADIUS MAP

CPC-2015-1556-ZC-HD



REQUEST: C2-2D-SN TO C2-2-5N  
C4-2D TO C4-2

## ZONE CHANGE - HEIGHT DISTRICT CHANGE



Quality Mapping Service

14549 Ardenwood St. Suite 301  
Van Nuys, California 91405  
Phone (818) 997-7849 Fax (818) 997-0351  
qmapping@qesams.com

DRAWN BY:

**THOMAS BROTHERS**  
Page: 593 Grid: E-4

**LEGAL**  
LOT: 16-23, 28-29  
TRACT: G.F. STEVENSON TR. MO2  
M.B. 129-122

LOT: 4-8  
TRACT: G.F. STEVENSON TR.  
M.B. 5-122

CONTACT: LINER LAW

**A.P.N.**  
5547-013-(015-017)  
5547-014-(035-039)

**CD:** 13

**CT:** 1907.00

**PA:** 107-HOLLYWOOD

**USES:** FIELD

**SITE ADDRESS**

1600-1618 1/2 HIGHLAND AVENUE  
1600-1622 MC CADDEN PL  
6709-6777 W SELMA AVENUE

**CASE NO.:**

**SCALE:** 1"=100'

**D.M.:** 148.5A185;147A185  
147B181

**PHONE:** 213-694-3100

**DATE:** 04-13-15

Update:

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NET AC. 1.44



QMS: 15-125



# LOS ANGELES CITY PLANNING

200 N. Spring Street, Room 272, Los Angeles, California, 90012, (213) 978-1300  
[www.lacity.org/PLN/index.htm](http://www.lacity.org/PLN/index.htm)

EXHIBIT B

CPC-2011-2157-ZV-SPR

Determination Mailing Date: AUG 12 2013

CASE: CPC-2011-2157-ZV-SPR  
CEQA: ENV-2011-2158-MND

Location: 1600-1618 ½ N. Highland Ave.,  
1600-1622 N. McCadden Place,  
6709-6777 W. Selma Ave.

Council District: 13 – Garcetti

Plan Area: Hollywood

Request(s): Zone Variance, Site Plan Review

Applicant: Robert D. Champion, Highland Selma Venture, LLC  
Representative: Jerry Neuman, Sheppard Mullin, LLC

At its meeting on May 23, 2013, the following action was taken by the City Planning Commission:

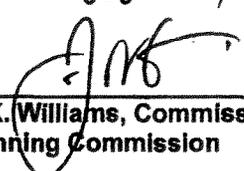
1. **Approved a Zone Variance** from Section 12.21.A.4 of the Los Angeles Municipal Code to permit 538 parking spaces in lieu of the required 584 parking spaces.
2. **Approved a Site Plan Review** for development which creates or results in an increase of 50 or more dwelling units.
3. **Approved** a project that exceeds the allowable 3:1 Floor Area Ratio (FAR) pursuant to the D Limitation on the site for a total FAR of 3.6:1 for Building A.
4. **Adopted** the attached modified **Conditions of Approval**.
5. **Adopted** the attached **Findings**.
6. **Adopted** Mitigated Negative Declaration No. **ENV-2011-2158-MND**.

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: Lessin  
Seconded: Cardoso  
Ayes: Periman, Romero, Roschen  
Absent: Burton, Eng, Freer, Hovaguimian

Vote: 5 - 0

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

**Effective Date/Appeals:** *This action of the City Planning Commission will be final within 15 days from the mailing date on this determination unless an appeal is filed within that time to the City Council. Any appeal not filed within the 15-day period shall not be considered by the Council. The Zone Variances, Zoning Administrator's Adjustments, and Site Plan Review are appealable to the City Council. The Zone Change and Building Line Removal are not appealable*

All appeals shall be filed on forms provided at the Planning Department's public Counters at 201 North Figueroa Street, Third Floor, Los Angeles, or at 6262 Van Nuys Boulevard, Room 251, Van Nuys. Forms are also available on-line at [www.lacity.org/pln](http://www.lacity.org/pln).

FINAL APPEAL DATE: AUG 27 2013

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 90<sup>th</sup> day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Attachments: Modified Conditions of Approval, Findings  
City Planner: Debbie Lawrence

## CONDITIONS OF APPROVAL

### Entitlement Conditions of Approval

1. **Site Plan.** The use and development of the property shall be in substantial conformance with the Plot plan and elevations submitted with the application and marked **Exhibit A**, dated **May 23, 2013**, and attached to the administrative file. Prior to the issuance of building permits, revised, detailed development plans that show compliance with all conditions of approval, including complete landscape and irrigation plans, shall be submitted to the City Planning Department for review.
2. **Use.** Use of the subject property shall be limited to the use and area provisions of the C4-2D and C4-2D-SN zone, permitting a mixed use development as defined by 12.16 of the Los Angeles Municipal Code (LAMC), except where conditions herein may be more restrictive. Residential uses and retail commercial uses shall be permitted.
3. **Height – Building A.** The building shall be limited to a height of 82 feet and 6 inches, as defined by the LAMC Section 12.03. Any structures on the roof, such as air conditioning units and other equipment, shall be fully screened from view of any abutting properties.
4. **Height – Building B.** The building shall be limited to a height of 80 feet and 6 inches, as defined by the LAMC Section 12.03. Any structures on the roof, such as air conditioning units and other equipment, shall be fully screened from view of any abutting properties.
5. **Floor Area Ratio (FAR).** Building A shall not exceed an FAR of 3.60:1. Building B shall not exceed an FAR of 2.99:1. The total floor area of non-residential, ground-floor retail commercial uses in Building A shall not exceed 12,291 square feet, as defined by Section 12.03 of the LAMC. The total floor area of non-residential, ground-floor commercial uses shall not exceed 494 square feet as defined by Section 12.03 of the LAMC.
6. **Residential Density.** Not more than 134 dwelling units may be constructed in Building A. Not more than 114 dwelling units may be constructed in Building B. The site is subject to 12.22 A.18 (a) allowing a density of 1 unit per each 200 square feet of lot area; however, the project is conditioned to be constructed below the allowable density pursuant to the Environmental Clearance adopted as part of this action.
7. **Parking.** The project shall provide parking pursuant to LAMC Section 12.21.A.4. for dwelling units. The project shall provide parking pursuant to LAMC 12.21 A.4(x)(3) for commercial floor area. However, notwithstanding Section 12.21 A.4 of the LAMC, the project shall be permitted to provide a maximum of 538 parking spaces in lieu of the required 584 parking spaces, per the approved Parking Variance.
  - a. **Building A:** A total of 276 parking spaces shall be provided. 179 residential parking spaces shall be permitted in lieu of the required 203 spaces per 12.21 A.4 (a difference of 24 spaces). 68 parking spaces shall be reserved per a required Covenant and Agreement. 29 commercial parking spaces shall be required per the LAMC Section 12.21 A.4(x)(3).

- b. Building B: A total of 262 parking spaces shall be provided. 139 residential parking spaces shall be permitted in lieu of the required 166 parking spaces per LAMC 12.21 A.4 (a difference of 27 spaces). 121 parking spaces shall be reserved per a required Covenant and Agreement. Two retail commercial parking spaces shall be provided pursuant to LAMC Section LAMC 12.21 A.4(x)(3).
8. **Setbacks.** All setbacks shall be provided as required per LAMC Section 12.22 A.18 (c) (3) for projects combining commercial and residential uses.
9. **Landscape Plan.** All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the Planning Department.
10. **Dedication(s) and Improvement(s).** The following requirements must be guaranteed before the issuance of any building permit through the B-permit process of the Bureau of Engineering. Improvements must be constructed and completed prior to issuance of any Certificate of Occupancy to the satisfaction of the Department of Transportation (DOT) and the Bureau of Engineering (BOE).

Dedication Required:

**Alley (E/o Highland Avenue)** – A 2-foot wide strip of land along the east and west sides of the alley limited to above the elevation of 14 inches below the alley roadway surface to complete a 20-foot total right-of-way in accordance with alley standards. An alley vacation request for an airspace portion of the alley north of Selma Avenue has been submitted and is being processed for Council approval under Engineering File No. VAC-E1401220. Adjacent to the airspace vacation area the limited alley dedication shall also have limits matching the vacation limits. Additional requirements may be imposed in conjunction with the alley vacation.

Improvements Required:

**Highland Avenue** – Repair any broken, off-grade or bad order concrete curb, gutter and sidewalk. Upgrade all driveways to comply with ADA requirements. Close any unused driveways with standard curb height, concrete gutter and sidewalk.

**McCadden Place East Side** – Repair any broken, off-grade or bad order concrete curb, gutter and sidewalk. Construct additional concrete sidewalk at the corner with Selma Avenue. Close any unused driveways with standard curb height, concrete gutter and sidewalk.

**Selma Avenue** – Repair any broken, off-grade or bad order concrete curb, gutter and sidewalk. Close any unused driveways with standard curb height, concrete gutter and sidewalk.

**Alley** – Reconstruct the alley to provide a 20-foot wide alley, including a 2-foot longitudinal concrete gutter along the center of the alley. Construct the alley intersection at Selma Avenue to City standards.

Install tree wells with root barriers and plant street trees satisfactory to the City Engineer and the Urban Forestry Division of the Bureau of Street Services. Some tree removal in conjunction with the street improvement project may require Board of Public Works approval. The applicant should contact the Urban Forestry Division for further information (213) 847-3077.

Trees: That Board of Public Works approval shall be obtained, prior to the issuance of the Certificate of Occupancy of the development project, for the removal of any tree in the existing or proposed public right-of-way. The Bureau of Street Services, Urban Forestry Division is the lead agency for obtaining Board of Public Works approval for the removal of such trees.

Removal of street trees is required in conjunction with the street widening for this project. Please include the tree removal issue in your public hearing notice for this application.

Notes: Street lighting and street light relocation may be required satisfactory to the Bureau of Street Lighting (213) 847-1551.

Department of Transportation may have additional requirements for dedication and improvements.

Refer to the Department of Transportation regarding traffic signals, signs, equipment and parking meters (213) 482-7024.

Refer to the Department of Water and Power regarding power pole (213) 367-2715.

Refer to the Fire Department regarding fire hydrants (213) 482-6543.

Catch basins exist in McCadden Place. Relocate catch basins per B-Permit plan check requirements. Roof drainage and surface run-off from the project shall be collected and treated at the site and directed to the streets via drain system constructed under the sidewalk and through the curb drains connected to the catch basins.

Sewer lines exist in Highland Avenue, McCadden Place and Selma Avenue. Extension of the 6-inch house connection laterals to the new property line will be required. All Sewerage Facilities Charges and Bonded Sewer Fees are to be paid prior to obtaining a building permit.

An investigation by the Bureau of Engineering Central District Office Sewer Counter may be necessary to determine the capacity of the existing public sewers to accommodate the proposed development. Submit a request to the Central District Office of the Bureau of Engineering at (213) 482-7050.

Submit shoring and lateral support plans to the Bureau of Engineering Excavation Counter for review and approval prior to excavating adjacent to the public right-of-way (213) 482-7048.

Submit parking area and driveway plan to the Central District Office of the Bureau of Engineering and the Department of Transportation for review and approval.

11. **Street Trees.** If determined necessary, construct tree wells with root barriers and plant street trees satisfactory to the City Engineer and the Urban Forestry Division (213) 485-5675 of the Bureau of Street Services.
12. **Building A, Landscape Setbacks.** The plans shall be revised so that the open space setback located on the second floor of Building A includes a landscape buffer adjacent to the property line for the full length of the building. Currently this landscape buffer comprises approximately 50% length of the building along the edge of the property line; this buffer shall be revised to comprise 100% of the length of this area.
13. **Building A, East Wall Setback.** The east facing wall of Building A shall be pushed back 12 inches from the eastern property line in order to accommodate the landscaping in the courtyard, which is set back 18 feet at the top of the wall. This landscaping shall consist of green vine planting that grows downward from the courtyard on the outside of the wall facing the building located at 6753 Selma Avenue. Modified plans shall be submitted to the Department of City Planning for review.
14. **FAR Chart.** The chart as shown on Exhibit B, Sheet G100, shall be revised to correctly reference allowable FAR under Current Zoning and eliminate the column regarding "Draft Community Plan" as the Hollywood Community Plan is now adopted.
15. **Transformer.** The Department of Water and Power (DWP) has amended their regulations regarding the location of required project transformers and these may now be located within the building. The applicant shall explore alternative locations for the proposed transformer as indicated on Exhibit B, Sheet A000 for Building B. If no alternative location is achieved, the applicant shall submit a letter from DWP that the proposed transformer location is the only location option for the required transformer; this letter shall be placed in the case file. If an interior building location is achieved, then the portion of the building where the transformer is currently located shall be re-designed to eliminate the setback as depicted.
16. **Window Transparency.** A note shall be added to the Project Elevations to indicate that all ground-floor windows shall be comprised of non-reflective, transparent glass. Any at-grade parking uses shall not be visible from the exterior of the building. Architectural treatments, or other design features shall be used to ensure the parking is not visible from the exterior of the building.
17. **Bicycle Parking.** Bicycle parking and secure storage facilities shall be provided in the garage areas of Buildings A and B per the City of Los Angeles Bicycle Ordinance (182,386) for residents and commercial uses. Modified plans shall be submitted to the Department of City Planning for review.

### Environmental Conditions

18. **Aesthetics (Landscape Plan).** All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan and an automatic irrigation plan, prepared by a licensed Landscape Architect and to the satisfaction of the decision maker.

**19. Aesthetics (Vandalism).**

- a. Every building, structure, or portion thereof, shall be maintained in a safe and sanitary condition and good repair, and free from, debris, rubbish, garbage, trash, overgrown vegetation or other similar material, pursuant to Municipal Code Section 91.8104.
- b. The exterior of all buildings and fences shall be free from graffiti when such graffiti is visible from a street or alley, pursuant to Municipal Code Section 91.8104.15.

**20. Aesthetics (Signage)**

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

**21. Aesthetics (Signage on Construction Barriers)**

- a. The applicant shall affix or paint a plainly visible sign, on publically accessible portions of the construction barriers, with the following language: "POST NO BILLS".
- b. Such language shall appear at intervals of no less than 25 feet along the length of the publically accessible portions of the barrier.
- c. The applicant shall be responsible for maintaining the visibility of the required signage and for maintaining the construction barrier free and clear of any unauthorized signs within 48 hours of occurrence.

**22. Aesthetics (Light).** Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties or the public right-of-way.

**23. Aesthetics (Glare).** The exterior of the proposed structure shall be constructed of materials such as, but not limited to, high-performance and/or non-reflective tinted glass (no mirror-like tints or films) and pre-cast concrete or fabricated wall surfaces to minimize glare and reflected heat.

**24. Air Pollution (Demolition, Grading, and Construction Activities)**

- a. All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50 percent.
- b. The construction area shall be kept sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
- c. All clearing, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
- d. All dirt/soil loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.

- e. All dirt/soil materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
  - f. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
  - g. Trucks having no current hauling activity shall not idle but be turned off.
25. **Air Pollution (Stationary).** An air filtration system shall be installed and maintained with filters meeting or exceeding the ASHRAE Standard 52.2 Minimum Efficiency Reporting Value (MERV) of 11, to the satisfaction of the Department of Building and Safety.
26. **Tree Report.** Prior to the issuance of a grading or building permit, the applicant shall prepare and submit a Tree Report, prepared by a Tree Expert as defined in LAMC Section 17.02, indicating the location, size, type, and condition of all existing trees on the site. Such report shall also contain a recommendation of measures to ensure the protection, relocation, or replacement of affected trees during grading and construction activities.
27. **Tree Removal (Non-Protected Trees)**
- a. Prior to the issuance of any permit, a plot plan shall be prepared indicating the location, size, type, and general condition of all existing trees on the site and within the adjacent public right(s)-of-way.
  - b. All significant (8-inch or greater trunk diameter, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) non-protected trees on the site proposed for removal shall be replaced at a 1:1 ratio with a minimum 24-inch box tree. Net, new trees, located within the parkway of the adjacent public right(s)-of-way, may be counted toward replacement tree requirements.
  - c. Removal or planting of any tree in the public right-of-way requires approval of the Board of Public Works. Contact Urban Forestry Division at: 213-847-3077. All trees in the public right-of-way shall be provided per the current standards of the Urban Forestry Division the Department of Public Works, Bureau of Street Services.
28. **Tree Removal (Public Right-of-Way)**
- a. Removal of trees in the public right-of-way requires approval by the Board of Public Works.
  - b. The required Tree Report shall include the location, size, type, and condition of all existing trees in the adjacent public right-of-way and shall be submitted for review and approval by the Urban Forestry Division of the Bureau of Street Services, Department of Public Works (213-847-3077).
  - c. The plan shall contain measures recommended by the tree expert for the preservation of as many trees as possible. Mitigation measures such as replacement by a minimum of 24-inch box trees in the parkway and on the site, on a 1:1 basis, shall be required for the unavoidable loss of significant (8-inch or greater trunk diameter, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) trees in the public right-of-way.
  - d. All trees in the public right-of-way shall be provided per the current Urban Forestry Division standards.

### 29. Cultural Resources (Archaeology)

- a. If any archaeological materials are encountered during the course of project development, all further development activity shall halt in the areas of archaeological sensitivity (Excavation or disturbance may continue in other areas of the Project Site that are not reasonably suspected to overlie adjacent archaeological resources), and:
  - The services of an archaeologist shall then be secured by contacting the South Central Coastal Information Center (657-278-5395) located at California State University Fullerton, or a member of the Society of Professional Archaeologist (SOPA) or a SOPA-qualified archaeologist, who shall assess the discovered material(s) and prepare a survey, study or report evaluating the impact.
  - The archaeologist's survey, study or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource.
  - The applicant shall comply with the recommendations of the evaluating archaeologist, as contained in the survey, study or report.
- b. Project development activities may resume once copies of the archaeological survey, study or report are submitted to:

SCCIC Department of Anthropology  
McCarthy Hall 477 CSU Fullerton  
800 North State College Boulevard  
Fullerton, CA 92834
- c. Prior to the issuance of any building permit, the applicant shall submit a letter to the case file indicating what, if any, archaeological reports have been submitted, or a statement indicating that no material was discovered.
- d. A covenant and agreement binding the applicant to this condition shall be recorded prior to issuance of a grading permit.

### 30. Cultural Resources (Paleontology)

- a. If any paleontological materials are encountered during the course of project development, all further development activities shall halt in the areas of paleontological sensitivity (Excavation or disturbance may continue in other areas of the Project Site that are not reasonably suspected to overlie adjacent paleontological resources), and:
  - The services of a paleontologist shall then be secured by contacting the Center for Public Paleontology - USC, UCLA, California State University Los Angeles, California State University Long Beach, or the Los Angeles County Natural History Museum - who shall assess the discovered material(s) and prepare a survey, study or report evaluating the impact.
  - The paleontologist's survey, study or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource.
  - The applicant shall comply with the recommendations of the evaluating paleontologist, as contained in the survey, study or report.

- Project development activities may resume once copies of the paleontological survey, study or report are submitted to the Los Angeles County Natural History Museum.
- b. Prior to the issuance of any building permit, the applicant shall submit a letter to the case file indicating what, if any, paleontological reports have been submitted, or a statement indicating that no material was discovered.
- c. A covenant and agreement binding the applicant to this condition shall be recorded prior to issuance of a grading permit.

### 31. Cultural Resources (Human Remains)

- a. In the event that human remains are discovered during excavation activities (Excavation or disturbance may continue in other areas of the Project Site that are not reasonably suspected to overlie adjacent remains), the following procedure shall be observed:
  - Stop immediately and contact the County Coroner:  
1104 N. Mission Road  
Los Angeles, CA 90033  
323-343-0512 (8 a.m. to 5 p.m. Monday through Friday) or  
323-343-0714 (After Hours, Saturday, Sunday, and Holidays)
  - The coroner has two working days to examine human remains after being notified by the responsible person. If the remains are Native American, the Coroner has 24 hours to notify the Native American Heritage Commission.
  - The Native American Heritage Commission will immediately notify the person it believes to be the most likely descendent of the deceased Native American.
  - The most likely descendent has 48 hours to make recommendations to the owner, or representative, for the treatment or disposition, with proper dignity, of the human remains and grave goods.
  - If the descendent does not make recommendations within 48 hours the owner shall reinter the remains in an area of the property secure from further disturbance, or;
  - If the owner does not accept the descendant's recommendations, the owner or the descendent may request mediation by the Native American Heritage Commission.
- b. *Discuss and confer* means the meaningful and timely discussion careful consideration of the views of each party. In the event that human remains are discovered, there shall be no disposition of such human remains, other than in accordance with the procedures and requirements set forth in California Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98. These code provisions require notification of the County Coroner and the Native American Heritage Commission, who in turn must notify those persons believed to be most likely descended from the deceased Native American for appropriate disposition of the remains.

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

31. **Erosion/Grading/Short-Term Construction Impacts.** The applicant shall provide staked signage at the site with a minimum of 3-inch lettering containing contact information for the Senior Street Use Inspector (Department of Public Works), the Senior Grading Inspector (LADBS) and the hauling or general contractor.
- a. Chapter IX, Division 70 of the Los Angeles Municipal Code addresses grading, excavations, and fills. All grading activities require grading permits from the Department of Building and Safety. Additional provisions are required for grading activities within Hillside areas. The application of BMPs includes but is not limited to the following mitigation measures:
- Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), diversion dikes shall be constructed to channel runoff around the site. Channels shall be lined with grass or roughened pavement to reduce runoff velocity.
  - Stockpiles, excavated, and exposed soil shall be covered with secured tarps, plastic sheeting, erosion control fabrics, or treated with a bio-degradable soil stabilizer.
32. **Grading Plan.** The grading plan shall conform with the City's Landform Grading Manual guidelines, subject to approval by the Advisory Agency and the Department of Building and Safety's Grading Division.

Appropriate erosion control and drainage devices shall be provided to the satisfaction of the Building and Safety Department. These measures include interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code, including planting fast-growing annual and perennial grasses in areas where construction is not immediately planned.

**33. Geotechnical Report**

- a. Prior to the issuance of grading or building permits, the applicant shall submit a geotechnical report, prepared by a registered civil engineer or certified engineering geologist, to the Department of Building and Safety, for review and approval. The geotechnical report shall assess potential consequences of any soil strength loss, estimation of settlement, lateral movement or reduction in foundation soil-bearing capacity, and discuss mitigation measures that may include building design consideration. Building design considerations shall include, but are not limited to: ground stabilization, selection of appropriate foundation type and depths, selection of appropriate structural systems to accommodate anticipated displacements or any combination of these measures.
- b. The project shall comply with the conditions contained within the Department of Building and Safety's Geology and Soils Report Approval Letter for the proposed project, and as it may be subsequently amended or modified.
- c. The existing fill materials that are not suitable for support of the proposed foundations, floor slabs, or additional fill shall be removed during excavation

of the proposed subterranean levels. All foundations may bear in native earth materials found at the level of the proposed excavation.

- d. Excavation of the proposed subterranean levels shall require shoring measures to provide a stable working area due to the proposed depth, nature of onsite soils, and the presence of and proximity of adjacent structures.
- e. Any fill material and any fill generated during demolition shall be removed during excavation for the proposed subterranean parking levels.
- f. All vegetation, existing fill, and soft or disturbed earth materials shall be removed to receive controlled fill. The excavations areas shall be observed by a geotechnical engineer prior to placing compacted fill.
- g. Any vegetation or associated root system located within the footprint of the proposed structures shall be removed during grading. Any existing or abandoned utilities shall be removed or relocated as appropriate.
- h. All fill shall be mechanically compacted in layers not more than 8 inches thick. All fill shall be compacted to at least 90 or 95 percent of the maximum laboratory density (according to test method ASTM D 1557-07 or equivalent) or the materials used.

34. **Underground Storage Tanks.** Removal of the underground storage tank (in accordance with LAFD requirements) and suspected septic tank; and over-excavation of impacted soil (if encountered) shall occur before construction begins.

35. **Polychlorinated Biphenyls**

- a. Any lighting ballast not specifically labeled as not containing polychlorinated biphenyls (PCB) is presumed to contain them and shall require special disposal practices when eventually discarded.
- b. Prior to issuance of a demolition permit, a PCB abatement contractor shall conduct a survey of the project site to identify and assist with compliance with applicable state and federal rules and regulation governing PCB removal and disposal.

36. **Wastewater.** The below-grade, two-stage used cooking grease trap located on the southern side of the 1618 North Highland Avenue parcel (site of the former restaurant) shall be removed during development.

37. **Emergency Evacuation Plan (Building over 75 feet in height).** Prior to the issuance of a building permit, the applicant shall develop an emergency response plan in consultation with the Fire Department. The emergency response plan 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.

38. **Stormwater Pollution (Demolition, Grading, and Construction Activities).**

- a. Sediment carries with it other work-site pollutants such as pesticides, cleaning solvents, cement wash, asphalt, and car fluids that are toxic to sea life.
- b. Leaks, drips and spills shall be cleaned up immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.

- c. All vehicle/equipment maintenance, repair, and washing shall be conducted away from storm drains. All major repairs shall be conducted off-site. Drip pans or drop clothes shall be used to catch drips and spills.
- d. Pavement shall not be hosed down at material spills. Dry cleanup methods shall be used whenever possible.
- e. Dumpsters shall be covered and maintained. Uncovered dumpsters shall be placed under a roof or be covered with tarps or plastic sheeting.

**39. Low Impact Development (LID) (For Residential development of 5 units or more)**

- a. The Project Applicant shall implement stormwater BMPs to capture and manage 100 % from a storm event producing  $\frac{3}{4}$  inch of rainfall in a 24-hour period in the following order of priority: infiltration, capture and reuse, City approved bio-filtration/retention system BMP or combination of the above. The design of structural BMPs shall be in accordance with the LID Section of the Development Best Management Practices Handbook Part B Planning Activities.
- b. If the Bureau of Sanitation Stormwater Protection Division determines that the above 100 % capture is infeasible, then the Project Applicant shall implement offsite mitigation within the same sub-watershed for the same. Prior to issuance of a building permit, the Applicant shall be required to verify the Stormwater Protection Division's approval of the LID strategies and submit a signed certificate from a California licensed civil engineer or licensed architect that the proposed BMPs meet this numerical threshold.

**40. Increased Noise Levels (Demolition, Grading, and Construction Activities)**

- a. The project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
- b. 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.
- c. Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- d. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- e. The use of those pieces of construction equipment or construction methods with the greatest peak noise generation potential shall be minimized. Examples include the use of drill rigs and jackhammers.
- f. Noise and groundborne vibration 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- and vibration-sensitive land uses, and natural and/or manmade barriers (e.g., intervening construction trailers) shall be used to screen propagation of noise from such activities towards these land uses to the maximum extent possible. In addition, to ensure vibration levels experienced by residents at 6753 Selma Avenue would not exceed the FTA's 80 VdB thresholds for residences:

- No large bulldozer or caisson drilling shall be used within 50 feet of the building at 6753 Selma Avenue.
- g. Barriers such as, but not limited to, plywood structures or flexible sound control curtains extending eight feet in height shall be erected around the Project Site's western, southern, and eastern boundaries to minimize the amount of noise during construction on the nearby noise-sensitive uses located offsite.
- h. Flexible sound control curtains shall be placed around drilling apparatuses and drill rigs used within the Project Site to the extent feasible.
- i. All construction truck traffic shall be restricted to truck routes approved by the City's Department of Building and Safety, which shall avoid residential areas and other sensitive receptors to the extent feasible.
- j. Adjacent land uses within 300 feet of the construction site shall be notified about the estimated duration and hours of construction activity at least 30 days before the start of construction.

**41. Increased Noise Levels (Parking Structure Ramps)**

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

**42. Increased Noise Levels (Mixed-Use Development).** Wall and floor-ceiling assemblies separating commercial tenant spaces, residential units, and public places, shall have a Sound Transmission Coefficient (STC) value of at least 50, as determined in accordance with ASTM E90 and ASTM E413.

**43. Severe Noise Levels (Residential Fronting on Major or Secondary Highway, or adjacent to a Freeway)**

- a. All exterior windows having a line of sight of a Major or Secondary Highway shall be constructed with double-pane glass and use exterior wall construction which provides a Sound Transmission Coefficient (STC) value of 50, as determined in accordance with ASTM E90 and ASTM E413, or any amendment thereto.
- b. 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.

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

**45. Public Services (Police – Demolition/Construction Sites).** Fences shall be

constructed around the site to minimize trespassing, vandalism, short-cut attractions and attractive nuisances.

46. **Public Services (Police).** The plans shall incorporate the design guidelines relative to security, semi-public and private spaces, which may include but not be limited to access control to building, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provision of security guard patrol throughout the project site if needed. Please refer to "Design Out Crime Guidelines: Crime Prevention Through Environmental Design", published by the Los Angeles Police Department. Contact the Community Relations Division, located at 100 W. 1st Street, #250, Los Angeles, CA 90012; (213) 486-6000. These measures shall be approved by the Police Department prior to the issuance of building permits.

47. **Public Services (Construction Activity Near Schools)**

- a. The developer and contractors shall maintain ongoing contact with administrator of Hollywood High School. The administrative offices shall be contacted when demolition, grading and construction activity begin on the project site so that students and their parents will know when such activities are to occur. The developer shall obtain school walk and bus routes to the schools from either the administrators or from the LAUSD's Transportation Branch (323)342-1400 and guarantee that safe and convenient pedestrian and bus routes to the school be maintained.
- b. The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.
- c. There shall be no staging or parking of construction vehicles, including vehicles to transport workers on any of the streets adjacent to the school.
- d. Due to noise impacts on the schools, no construction vehicles or haul trucks shall be staged or idled on these streets during school hours.

48. **Public Services (Schools).** The applicant shall pay school fees to the Los Angeles Unified School District to offset the impact of additional student enrollment at schools serving the project area.

49. **Recreation (Increased Demand for Parks or Recreational Facilities).** Pursuant to Section 21.10 of the Los Angeles Municipal Code, the applicant shall pay the Dwelling Unit Construction Tax for construction of apartment buildings.

50. **Transportation (Construction).** A construction work site traffic control plan shall be submitted to LADOT's Hollywood-Wilshire District office for review and approval prior to the start of any construction work. The plan shall 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. All construction-related traffic shall be restricted to off-peak hours (between 9 AM and 4 PM).

51. **Transportation (Haul Route)**

- a. The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.

- b. (*Non-Hillside*): Projects involving the import/export of 20,000 cubic yards or more of dirt shall obtain haul route approval by the Department of Building and Safety.

- 52. **Highway Dedication and Street-Widening Requirements.** The applicant shall check with the Bureau of Engineering's (BOE) Land Development Group to determine what the specific highway dedication, street widening and/or sidewalk requirements are for this project.
- 53. **Inadequate Emergency Access.** The applicant shall submit a parking and driveway plan to the Bureau of Engineering and the Department of Transportation for approval that provides code-required emergency access.
- 54. **Driveway Access and Circulation.** The project proposes to provide access to the parking garages for the commercial uses from the existing north-south alley. The alley, which is currently underutilized since it has not been improved to standards, would need to be improved to accommodate project traffic. The review of this study does not constitute approval of the driveway access and circulation scheme. Those require separate review and approval and shall be coordinated as soon as possible with LADOT'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.

The applicant, prior to the commencement of building or parking layout design efforts, shall contact LADOT for driveway width and internal circulation requirements. This would ensure that 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 pick-up and drop-off activities shall take place on-site. All driveways shall be Case 2 driveways and 30 feet wide for two-way operations. Any proposed gates shall have a minimum 20' reservoir space from the property line.

- 55. **Development Review Fees.** The applicant shall comply with any applicable fees per Ordinance No. 180542 (effective March 28, 2009), which identifies specific fees paid to LADOT for traffic study review, condition clearance, and permit issuance.
- 56. **Wastewater Treatment Facilities and Existing Infrastructure.** As part of the normal construction/building permit process, the Project Applicant shall confirm with the City that the capacity of the local and trunk lines are sufficient to accommodate the Project's wastewater flows during the construction and operation phases. If the public sewer has insufficient capacity, then the Project Applicant shall be required to build sewer lines to a point in the sewer system with sufficient capacity.
  - i. The Project Applicant shall implement any upgrade to the wastewater system serving the Project Site that could be needed to accommodate the Project's wastewater generation.
  - ii. The Project Applicant shall implement water conservation measures that would also reduce wastewater flows.
- 57. **Water Treatment Facilities and Existing Infrastructure**
  - a. As part of the normal construction/building permit process, the Project Applicant shall confirm with the City that the capacity of the existing water

infrastructure can supply the domestic needs of the Project during the construction and operation phases.

- b. The Project Applicant shall implement any upgrade to the water infrastructure serving the Project Site that could be needed to accommodate the Project's water consumption needs.

**58. Utilities (Local Water – Landscaping)**

- a. 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).
- b. In addition to the requirements of the Landscape Ordinance, the landscape plan shall incorporate the following:
  - Weather-based irrigation controller with rain shutoff
  - Matched precipitation (flow) rates for sprinkler heads
  - Drip/microspray/subsurface irrigation where appropriate
  - Minimum irrigation system distribution uniformity of 75 percent
  - Proper hydro-zoning, turf minimization and use of native/drought tolerant plan materials
  - Use of landscape contouring to minimize precipitation runoff
- c. A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for existing and expanded irrigated landscape areas totaling 5,000 sf. And greater.

**59. Utilities (Local Water Supplies – All New Construction)**

- a. If conditions dictate, the Department of Water and Power may postpone new water connections for this project until water supply capacity is adequate.
- b. Install high-efficiency toilets (maximum 1.28 gpf), including dual-flush water closets, and high-efficiency urinals (maximum 0.5 gpf), including no-flush or waterless urinals, in all restrooms as appropriate.
- c. Install restroom faucets with a maximum flow rate of 1.5 gallons per minute.
- d. A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for all landscape irrigation uses.
- e. Single-pass cooling equipment shall be strictly prohibited from use. Prohibition of such equipment shall be indicated on the building plans and incorporated into tenant lease agreements. (Single-pass cooling refers to the use of potable water to extract heat from process equipment, e.g. vacuum pump, ice machines, by passing the water through equipment and discharging the heated water to the sanitary wastewater system.)

**60. Utilities (Local Water Supplies – New Residential)**

- a. Install no more than one showerhead per shower stall, having a flow rate no greater than 2.0 gallons per minute.
- b. Install and utilize only high-efficiency clothes washers (water factor of 6.0 or less) in the project, if proposed to be provided in either individual units and/or in a common laundry room(s). If such appliance is to be furnished by

- a tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance.
- c. Install and utilize only high-efficiency Energy Star-rated dishwashers in the project, if proposed to be provided. If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance.
61. **Utilities (Solid Waste Recycling).** To facilitate on-site separation and recycling of demolition and construction-related wastes, the contractor(s) shall provide temporary waste separation bins on-site during demolition and construction. These bins shall be emptied and the contents recycled accordingly as a part of the project's regular solid waste disposal program.
62. **Utilities (Solid Waste Recycling).** Prior to the issuance of any construction permit, the Project Applicant shall provide a copy of the receipt or contract from a waste disposal company providing services to the project, specifying recycled waste service(s), to the City of Los Angeles Department of Building and Safety. The construction contractor(s) shall only contract for waste disposal services with a company that recycles construction-related waste.
63. **Utilities (Solid Waste Disposal).** All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle demolition and construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, bricks, metals, wood, and vegetation. Non-recyclable materials/wastes shall be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.

#### **Administrative Conditions of Approval**

64. **Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building and Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building and Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building and Safety shall be stamped by Department of City Planning staff "Final Plans". A copy of the Final Plans, supplied by the applicant, shall be retained in the subject case file.
65. **Notations on Plans.** Plans submitted to the Department of Building and Safety, for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet, and shall include any modifications or notations required herein.
66. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.
67. **Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.

68. **Department of Building and Safety.** The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building and Safety Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Department of Building and Safety for Building Code compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
69. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
70. **Expiration.** In the event that this grant is not utilized within three years of its effective date (the day following the last day that an appeal may be filed), the grant shall be considered null and void. Issuance of a building permit, and the initiation of, and diligent continuation of, construction activity shall constitute utilization for the purposes of this grant.
71. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all of the information contained in these conditions shall be recorded by the property owner in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent owners, heir, or assigns. Further, the agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a Certified Copy bearing the Recorder's number and date must be given to the City Planning Department for attachment to the subject file.
72. **Indemnification.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees relating to or to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

## FINDINGS

### Entitlement Findings

The proposed project, two buildings located at the intersection of Highland Avenue and Selma Avenue and McCadden Place and Selma Avenue, will include the construction of two mixed-use commercial and residential buildings ("Building A and Building B") that will include 248 residential units and 12,785 square feet of retail uses. Building A will consist of a total of 138,947 square feet - 12,291 square feet of retail uses and 134 residential units. Building B will consist of a total of 110,775 square feet - 494 square feet of retail uses and 114 residential units. Both buildings will be constructed to a height of 6 stories (Building A will be 82' 6" in height and Building B will be 80' 6" in height).

The project is located within the Hollywood Community Plan area. The current plan was adopted by the City Council on June 19, 2012. This particular case, CPC-2011-2157- ZC-HD-CU-ZV-SPR was filed in 2011, prior to the adoption date of the Hollywood Community Plan. When this case was filed, the site was subject to a "D" Limitation that limited the allowable Floor Area Ratio (FAR) on the site to 2:1. At the time, 22 parcels of land within the site were under common ownership, and the property owner wished to average the allowable Floor Area over the parcels so that some parcels could exceed the allowable FAR, while other parcels would have less than the allowable FAR. Therefore, the applicant initially requested a Zone Change to remove the "D" Limitation to increase the allowable FAR on the site to 2.42:1 and a Unified Development to average the FAR on the site.

The current Hollywood Community Plan, during the course of the update, amended the "D" Limitation, thereby increasing the FAR on the site from the previous limitation of 2:1 FAR. The Plan identifies the project location as a Mixed-Use Incentive Area, where the minimum 3:1 FAR is encouraged and where a maximum of 6:1 FAR may be considered with City Planning Commission Approval. Provided the project is approved by the City Planning Commission or the City Council on appeal and conforms with the Hollywood Community Plan policies, a 6:1 FAR may be considered. Building A, as proposed, would be constructed to a 3.6:1 FAR, requiring City Planning Commission Approval, while Building B provides a 2.99:1 FAR, which is just below the maximum of 3:1.

**1. Variance Findings for Reduced Parking.** Pursuant to Section 12.27 of the LAMC a Variance from Section 12.21 A.4 of the LAMC to permit 538 parking spaces in lieu of the required 584 parking spaces.

- a. *The strict application of the provisions of the zoning ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purposes and intent of the zoning regulations.*

The project seeks a parking variance to permit 538 parking spaces in lieu of the required 584 parking spaces. This is a reduction of 46 spaces from the total required amount. In Building A, the project proposes 179 residential parking spaces where 203 parking spaces are required. In Building B the applicant proposes 139 residential parking spaces where 166 spaces are required. This required number of 584 parking spaces also includes 189 parking spaces that are required pursuant to off-street parking covenants.

The LAMC sets forth certain requirements for general parking requirements for multifamily residential dwelling units. These general requirements, however, do not account for the specific design, existing parking covenants, and the location

of the project. Therefore, the strict application of LAMC required parking requirements will result in practical difficulties and unnecessary hardships inconsistent with the general purposes and intent of the zoning regulations.

Several parcels on the site include surface parking lots, subject to off-street parking covenants that require the set aside of 189 parking spaces. The project proposes to include all required parking covenants within subterranean, structured parking as part of the development of Buildings A and B. The two subterranean parking structures provide a total of 538 parking spaces. The fact that these surface parking lots are encumbered with these parking covenants creates a hardship for the development of the new project.

The site is located along a major transit corridor, Highland Avenue, and is a block from the intersection of Hollywood Boulevard and Highland Avenue. This area is served by local and regional bus lines operated by the Los Angeles County MTA and the Los Angeles DOT, including the MTA Metro Rapid 780 and Metro buses. Additionally, the project is only one block from the Metro Red Line Station at the intersection of Highland Avenue and Hollywood Boulevard. The project takes advantage of the location by offering a mixed-use project with 248 residential units and ground floor commercial uses. These location and project features reduce the need for code required parking. In addition, the applicant will be providing bicycle parking for the residential and commercial uses to meet the requirements of the City's Bicycle Ordinance (182,386), although the project was filed prior to the effective date of this Ordinance (March 2013). New or existing automobile parking spaces required by the LAMC for all uses may be replaced by bicycle parking at a ratio of one automobile parking space for every four bicycle parking spaces provided. Automobile parking spaces for residential projects or buildings located within 1,500 feet of a portal of a fixed rail transit station may replace up to 15 percent of the required automobile parking spaces with bicycle parking. Granting the parking variance meets the general intent and purpose of the LAMC parking requirements, and will concurrently eliminate unnecessary hardships and practical difficulties that are not shared by similar properties in the project vicinity.

- b. *There are special circumstances applicable to the subject property such as size, shape, topography, location, or surrounding that do not apply generally to other property in the same zone or vicinity.*

The project seeks a parking variance to permit 538 parking spaces in lieu of the required 584 parking spaces. This is a reduction of 46 spaces from the total required amount. In Building A, the project proposes 179 residential parking spaces where 203 parking spaces are required. In Building B the applicant proposes 139 residential parking spaces where 166 spaces are required. This required number of 584 parking spaces also includes 189 parking spaces that are required pursuant to off-street parking covenants.

There are special circumstances that do not apply to other property in the same zone and vicinity that necessitate permission to provide onsite parking that is reduced from the LAMC parking requirements. The site's parking is constrained by existing parking covenants and agreements that continue to apply once the existing surface parking lots are redeveloped into the proposed mixed-use buildings. The project will satisfy those parking covenants within the structured, subterranean parking garages as part of the new buildings.

The location and site of the project is also unique. The site is located at the intersection of Highland Avenue and Selma Avenue. The site is comprised of two building sites: (1) the West Block located at the corner of Highland Avenue and Selma Avenue; (2) and the East Block, located immediately east of the Center Block and McCadden Place. The project will contain up to 285,898 square feet of occupiable building area, with a design that features modern architecture and commercial space to provide a range of retail goods and services along with residential dwelling units. The project's parking facilities are interspersed between the residential and mixed-use components of the project. The location of these parking facilities strategically reduces overall parking demand because the residential units are close to the parking, commercial, and retail facilities on the site, which minimizes the need for additional parking.

As previously stated, the site is located nearby to major transit infrastructure. Accordingly, the location of the project near these numerous transit options reduces the need for on-site parking facilities. Thus, the number of parking facilities proposed for the project, the required parking covenants, and the project's transit-oriented location, are special circumstances that support the grant of this parking variance request.

- c. *The variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity, but because of the special circumstances and practical difficulties or unnecessary hardships, is denied to the property in question.*

The variance is necessary for the preservation and enjoyment of substantial property rights and uses not generally possessed by other properties in the same zone and vicinity, but which, because of special circumstances and practical difficulties or unnecessary hardships, are denied for the site. As noted above, the site is subject to several parking covenants that require off-street parking facilities for existing uses on the site. The project will continue to satisfy those requirements. By doing so, however, the site is burdened in ways that the surrounding properties are not.

One goal of the project is to transform the site from its existing use to a modern, mixed-use development that is consistent with the Hollywood Community Plan. The project will establish a level of design continuity and consistency for the entire development site. Granting the requested parking variance facilitates the development of a transit-oriented project on currently underutilized, surface parking lots, in an area targeted for redevelopment.

- d. *The granting of the variance will not be materially detrimental to the public welfare, or injurious to the property or improvements in the same zone or vicinity in which the property is located.*

Granting the variance will not be detrimental to the public welfare or injurious to the property in the same vicinity. The project will improve existing site conditions and enhance the public welfare and surrounding neighborhood. It will create a mixed-use environment of new, contemporary buildings, while at the same time respecting adjacent historic structures.

The site will contain post-production entertainment uses, commercial uses, newly constructed housing, neighborhood-oriented retail on the ground floor, and parking facilities for all of these uses. The project proposes the construction of

134 residential units in Building A and 114 residential units in Building B, for a total of 248 units. Building A and B will also include ground floor retail uses totaling 12,785 square feet. An onsite subterranean parking structure with grade-level enclosed parking will be constructed for each building: Building A will contain 276 parking spaces and Building B will contain 262 parking spaces – the total amount of parking spaces provided is just 46 spaces shy of the 584 parking spaces required per the LAMC. This type of development will not be injurious or damaging to the site or other properties in the vicinity. While the grant of the variance will not be materially detrimental to the public welfare or injurious to other properties, its denial could result in detrimental effects on the property in the vicinity because the existing surface parking lots will remain under-utilized parcels of land. The granting of this variance will contribute to the public welfare.

- e. *The granting of the variance will not adversely affect any element of the General Plan.*

The proposed project, at the intersection of Highland Avenue and Selma Avenue will include the construction of two mixed-use commercial and residential buildings ("Building A and Building B") that will include 248 residential units and 12,785 square feet of retail uses. Building A will consist of a total of 138,947 square feet - 12,291 square feet of retail uses, 134 residential units and 276 parking spaces with a total FAR of 3.6:1. Building B will consist of a total of 110,775 square feet - 494 square feet of retail uses, 114 residential units, and 262 parking spaces with a total FAR of 2.99:1. Both buildings will be constructed to a height of 6 stories (Building A will be 82' 6" in height and Building B will be 80' 6" in height). The 12,291 square feet of commercial tenant space in Building A would be located at the ground floor, with pedestrian access from Selma Avenue and Highland Avenue. The 494 square feet of commercial tenant space in Building B would be located at the ground floor, with pedestrian access from McCadden Place. The project will include a total of 538 parking spaces in a 1 ½ level subterranean parking structure, where 584 parking spaces are required, and has thus requested a parking variance.

The parking variance will not adversely affect any element of the General Plan or Hollywood Community Plan, part of the Land Use Element. As described above, in the findings for the Conditional Use Approval, the General Plan, the Framework Element, the Housing Element, and the Hollywood Community Plan encourages mixed-use projects with housing and pedestrian-oriented commercial uses along major transit corridors. As a result, this project adheres to the various policies of these documents through the redevelopment of existing, underutilized surface parking lots into a two new buildings adjacent to high-capacity transit.

The sites where the two new buildings will be located currently include surface parking as part of existing improvements. The project will include a variety of retail, commercial, and housing opportunities. This project will achieve these Hollywood Community Plan policies relating to the development of new housing and job opportunities near a major transit hub.

The project has been designed and conditioned to enhance the pedestrian environment along Highland Avenue, Selma Avenue, and McCadden Place, especially relating to pedestrian orientation. This project, including its proposed parking facilities and adherence to existing parking covenants, further the enhancement of this site.

2. **Site Plan Review Findings.** The applicant is requesting a Site Plan Review for a project which results in an increase of 50 or more residential units.
- a. *The project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and any applicable specific plan.*

The proposed project, at the intersection of Highland Avenue and Selma Avenue will include the construction of two mixed-use commercial and residential buildings ("Building A and Building B") that will include 248 residential units and 12,785 square feet of retail uses. Building A will consist of a total of 138,947 square feet - 12,291 square feet of retail uses, 134 residential units and 276 parking spaces with a total FAR of 3.6:1. Building B will consist of a total of 110,775 square feet - 494 square feet of retail uses, 114 residential units, and 262 parking spaces with a total FAR of 2.99:1. Both buildings will be constructed to a height of 6 stories (Building A will be 82' 6" in height and Building B will be 80' 6" in height). The 12,291 square feet of commercial tenant space in Building A would be located at the ground floor, with pedestrian access from Selma Avenue and Highland Avenue. The 494 square feet of commercial tenant space in Building B would be located at the ground floor, with pedestrian access from McCadden Place.

The project is located within the Hollywood Community Plan area. The current plan was adopted by the City Council on June 19, 2012. This particular case, CPC-2011-2157- ZC-HD-CU-ZV-SPR was filed in 2011, prior to the adoption date of the Hollywood Community Plan. When this case was filed, the site was subject to a "D" Limitation that limited the allowable Floor Area Ratio (FAR) on the site to 2:1. At the time, 22 parcels of land within the site were under common ownership, and the property owner wished to average the allowable Floor Area over the parcels so that some parcels could exceed the allowable FAR, while other parcels would have less than the allowable FAR. Therefore, the applicant initially requested a Zone Change to remove the "D" Limitation to increase the allowable FAR on the site to 2.42:1 and a Unified Development to average the FAR on the site.

The current Hollywood Community Plan, during the course of the update, amended the "D" Limitation, thereby increasing the FAR on the site from the previous limitation of 2:1 FAR. The Plan identifies the project location as a Mixed-Use Incentive Area, where the minimum 3:1 FAR is encouraged and where a maximum of 6:1 FAR may be considered with City Planning Commission Approval. Provided the project is approved by the City Planning Commission or the City Council on appeal and conforms with the Hollywood Community Plan policies, a 6:1 FAR may be considered. Building A, as proposed, would be constructed to a 3.6:1 FAR, requiring City Planning Commission Approval, while Building B provides a 2.99:1 FAR, which is just below the maximum of 3:1.

The proposed project is in compliance with the Framework Element, the Housing Element and the Land Use Element-Hollywood Community Plan. The site is not located within a Specific Plan. The project as conditioned is in conformance with the General Plan and Hollywood Community Plan.

i. Framework Element

The Citywide General Framework text defines policies related to growth and includes policies for land use, housing, urban form/neighborhood design, open space/conservation, economic development, transportation, and infrastructure/public services. The proposed project will be in conformance with several goals of the Framework as described below.

*A. Land Use Chapter, Framework Element: Issue One: Distribution of Land Use* of the Framework Element's Land Use Chapter (Chapter Three) establishes general principles to encourage growth and increase land use intensity around transit nodes, to create a pedestrian oriented environment while promoting an enhanced urban experience and provide for places of employment.

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

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

The project will include the construction of two mixed-use commercial and residential buildings ("Building A and Building B") that will include 248 residential units and 12,785 square feet of retail uses.

The project will provide commercial options at the ground floor and residential units above. As conditioned, the project will be designed in harmony with the existing neighborhood and minimize impacts on neighboring properties. The project will provide a high quality project that incorporates existing uses on the site, including required parking pursuant to recorded Covenant and Agreements. It will also provide new housing options for residents, and will incorporate measures to reduce impacts to air quality, geology, hazardous materials, noise, and public services for the surrounding community. The location is just one block away from a major transit hub, at Hollywood and Highland. The character of the area includes other mixed-use projects, commercial and retail uses, and high density residential. The project's recommended density and height will be compatible with existing development and will not create negative impacts to the adjacent commercial or residential areas.

*B. Economic Development Chapter, Framework Element*

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

*Objective 7.3: Maintain and enhance the existing businesses in the city.*

*Objective 7.6: Maintain a viable retail base in the city to address changing resident and business shopping needs.*

The above objectives seek to concentrate commercial development in existing commercial corridors and in areas that are able to support such development which are in close proximity to rail and bus transit stations. It also encourages the development of general commercial uses, which support community needs. The project will include the construction of two mixed-use commercial and residential buildings ("Building A and Building B") that will include 248 residential units and 12,785 square feet of retail uses. The project will provide commercial options at the ground floor and residential units above that will serve the existing community in a location that currently contains several underutilized surface parking areas and underperforming buildings.

## ii. Housing Element

*Policy 2.1.3: Encourage mixed-use development which provides for activity and natural surveillance after commercial business hours.*

*Policy 2.1.4: Enhance livability of neighborhoods by upgrading the quality of development and improving the quality of the public realm, including streets, streetscape and landscaping to provide shade and scale.*

The project will include the construction of two new mixed-use buildings that will provide commercial options at the ground floor and residential units above. This project will activate the community by generating pedestrian activity during and after normal commercial business hours. The development will replace currently under-utilized surface parking areas and commercial buildings with two well-designed buildings that provide a unique design. Per the conditions of approval, Buildings A and B will include LAMC minimum required open space and landscaping. The project incorporates a total of approximately 26,863 square feet of new open space which will provide common and private open space, slightly more than the 26,375 square feet that the LAMC code requires. This open space is provided in a variety of ways including courtyards, recreation rooms, swimming pools, and active and passive areas. Additionally, a landscape buffer will be provided adjacent to the building at 6753 Selma Avenue in order to further minimize impacts of the new building.

*Objective 2.3: Encourage the location of housing, jobs, and services in mutual proximity. Accommodate a diversity of uses that support the needs of the City's existing and future residents.*

*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.*

*Policy 2.3.3: Encourage the development of new projects that are accessible to public transportation and services consistent with the*

*community plans. Provide for the development of land use patterns that emphasize pedestrian/bicycle access and use in appropriate locations.*

The project will include the construction of two new mixed-use buildings with commercial and residential uses. The project location is well served by a large variety of transit options. The site is located along a major transit corridor, Highland Avenue, and is a block from the intersection of Hollywood Boulevard and Highland Avenue. This area is served by local and regional bus lines operated by the Los Angeles County MTA and the Los Angeles DOT, including the MTA Metro Rapid 780 and Metro buses. Additionally, the project is only one block from the Metro Red Line Station at the intersection of Highland Avenue and Hollywood Boulevard.

### iii. Transportation Element

*Objective 3.13: Enhance pedestrian circulation in neighborhood districts, community centers, and appropriate locations in regional centers and along mixed-use boulevards; promote direct pedestrian linkages between transit portals/platforms and adjacent commercial development through facilities orientation and design.*

*Objective 5.10: Require off-street dock and/or loading facilities for all new non-residential buildings and for existing non-residential buildings undergoing extensive renovations and/or expansion, whenever practicable.*

The project will include the construction of two new mixed-use buildings with commercial and residential uses. The project will provide commercial options at the ground floor and residential units above. The project location is well served by a large variety of transit options. It is also located across the street from Hollywood High School; the neighborhood has a significant amount of pedestrian activity. To that end, the project does not propose any new curb cuts on Highland Avenue, instead taking a majority of site access for Building A from the existing alley that runs parallel to Highland Avenue. Building A, while originally designed to be constructed over the existing alley, has instead been redesigned so as to leave the alley available for functional uses for pedestrians, bicycles, vehicles, loading/unloading, and trash/recycling removal. Only one new curb cut is proposed for Building A on Selma Avenue. By taking advantage of the existing alleyway for vehicular and loading access, the project reduces negative project impacts on Highland Avenue, Hawthorn Avenue, and Selma Avenue, creating a pedestrian friendly street frontage. Additionally, BOE recommended that a 4-foot dedication be made on McCadden Place (east side). However, since this street will not be widened due to the historic uses that are built to the property line, this dedication has not been included as a condition.

### iv. Land Use Element – Hollywood Community Plan

The project is located within the Hollywood Community Plan area. The current plan, which was adopted by the City Council on June 19, 2012, includes the following relevant land use objectives, policies and programs:

*Policy LU.2.12: Incentivize jobs and housing growth around transit nodes and along transit corridors.*

*Policy LU.2.10: Use planning tools to encourage a balance of jobs and housing growth in the Regional Center. Limit stand-alone residential development in Floor Area Ratio (FAR) incentive Areas (map 25).*

*Policy LU.2.11: Support provision of minimum Floor Area Ratios in mixed-use incentive Areas consistent with map 25.*

The proposed project, at the intersection of Highland Avenue and Selma Avenue will include the construction of two mixed-use commercial and residential buildings ("Building A and Building B") that will include 248 residential units and 12,785 square feet of retail uses. Building A will consist of a total of 138,947 square feet - 12,291 square feet of retail uses, 134 residential units and 276 parking spaces with a total FAR of 3.6:1. Building B will consist of a total of 110,775 square feet - 494 square feet of retail uses, 114 residential units, and 262 parking spaces with a total FAR of 2.99:1.

The current Hollywood Community Plan, during the course of the update, amended the "D" Limitation, thereby increasing the FAR on the site from the previous limitation of 2:1 FAR. The Plan identifies the project location as a Mixed-Use Incentive Area, where the minimum 3:1 FAR is encouraged and where a maximum of 6:1 FAR may be considered with City Planning Commission Approval. Provided the project is approved by the City Planning Commission or the City Council on appeal and conforms with the Hollywood Community Plan policies, a 6:1 FAR may be considered. Building A, as proposed, would be constructed to a 3.6:1 FAR, requiring City Planning Commission Approval, while Building B provides a 2.99:1 FAR, which is just below the maximum of 3:1.

The site is located along a major transit corridor, Highland Avenue, and is a block from the intersection of Hollywood Boulevard and Highland Avenue. This area is served by local and regional bus lines operated by the Los Angeles County MTA and the Los Angeles DOT, including the MTA Metro Rapid 780 and Metro buses. Additionally, the project is only one block from the Metro Red Line Station at the intersection of Highland Avenue and Hollywood Boulevard.

The sites where the two new buildings will be located currently include surface parking. The project will include a variety of retail and commercial uses and housing opportunities in new buildings. This project will achieve these Hollywood Community Plan policies relating to the development of new housing and job opportunities near a major transit hub.

*Policy LU.3.21: Encourage building designs which create interesting, attractive walking environments on streets with high pedestrian activity.*

*Policy LU.3.22: Promote well-designed retail with transparent facades to allow visibility of commercial uses as illustrated in the urban Design Chapter, Chapter 7.*

*Policy LU.3.24: Promote pedestrian-friendly land uses along streets with high pedestrian activity.*

*Policy LU.3.6: Discourage the siting of parking lots next to sidewalks which carry high volumes of pedestrian traffic.*

*Policy LU.3.5: Discourage curb-cuts next to sidewalks on streets with a high level of pedestrian traffic, when alternative access exists.*

*Policy LU.2.14: Encourage projects which utilize Floor Area Ratio (FAR) incentives to incorporate uses and amenities which make it easier for residents to use alternative modes of transportation and minimize automobile trips.*

The proposed project, at the intersection of Highland Avenue and Selma Avenue will include the construction of two mixed-use commercial and residential buildings ("Building A and Building B") that will include 248 residential units and 12,785 square feet of retail uses. Building A will consist of a total of 138,947 square feet - 12,291 square feet of retail uses, 134 residential units and 276 parking spaces with a total FAR of 3.6:1. Building B will consist of a total of 110,775 square feet - 494 square feet of retail uses, 114 residential units, and 262 parking spaces with a total FAR of 2.99:1.

Approximately 12,291 square feet of retail commercial uses are proposed along Highland Avenue, taking advantage of this high pedestrian activity along this major transit corridor across the street from the Hollywood High School. The ground floor storefronts along Highland Avenue are designed with a large amount of transparent glass in order to allow visibility of the commercial uses. As conditioned, the ground floor facades along McCadden Place and Selma Avenue will also include transparent glass. Although the majority of McCadden Place and Selma Avenue do not include retail frontages, the ground floor of these buildings is designed to incorporate glass storefronts behind which are located the lobby, a small retail space, and residential amenities.

The current Hollywood Community Plan, during the course of the update, amended the "D" Limitation, thereby increasing the FAR on the site from the previous limitation of 2:1 FAR. The Plan identifies the project location as a Mixed-Use Incentive Area, where the minimum 3:1 FAR is encouraged and where a maximum of 6:1 FAR may be considered with City Planning Commission Approval. Provided the project is approved by the City Planning Commission or the City Council on appeal and conforms with the Hollywood Community Plan policies, a 6:1 FAR may be considered. Building A, as proposed, would be constructed to a 3.6:1 FAR, requiring City Planning Commission Approval, while Building B provides a 2.99:1 FAR, which is just below the maximum of 3:1. Both Building A and B incorporate ground level retail amenities which will serve the nearby community, making it easier for residents to use alternative modes of transportation and minimize automobile trips.

The new buildings are designed to reduce the impact of new curb cuts and parking lots on pedestrian circulation. The project will eliminate the one existing curb cut on Highland Avenue, and does not propose any new curb cuts on Highland Avenue, instead taking a majority of site access for Building A from the existing alley that runs parallel to Highland Avenue. Building A, while originally designed to be constructed over the existing alley, has instead been redesigned so as to leave the alley available for pedestrian, bicycle, and vehicular access. Only one new curb cut is proposed for Building A on Selma Avenue. By taking advantage of the existing alleyway for vehicular and loading access, the project reduces

negative project impacts on Highland Avenue, Hawthorn Avenue, and Selma Avenue, creating a pedestrian friendly street frontage.

All new parking will be located in subterranean parking structures, with some at-grade parking that is within the new buildings. As conditioned, the ground floors of both Buildings A and B will be enhanced with pedestrian-friendly architectural treatments such as transparent glass, and no at-grade parking will be visible from outside the building, thus achieving the policies in the Hollywood Community Plan.

*Policy LU.1.23: Protect existing alleys from gating or closure. Maintain alleys to provide commercial uses with opportunities for off-street loading and unloading and provide pedestrians, bicyclists and motorists with alternative routes of travel.*

*Policy LU.1.24: Maintain alleys for public uses. Protect streets, walkways and alleys from closure, vacation and gating for private use.*

*Policy LU.1.25: Maintain alleys which are located between commercial use and residential uses to mitigate impacts of alley traffic on adjacent dwelling units.*

*Policy LU.2.7: Utilize existing alleys to reinforce pedestrian character, walkability, and bikeability.*

*Policy LU.2.8: Support design standards that utilize existing alleys to reinforce pedestrian character, walkability and bikeability in multifamily residential neighborhoods (map 28). Encourage use of rear alleys for access to parking areas.*

*Policy LU.3.23: Encourage large commercial projects to consider designs which break up the floor plate, providing pedestrian connections, and human scale design features, such as plazas, greenspace or a public focal point. Discourage "superblocks".*

*Policy LU.3.7: Preserve and maintain existing alleys at the rear of lots which front a major or secondary highway to encourage rear access.*

*Policy LU.4.5: Improve available rights-of-way throughout the Plan Area with landscaping, benches, and walkways and bikeways for low-intensity recreational uses.*

Alleys are an important piece of Hollywood's infrastructure, especially as they relate to bicycle, pedestrian and vehicular circulation. Alleys can also be enhanced with landscaping and special design features that assist in place-making and can provide a distinctive design feature to new development. Building A was originally proposed to be constructed over an existing alley, and as part of this original design requested an alley vacation. As a result of comments received from the Planning Department's Professional Volunteer Program, as well as a review of the Hollywood Community Plan policies regarding alley vacations, the applicant redesigned their project so as to eliminate the proposed alley vacation. The building does still extend across the alley, but it does so with a bridge feature that begins at the third level and this bridge does not cover the entire length of the alley.

To that end, the project does not propose any new curb cuts on Highland Avenue, instead taking a majority of site access for Building A from the existing alley that runs parallel to Highland Avenue. Only one new curb cut is proposed for Building A on Selma Avenue. By taking advantage of the existing alleyway for vehicular and loading access, the project

reduces negative project impacts on Highland Avenue, Hawthorn Avenue, and Selma Avenue, creating a pedestrian friendly street frontage.

By redesigning this part of the project, Building A is able to maintain the existing alley for pedestrian, bicycle, and vehicular circulation. It has also resulted in a design which breaks up the floor plate of the building, eliminating the "superblock" feel of the original design and providing for enhanced pedestrian connections. The applicant is encouraged to enhance the alley with landscaping, special paving, or other features that will enhance the architectural connections of the building.

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

*Policy LU.2.9: Infill development throughout the Hollywood Community Plan area should conform with the general urban design standards contained in Chapter 7.*

*Policy LU.3.22: Promote well-designed retail with transparent facades to allow visibility of commercial uses as illustrated in the Urban Design Chapter, Chapter 7.*

The project is consistent with many of the Urban Design Guidelines for individual projects in the Hollywood Community Plan. These guidelines are intended to ensure that new projects are compatible with existing and future development on neighboring properties and this project meets many of the policies, as follows:

- *Mixed-use buildings should have a separate ground floor entrance to the residential component or a lobby that serves both the residential and commercial components. The residential component of a mixed-used building should have a ground floor pedestrian entrance to the commercial street. A pedestrian entrance to the commercial component should be directly accessible from a public street, and open during the posted normal business hours.*

As designed, the residential entrances for Buildings A and B are accessible via lobbies which have direct access to the respective commercial streets. The retail spaces within both buildings have pedestrian entrances directly accessible from the nearest public street.

- *Buildings should be oriented to provide breaks for pedestrian thoroughways where appropriate. Ideally, clear lines of sight from the front to the rear of the parcel should be placed every 200 linear feet of building frontage.*

As discussed above, Building A was originally proposed to be constructed over an existing alley, and as part of this original design requested an alley vacation. As a result of comments received from the Planning Department's Professional Volunteer Program, as well as a review of the Hollywood Community Plan policies regarding alley vacations, the applicant redesigned their project so as to eliminate the proposed alley vacation. The building does still extend across the alley, but it does so

with a bridge feature that begins at the third level and this bridge does not cover the entire length of the alley.

By redesigning this part of the project, Building A is able to maintain the existing alley for pedestrian, bicycle, and vehicular circulation. It has also resulted in a design which breaks up the floor plate of the building, eliminating the "superblock" feel of the original design and providing for enhanced pedestrian connections. The applicant is encouraged to enhance the alley with landscaping, special paving, or other features.

- *The terracing of the building, as appropriate to transition from a) higher intensity uses to lower intensity uses and b) higher to lower building heights, is encouraged.*

At the public hearing, the owner of the building at 6753 Selma Avenue expressed concerns regarding the portion of Building A that will abut 6753 Selma Avenue. Because the ground floor of Building A is proposed to be approximately 20 feet in height (for retail uses), the owners of 6753 Selma Avenue feel this wall will block light into their building. As designed and conditioned, however, the Building A project includes an 18 foot stepback at the second level to accommodate required open space. This 18 foot stepback helps to break up the massing of the building. In addition, the massing of Building A is broken up by the existing alley.

- *To break massing, utilize multiple planes, stepbacks, and architectural treatments such as recessed windows, columns, moldings, and projections.*
- *Utilize architectural features such as balconies, porches, decks, awnings, arcades, trellises, color, materials, and diverse roof forms or landscape features such as trees, shrubs, and vines to create articulation and a diverse building façade.*

As designed and conditioned the Building A project includes an 18 foot stepback at the second level to accommodate required open space. This 18 foot stepback helps to break up the massing of the building. In addition, the massing of Building A is broken up by the existing alley. A variety of quality materials and a top-level floating clerestory, provide additional architectural features. Building B similarly includes stepbacks, massing and architectural treatments to break up the massing of that building.

- *Required parking and loading areas should be located away from the primary street, so as to maintain the street wall for pedestrians. Alley-loading areas are encouraged.*

The project does not propose any new curb cuts on Highland Avenue, instead taking a majority of site access for Building A from the existing alley that runs parallel to Highland Avenue. Only one new curb cut is proposed for Building A on Selma Avenue. By taking advantage of the existing alleyway for vehicular and loading access, the project reduces negative project impacts on Highland Avenue, Hawthorn Avenue, and Selma Avenue, creating a pedestrian friendly street frontage. Building B

will eliminate three existing curb cuts on McCadden Place, improving pedestrian safety and circulation.

- *Ground floor façades should enhance the experience of pedestrians, bicyclists, and public transit riders through utilization of transparent elements, details, and landscaped features.*
- *The front façades of buildings should emphasize large quantities of transparent elements to provide an interesting storefront. These include windows, doors, and shutters.*

Approximately 12,291 square feet of retail commercial uses are proposed along Highland Avenue, taking advantage of the high pedestrian activity along this major transit corridor across the street from the Hollywood High School. The ground floor storefronts along Highland Avenue are designed with a large amount of transparent glass in order to allow visibility of the commercial uses. As conditioned, the ground floor facades along McCadden Place and Selma Avenue will also include transparent glass. Although the majority of Selma Avenue and McCadden Place do not include retail frontages, the ground floors of these buildings are designed to incorporate glass storefronts behind which are located the retail lobby, a small retail space, and residential amenities.

- *Landscaping should soften the visual impact of a development by screening equipment, providing shaded areas, and creating natural fences and neighborhood character. The use of clinging vines, pergolas, trellises, shrubs, hedges, and water features is strongly encouraged.*

Per the conditions of approval, Buildings A and B will include LAMC minimum required open space and landscaping. The project incorporates a total of approximately 26,863 square feet of new open space which will provide common and private open space, slightly more than the 26,375 square feet that the LAMC code requires. This open space is provided in a variety of ways including courtyards, recreation rooms, swimming pools, and active and passive areas. Additionally, a landscape buffer will be provided adjacent to the building at 6753 Selma Avenue in order to further minimize impacts of the new building. This buffer will consist of a downward growing vine from the courtyard.

- *Utility equipment, disposal areas, maintenance doors, and storage areas shall be screened from public right of way.*

As conditioned, an alternative location for the DWP required transformer will be explored, as the transformer may be permitted to be located within the building, rather than in the current proposed location. If relocated, the interior location of this required utility equipment will enhance the design of the project.

- *The use of highly reflective or deeply tinted glass is discouraged.*

The ground floor storefronts along Highland Avenue are designed with a large amount of transparent glass in order to allow visibility for the commercial uses. As conditioned, the ground floor facades along

McCadden Place and Selma Avenue will also include transparent glass. Although the majority of Selma Avenue and McCadden Place do not include retail frontages, the ground floor of these buildings is designed to incorporate glass storefronts behind which are located the lobby, a small retail space, and residential amenities.

- c. *The residential project provides recreational and service amenities to improve habitability for its residents and minimize impacts on neighboring properties.*

The project is designed and conditioned to provide a pedestrian-friendly experience along Highland Avenue, Selma Avenue, and McCadden Place as well as provide for open space amenities for residents. The project incorporates a total of approximately 26,863 square feet of new open space which will provide common and private open space, slightly more than the 26,375 square feet that the LAMC code requires. This open space is provided in a variety of ways including courtyards, recreation rooms, swimming pools, and active and passive areas.

### **CEQA Findings**

A Mitigated Negative Declaration (ENV-2011-2158-MND) was prepared for the proposed project. On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that, with imposition of the mitigation measures described in the MND, there is no substantial evidence that the proposed project will have a significant effect on the environment. The attached Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are with the Environmental Review Section of the Planning Department in Room 750, 200 North Spring Street. I hereby adopt that the Mitigated Negative Declaration, imposed the conditions shown in that document on this approval.