



LOS ANGELES CITY PLANNING COMMISSION

200 N. Spring Street, Room 272, Los Angeles, California, 90012, (213) 978-1300
cityplanning.lacity.org

Determination Mailing Date: MAY 04 2015

Case No.: CPC-2014-4074-GPA-ZC-HD-ZAA-SPR
CEQA: ENV-2014-4075-MND

Location: 900-932 North La Brea Avenue,
7069 Willoughby Avenue
Council District: 4 – LaBonge
Plan Area: Hollywood
Existing Zone: MR1-1
Requests: General Plan Amendment, Zone Change,
Height District Change, Zoning Administrator's
Adjustment, Site Plan Review

Applicant: 904 North La Brea, LLC
Representative: Michael Gonzales, Gonzales Law Group

At its meeting on April 9, 2015, the following action was taken by the Los Angeles City Planning Commission:

1. **Approved** a **General Plan Amendment** to the Hollywood Community Plan from Limited Manufacturing to **Neighborhood Commercial** land use.
2. **Approved** a **Vesting Zone Change** and **Height District Change** from MR1-1 to **[T][Q]C2-2D** to permit the construction of a mixed-use project with a maximum floor area ratio of 3 to 1, containing 169 residential units and 37,057 square feet of commercial space.
3. **Approved** a **Zoning Administrator's Adjustment** to permit a five-foot rear yard setback on the northern boundary of the project site at the second and third stories, and 16 feet at the fourth through seventh stories, in lieu of the 19 feet otherwise required.
4. **Approved** a **Site Plan Review** for a mixed-use development with 169 units and 37,057 square feet of commercial floor area.
5. **Adopted** the attached modified **Conditions of Approval**.
6. **Adopted** the attached **Findings**.
7. **Adopted** Mitigated Negative Declaration No. **ENV-2014-4075-MND** for the above-referenced project.
8. **Adopted** the Mitigation Monitoring Program for Mitigated Negative Declaration No. ENV-2014-4075-MND.
9. **Advised** the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.
10. **Advised** the applicant that pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination (NOD) filing.

RECOMMENDATIONS TO CITY COUNCIL:

1. **Recommend** that the City Council **adopt** a **General Plan Amendment** to the Hollywood Community Plan from Limited Manufacturing to **Neighborhood Commercial** land use.
2. **Recommend** that the City Council **adopt** a **Vesting Zone Change** and **Height District Change** from MR1-1 to **[T][Q]C2-2D** to permit the construction of a mixed-use project with a maximum floor area ratio of 3 to 1, containing 169 residential units and 37,057 square feet of commercial space.
3. **Recommend** that the City Council **adopt** Mitigated Negative Declaration No. **ENV-2014-4075-MND** for the above-referenced project.
4. **Recommend** that the City Council **adopt** the Mitigation Monitoring Program for Mitigated Negative Declaration No. ENV-2014-4075-MND.

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

CONDITIONS FOR EFFECTUATING [T] TENTATIVE CLASSIFICATION REMOVAL

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

A. BUREAU OF ENGINEERING-PUBLIC WORKS DEPARTMENT CONDITIONS

1. Dedications Required:

- a. La Brea Avenue (Major Highway, Class II) - A 2-foot wide strip of land along the property frontage to complete a 52-foot half right-of-way in accordance with Major Highway, Class II standards including a 20-foot radius property line return or 15-foot by 15-foot cut corner at the intersection with Willoughby Avenue.
- b. Willoughby Avenue (Local Street) - None.
- c. Alley east of La Brea Avenue (Alley) - None.

2. Improvements Required:

- a. La Brea Avenue - Construct additional surfacing to join the existing improvements to provide a 40-foot half roadway in accordance with Major Highway, Class II standards, including asphalt pavement, integral concrete curb, 2-foot gutter, access ramp and a 12-foot concrete sidewalk together with suitable transition offsite to join the existing improvements.
- b. Willoughby Avenue - Replace all broken, off-grade or bad order concrete curb, gutter and sidewalk along the property frontage.
- c. Alley east of La Brea Avenue - Replace all broken, off-grade or bad order concrete along the property frontage.
- d. Install tree wells with root barriers and plant street trees satisfactory to the City Engineer and the Urban Forestry Division of 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.
- e. Trees: That Board of Public Works approval shall be obtained, prior to the issuance of the Certificate of Occupancy of 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.
- f. 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 will be required satisfactory to the Bureau of Street Lighting (213) 847-1551.

Refer to the Department of Transportation regarding traffic 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.

3. Relocate the existing catch basin in La Brea Avenue. 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.
4. Sewer lines exist in La Brea Avenue and Willoughby Avenue. Extension of the house connection laterals to the new property line may be required. All Sewerage Facilities Charges and Bonded Sewer Fees are to be paid prior to obtaining a building permit.
5. 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.

B. FIRE DEPARTMENT CONDITIONS

1. Submit plot plans for Fire Department approval and review prior to recordation of CPC Action.

Policy Exception:

2. Access for Fire Department apparatus and personnel to and into all structures shall be required. Building designs for multi-storied residential buildings shall incorporate at least one access stairwell off the main lobby of the building; But, in no case greater than 150 feet horizontal travel distance from the edge of the public street, private street or Fire Lane. This stairwell shall extend unto the roof.
3. Entrance to the main lobby shall be located off the address side of the building.
4. Any required Fire Annunciator panel or Fire Control Room shall be located within 50 feet visual line of site of the main entrance stairwell or to the satisfaction of the Fire Department.
5. Where rescue window access is required, provide conditions and improvements necessary to meet accessibility standards as determined by the Los Angeles Fire Department.
6. No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
7. Fire lane width shall not be less than 20 feet. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width.

8. No building or portion of a building shall be constructed more than 300 feet from an approved fire hydrant. Distance shall be computed along path of travel.
9. Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.

C. DEPARTMENT OF TRANSPORTATION CONDITIONS

1. A minimum of 20-foot reservoir space be provided between any security gate(s) and the property line.
2. A parking area and driveway plan must be submitted to the City Planning Coordination Section of the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 201 N. Figueroa Street, Suite 400, Station 3.

D. RECREATION AND PARKS DEDICATION

1. Per Section 12.33 of the Los Angeles Municipal Code, the applicant shall dedicate land for park or recreational purposes or pay the applicable Quimby fees for the construction of condominiums, or Recreation and Park fees for construction of apartment buildings.

CONDITIONS OF APPROVAL FOR CPC-2014-4074-GPA-ZC-HD-ZAA-SPR

1. **Affordable Housing Requirements.** Prior to the issuance of a building permit for any dwelling unit on the subject property, the applicant shall execute and record a rental covenant of purchase covenant agreement running with the land, to the satisfaction of the Los Angeles Housing and Community Investment Department (LAHCID). The covenant shall bind the applicant and/or any subsequent property owner to reserve the units for occupancy by Very Low Income households. These units will be restricted as affordable for-sale or rental dwelling units, pursuant to California Government Code Section 65915 and Los Angeles Municipal Code Section 12.22-A,25. All density bonus calculations in fractional units shall be rounded up to the nearest whole number (Government Code Section 65915(g)(5)).
2. **Parking.** Residential parking spaces shall be provided per Parking Option 1 under LAMC Section 12.22-A,25. Commercial parking spaces shall be provided as required by the LAMC. Electronic vehicle-ready conduits shall be installed for a minimum of twenty percent of the residential and commercial parking spaces.
3. **Pedestrian Entrances.** Pedestrian entrances shall be accessible directly from La Brea and Willoughby Avenues to the residential units.
4. **Alley East of La Brea Avenue Entrance.** A pedestrian entrance shall be provided to allow access to La Brea Avenue from the alley east of La Brea Avenue.
5. **No Blank Wall.** A consistent use of architectural and building materials shall be applied throughout all exterior facades of the buildings to avoid creating a "backside" to the site.
6. **Building Articulation.** A consistent use of architectural and building materials shall be applied throughout all exterior facades of the buildings to avoid creating a "backside" to the site.
7. **Short-term Bicycle Parking.** The required short-term bicycle parking spaces shall be provided along Willoughby Avenue.
8. **Landscape Plans.**
 - a. A finalized landscape plan, detailing the location and number of trees, species of plants, soft- and hardscaping areas, walkways and outdoor features/furniture, shall be submitted prior to the issuance of any building permits to the satisfaction of the Department of City Planning.
 - b. The northerly required rear yard shall be landscaped with abundant trees, walkways, outdoor furniture and/or vines on the walls, creating a green space.
9. Any structures on the roof, such as air conditioning units and other equipment, shall be fully screened from view by any abutting properties.
10. **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.
 - c. At least one blade sign shall be provided for each tenant occupying a commercial space on the ground floor.
11. **Flood Hazard.** The project shall comply with the requirements of the Flood Hazard Management Specific Plan, Ordinance No. 172,081 (effective 7/3/98).
 12. **Solid Waste.** The developer shall institute a recycling program to the satisfaction of the Department of City Planning to reduce the volume of solid waste going to landfills. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. These bins shall be picked up no less than once a week as a part of the project's regular trash pick-up program.
 13. **Posting of Construction Activities.** A visible and readable sign (at a distance of 50 feet) shall be posted on the construction site identifying a telephone number for inquiring about the construction process and to register complaints.
 14. **Construction-Related Parking.** Off-street parking shall be provided for all construction-related parking generated to employees of the proposed project. No employees or subcontractors shall be allowed to park on the surrounding residential streets for the duration of all construction activities. There shall be no staging or parking of construction vehicles, including vehicles to transport workers on any residential street in the immediate area. All construction vehicles shall be stored on site unless returned to their owner's base of operations.
 15. **Truck Traffic Restricted Hours.** Truck traffic directed to the project site for the purpose of delivering construction materials or construction-machinery shall be limited to the hours beginning at 7:00 a.m. and ending at 4:00 p.m., Monday through Friday. No truck deliveries for construction shall occur outside of that time period. No construction truck staging related to such deliveries to the project site shall occur on any adjacent streets.
 16. **Maintenance.** The subject property (including any trash storage areas, associated parking facilities, sidewalks, driveways, yard areas, parkways, and exterior walls along the property lines) shall be maintained in an attractive condition and shall be kept free of trash and debris.

Environmental Conditions

17. **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.
18. **Aesthetics (Signage on Construction Barriers)**
 - a. The applicant shall affix or paint a plainly visible sign, on publicly 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 publicly 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. Authorized signage shall be allowed.
19. **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 Landscape Practitioner (Sec. 12.40-D)
20. **Aesthetics (Light).** Outdoor lighting shall be designed and installed with shielding, such that the light sources cannot be seen from adjacent residential properties, the public right-of-way, nor from above.
21. **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.
22. **Air Pollution - Demolition, Grading, and Construction Activities.**
 - a. During site preparation and grading, the unpaved portions of the site shall be watered at least three times daily to reduce PM10 and PM2.5 emissions.
 - b. Ground cover shall be replaced and/or installed as soon as practical to reduce fugitive PM10 and PM2.5 emissions.
 - c. Tracking of dirt and mud from the Project Site onto local streets shall be minimized through use of truck wheel washers or equivalent measures.
 - d. All diesel-fueled off-road construction equipment used in the grading and construction phases shall have Level 2 or 3 diesel particulate filters installed that are certified by the California Air Resources Board to reduce PM10 and PM2.5 emissions.
 - e. All off-road diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations
23. **Cultural Resources (Archaeology)** 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:
 - a. 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 Register of Professional Archaeologists (ROPA) or a ROPA-qualified archaeologist, who shall assess the discovered material(s) and prepare a survey, study or report evaluating the impact.

- b. The archaeologist's survey, study or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource.
- c. The applicant shall comply with the recommendations of the evaluating archaeologist, as contained in the survey, study or report.

- 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

- A covenant and agreement binding the applicant to this condition shall be recorded prior to issuance of a grading permit.

24. **Cultural Resources (Paleontology).** 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:

- a. 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.
- b. The paleontologist's survey, study, or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource.
- c. The applicant shall comply with the recommendations of the evaluating paleontologist, as contained in the survey, study, or report.
- d. Project development activities may resume once copies of the paleontological survey, study or report are submitted to the Los Angeles County Natural History Museum.
- e. Any fossils recovered during mitigation should be deposited in an accredited and permanent scientific institution for the benefit of current and future generations
 - A covenant and agreement binding the applicant to this condition shall be recorded prior to issuance of a grading permit.

25. **Cultural Resources (Human Remains).** In the event that human remains are discovered during excavation activities, the following procedure shall be observed:

- a. 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)

- b. 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.
 - c. The Native American Heritage Commission will immediately notify the person it believes to be the most likely descendent of the deceased Native American.
 - d. 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.
 - e. 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;
 - f. If the owner does not accept the descendant's recommendations, the owner or the descendent may request mediation by the Native American Heritage Commission.
26. **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. 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:
- a. 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.
 - b. Stockpiles, excavated, and exposed soil shall be covered with secured tarps, plastic sheeting, erosion control fabrics, or treated with a bio-degradable soil stabilizer.
27. The Project shall comply with the recommendations contained within the geotechnical Engineering Report submitted to the Department of Building and Safety. The Project shall comply with the conditions contained within the Department of Building and Safety's Geology and Soils Report Approval Letter for the Project, and as it may be subsequently amended or modified.
28. **Greenhouse Gas Emissions.** Only low- and non-VOC-containing paints, sealants, adhesives, and solvents shall be utilized in the construction of the project.
29. **Lead Based Paint.**
- a. Prior to demolition activities, a review of building components known to contain lead-based paint shall be assessed to confirm if they remain intact. If the lead-based painted components will be removed, waste characterization testing shall be performed to determine if the components are required to be disposed of as hazardous waste.

- b. If the waste characterization indicates that any components are not hazardous waste, these components may be disposed of as construction debris as long as the paint is maintained in good and tightly adhered condition. However, if the demolition or renovation activities require sanding, grinding, or torch cutting of these paints, then the lead-based paint is required to be removed prior to these activities.
 - c. All contractors shall be informed of all locations of lead-based paint, whether in good or poor condition, prior to the start of any work within the interior or exterior of the building.
30. **Explosion/Release (Polychlorinated Biphenyl).** Prior to demolition activities, a polychlorinated biphenyl (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.
31. **Radon.** Prior to demolition activities, specific testing would be required to evaluate any risk from radon. If radon is tested above the threshold, it shall be made compliant with federal, state, and local regulations for radon.
32. **Mold.** Prior to demolition activities, a mold inspection contractor shall conduct a survey of the project site to identify and assist with compliance with applicable state and federal rules and regulation governing mold removal and disposal.
33. **Chemicals of Potential Concern.**
 - a. Site grading shall be conducted under a Soils Management Plan that includes appropriate segregation and management of soils impacted with chemicals of potential concern (COPCs) so as to minimize delays and protect site workers, neighbors and the environment.
 - b. Any modification of onsite groundwater monitoring wells on the 926/932 La Brea Avenue portion associated with the upgradient Mole Richardson SLIC case shall be coordinated with Mole Richardson and the LARWQCB.
 - c. An assessment of exposure pathways such as direct contact and vapor inhalation is recommended to evaluate the impact of soil, soil gas and groundwater COPCs to current and potential future site occupants.
34. **Methane.** The Project shall comply with the Mitigation Requirements for Methane Buffer Zone Level V, established in Table 1-B of Methane Test Data, GeoKinetics, October 6, 2014. This includes:
 - a. Passive System
 - Dewatering System
 - Perforated Horizontal Pipes
 - 4-inch Gravel Blanket Thickness Under Impervious Membrane
 - 4-inch Gravel Thickness Surrounding Perforated Horizontal Pipes
 - Vent Risers
 - Impervious Membrane
 - b. Active System

- Mechanical Extraction System capable of providing an equivalent of a complete change of air 20 minutes of the total volume of the Gravel Blanket.
 - Gas Detection System
 - Alarm System
 - Control Pad
- c. Miscellaneous System
- Trench Dam
 - Conduit or Cable Seat Fitting
 - Additional Vent Risers (the total quantity of the installed vent risers shall be increased to twice the rate for the Passive System).
35. **Emergency Evacuation Plan.** 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.
36. **Construction Dewatering.** Dewatering shall be performed by the installation of wells on the Project Site and withdrawing water prior to reaching the subgrade elevation. Dewatering shall be required to remove water from the footing excavations and reduce the potential for pumping subgrade soils.
37. **Permanent Dewatering.**
- a. The subterranean level shall be designed for potential hydrostatic and buoyancy pressure. The structure may instead be designed with a permanent dewatering system. The subterranean portion of the building shall be designed with drainage devices to relieve hydrostatic pressure. These devices include drains outside the retaining walls as well as drainage below the proposed slab.
 - b. An underslab drainage system installed below the subterranean garage floor slab shall consist of 1-foot thick layer of gravel underlying the entire floor slab, and subdrain pipes placed in gravel-filled drainage trenches leading to a sump pump. The drain lines shall consist of 4-inch perforated pipe, perforations down, placed in trenches approximately 1 foot wide and 1 foot in depth below the bottom of the gravel blanket. The pipes shall then be covered with gravel and the entire gravel and pipe system within the trenches would be wrapped in filter fabric. The gravel filled drainage trenches are typically spaced on approximately 40-foot centers, although there is flexibility in the spacing, depending on the column grid line spacing.
38. **Site Drainage.**
- a. All Site drainage, with the exception of any required to be disposed of onsite by stormwater regulations, shall be collected and transferred to the street in non-erosive drainage devices.
 - b. The proposed structure shall be provided with roof drainage.
 - c. Discharge from downspouts, roof drains, and scuppers shall not be permitted on unprotected soils within five feet of the building perimeter, Drainage shall not be

allowed to pond anywhere on the Project Site, and especially not against any foundation or retaining wall.

- d. Drainage shall not be allowed to flow uncontrolled over any descending slope.
 - e. Planters which are located within a distance equal to the depth of a retaining wall shall be sealed to prevent moisture adversely affecting the wall. Planters which are located within five feet of the foundation shall be sealed to prevent moisture affecting the earth materials supporting the foundation.
39. **Stormwater Pollution (Demolition, Grading, and Construction Activities).**
- a. 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.
 - b. All vehicle/equipment maintenance, repair, and washing shall be conducted away from storm drains. All major repairs shall be conducted off-site. Drip pans or drop cloths shall be used to catch drips and spills.
 - c. Pavement shall not be hosed down at material spills. Dry cleanup methods shall be used whenever possible.
 - d. Dumpsters shall be covered and maintained. Uncovered dumpsters shall be placed under a roof or be covered with tarps or plastic sheeting.
40. **Land Use and Planning.** 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.
41. **Noise.** The Project shall comply with the City of Los Angeles Building Regulations Ordinance No. 178048, which requires a construction site notice to be provided that includes the following information: job site address, permit number, name and phone number of the contractor and owner or owner's agent, hours of construction allowed by code or any discretionary approval for the site, and City telephone numbers where violations can be reported. The notice shall be posted and maintained at the construction site prior to the start of construction and displayed in a location that is readily visible to the public.
42. **Noise.** The construction staging area shall be as far from sensitive receptors as possible.
43. **Noise.** The Project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices capable of attenuating sound by 3 dBA or more.
44. **Noise.** Two weeks prior to commencement of construction, notification shall be provided to the off-site residential uses within 500 feet of the Project Site that discloses the construction schedule, including the types of activities and equipment that would be used throughout the duration of the construction period.
45. **Increased Noise Levels (Parking Structure Ramps).** Concrete, not metal, shall be used for construction of parking ramps. The interior ramps shall be textured to prevent tire squeal at turning areas. The walls of the parking garage adjacent to residentially zoned or used properties shall be enclosed.

46. **Noise.** The development shall comply with the Noise Insulation Standards of Title 24 of the California Code of Regulations to ensure an acceptable interior noise environment.
47. **Noise.** All exterior walls, including exterior windows of proposed residential units, shall be built with construction assemblies having a minimum Sound Transmission Class (STC) 35 for units facing toward La Brea Avenue and a minimum STC 30 for units facing Willoughby Avenue, as needed to meet a 45 dBA (CNEL) level for the interior of residential units.
48. **Fire Flows and Hydrants.** The Project shall submit a request to the City of Los Angeles Department of Water and Power (LADWP) to determine whether the pressure in the project area is sufficient. If it is not, then upgrades to the existing infrastructure shall be required.
49. **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.
50. **Public Services (Police – Demolition/Construction Sites).** Fences shall be constructed around the site to minimize trespassing, vandalism, short-cut attractions and attractive nuisances.
51. **Public Services (Police).** The plans shall incorporate a design that enhances the 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, and location of toilet facilities or building entrances in high-foot traffic areas. 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.
52. Upon completion of the Project, the Hollywood Area commanding officer shall be provided with a diagram of each portion of the property. The diagram shall include access routes and any additional information that might facilitate police response.
53. **Recreation (Increased Demand for Parks or Recreational Facilities).** If the applicant seeks a certificate of occupancy for apartments, then the following applies: (Apartments) 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.
54. **Safety Hazards.** The developer shall install appropriate construction related traffic signs around the site to ensure pedestrian and vehicle safety. 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.

The LAUSD Transportation Branch at (213) 580-2950 must be contacted regarding the potential impact upon existing school bus routes. School buses must have unrestricted

access to schools. During the construction phase, truck traffic and construction vehicles may not cause traffic delays for our transported students. During and after construction changed traffic patterns, lane adjustment, traffic light patterns, and altered bus stops may not affect school buses' on-time performance and passenger safety. Because of provisions in the California Vehicle Code, other trucks and construction vehicles that encounter school buses, using red-flashing-lights must-stop-indicators will have to stop. The Project Manager or designee will have to notify the LAUSD Transportation Branch of the expected start and ending dates for various portions of the project that may affect traffic within nearby school areas.

- a. Contractors must maintain safe and convenient pedestrian routes to all nearby schools. The applicable Pedestrian Route to School map can be found at <http://www.lausd-oehs.org/saferoutestoschools.asp>.
 - b. Contractors must maintain ongoing communication with LAUSD school administrators, providing sufficient notice to forewarn children and parents when existing pedestrian and vehicle routes to school may be impacted.
 - c. Installation and maintenance of appropriate traffic controls (signs and signals) to ensure pedestrian and vehicular safety.
 - d. Haul routes will not pass by any school, except when school is not in session.
 - e. No staging or parking of construction-related vehicles, including worker-transport vehicles, will occur on or adjacent to a school property.
 - f. Funding for crossing guards (at contractor's expense) is required when safety of children may be compromised by construction-related activities at impacted school crossings.
 - g. Barriers and/or fencing must be installed to secure construction equipment and to minimize trespassing, vandalism, short-cut attractions, and attractive nuisances.
 - h. Contractors are required to provide security patrols (at their expense) to minimize trespassing, vandalism, and short-cut attractions.
 - i. Information related to school developer fees can be obtained by contacting the LAUSD Developer Fee Office at (213) 743-3670. The District updates this information on a yearly basis.
55. **Wastewater Service.** 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. If street closures for construction are required, the Project applicant shall coordinate with LADOT on a traffic control plan and have flagmen to facilitate traffic flow and safety.
56. **Water Service.** As part of the normal construction/building permit process, the Project Applicant shall confirm with the LADWP Water Service Organization (WSO) that the capacity of the existing water infrastructure can supply the domestic needs of the Project during the construction and operation phases. If the water infrastructure has insufficient capacity, then the Project Applicant shall be required to build water lines to a point in the

system with sufficient capacity. If street closures for construction are required, the Project applicant shall coordinate with LADOT on a traffic control plan and have flagmen to facilitate traffic flow and safety.

57. 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
 - 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.

58. Utilities (Local Water Supplies – All New Construction). 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. Install restroom faucets with a maximum flow rate of 1.5 gallons per minute. A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for all landscape irrigation uses. 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.)

59. Utilities (Local Water Supplies – New Commercial or Industrial). All restroom faucets shall be of a self-closing design.

60. Utilities (Local Water Supplies – New Residential). Install no more than one showerhead per shower stall, having a flow rate no greater than 2.0 gallons per minute. 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. 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 – Construction/Demolition).** 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.
62. **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.
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.
64. **Utilities (Solid Waste Recycling - Operational).** Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. These bins shall be emptied and recycled accordingly as a part of the project's regular solid waste disposal program.

Administrative Conditions

65. **Approvals, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, reviews or approval, plans, etc, as may be required by the subject conditions, shall be provided to the Department of City Planning for placement in the subject file.
66. **Code Compliance.** All area, height and use regulations of the zone classification of the subject property shall be complied with, except wherein these conditions explicitly allow otherwise.
67. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assign. The agreement must be submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.
68. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public offices, legislation or their successors, designees or amendment to any legislation.

69. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
70. **Building Plans.** Page 1 of the grant and all the conditions of approval shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety.
71. **Corrective Conditions.** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if, in the Commission's or Director's opinion, such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
72. **Indemnification.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action or proceedings 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.
73. **Expedited Processing Section.** Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
74. **Consultation.** Prior to the project continuing through the legislative process, the applicant shall consult with Council District 4 and Hollywood Heritage, the Art Deco Society of Los Angeles, and the Los Angeles Conservancy.

FINDINGS

General Plan/Charter Findings

1. **General Plan Land Use Designation.** The subject property is within the Hollywood Community Plan, which designates the site for Limited Industrial land use with corresponding Zones of CM, MR1, and M1. The subject property is zoned MR1-1, which is consistent with its land use designation. Staff proposes a General Plan Amendment through this project to change the land use designation to Neighborhood Commercial land use with corresponding zones of C1, C2, C4, P, RAS3, and RAS4, and a Zone Change to [T][Q]C2-2D. With the adoption of the General Plan Amendment, the recommended [T][Q]C2-2D Zone will be consistent with the General Plan.

2. **General Plan Text.**

Hollywood Community Plan. The Community Plan text includes the following relevant provisions, objectives and policies:

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

Objective 4: To promote economic well-being and public convenience through:

- a. Allocating and distributing commercial lands for retail, service, and office facilities in quantities and patterns based on accepted planning principles and standards.
- b. Designating land for industrial development that can be so used without detriment to adjacent uses of other types, and imposing restrictions on the types and intensities of industrial uses as are necessary to this purpose.

The proposed General Plan Amendment to Neighborhood Commercial land uses and zone change to the [T][Q]C2-2D Zone is consistent with these provisions in that the new zone will would replace marginally viable industrial development with a mixture of commercial space and both affordable and market-rate housing in proximity to transit lines and jobs within Hollywood. Eliminating the industrial designation and zoning on this portion of La Brea Avenue will also be in keeping with the City's approved actions for commercial, office, and mixed-use developments within the immediate vicinity of the project site.

3. **Framework Element.** The Framework Element for the General Plan (Framework Element) was adopted by the City of Los Angeles in December 1996 and re-adopted in August 2001. The Framework Element provides guidance regarding policy issues for the entire City of Los Angeles, including the project site. The Framework Element also sets forth a Citywide comprehensive long-range growth strategy and defines Citywide polices regarding such issues as land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services. The Framework Element includes the following provisions, objectives and policies relevant to the instant request:

Objective 3.4: 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.

Policy 3.14.6: Consider the potential re-designation of marginal industrial lands for alternative uses by amending the community plans based on the following criteria:

- a. Where it can be demonstrated that the existing parcelization precludes effective use for industrial or supporting functions and where there is no available method to assemble parcels into a unified site that will support viable industrial development;
- b. Where the size and/or the configuration of assembled parcels are insufficient to accommodate viable industrial development;
- c. Where the size, use, and/or configuration of the industrial parcels adversely impact adjacent residential neighborhoods;
- d. Where available infrastructure is inadequate and improvements are economically infeasible to support the needs of industrial uses;
- e. Where the conversion of industrial lands to an alternative use will not create a fragmented pattern of development and reduce the integrity and viability of existing industrial areas;
- f. Where the conversion of industrial lands to an alternative use will not result in an adverse impact on adjacent residential neighborhoods, commercial districts, or other land uses;
- g. Where it can be demonstrated that the reduction of industrial lands will not adversely impact the City's ability to accommodate sufficient industrial uses to provide jobs for the City's residents or incur adverse fiscal impacts; and/or
- h. Where existing industrial uses constitute a hazard to adjacent residential or natural areas.

The proposed General Plan Amendment to Neighborhood Commercial land uses and Zone Change to the [T][Q]C2-2D Zone are consistent with these provisions in that the subject site is located along La Brea Avenue, a major boulevard, and within 1,000 feet from Santa Monica Boulevard, another major boulevard with a Rapid Transit Line. Eliminating the industrial designation and zoning on this portion of La Brea Avenue will also be in keeping with the City's recently approved actions for commercial, office, and mixed-use developments within the immediate vicinity of the project site.

The subject property satisfies several of the criteria set forth by the Citywide General Plan Framework Policy 3.14.6 for the identification of marginal industrial lands suitable for redesignation for alternative uses, in that it is located along a portion on La Brea Avenue that has industrially zoned land, but has been transitioning to commercial, mixed-use and office uses for the last decade. The conversion of the property to allow a mixed-use development will not create a fragmented pattern of development or reduce the integrity and viability of

the existing industrial area to the east, as most of the intensity of the development will be oriented to the west toward La Brea Avenue. The property's conversion to commercial use will not adversely impact adjacent residential neighborhoods, commercial districts, or other land uses, and will acknowledge the neighborhood commercial feel of La Brea Avenue.

- 4. Housing Element.** The Project would meet many housing objectives and policies contained in the Housing Element of the Los Angeles General Plan as follows:

Objective 1.1: Produce an adequate supply of rental and ownership housing in order to meet current and projected needs.

Objective 2.5: Promote a more equitable distribution of affordable housing opportunities throughout the City.

Policy 2.5.1: Target housing resources, policies and incentives to include affordable housing in residential development, particularly in mixed use development, Transit Oriented Districts and designated Centers.

Policy 2.5.2: Foster the development of new affordable housing units citywide and within each Community Plan area.

In addition to close to 40,000 square feet of retail space, the Project would add 169 apartment units to an older commercial corridor and provide additional quality rental housing without removing any existing housing. There will be a mix of affordable and market rate units, and the Project would accommodate various income levels by providing a mix of studio, one-bedroom, and two- bedroom units.

Objective 2.2: Promote sustainable neighborhoods that have mixed-income housing, jobs, amenities, services and transit.

Policy 2.2.1: Provide incentives to encourage the integration of housing with other compatible land uses.

The Project is located in a highly urbanized area of the City on La Brea Avenue, which provides extensive public transit service. La Brea Avenue is a Major Highway, Class II and a Transit Priority Street. One block north of the Project site, the City of West Hollywood has designated a Commercial-Regional Center at the corner of Santa Monica Boulevard and La Brea Avenue. Further, under the Transportation Element of the General Plan, Santa Monica Boulevard is designated as a Transit Priority Arterial Street. Therefore, the location of the Project would reduce dependence on the automobile as a form of transportation by its proximity to these transit priority streets thereby causing a reduction in the number of vehicle trips and vehicle miles traveled.

- 5. The Transportation Element** of the General Plan is not likely to be affected by the recommended action herein. The proposed project, with its general plan amendment and zone change, proposes a mixed-use development that is in keeping with the City's growth strategy of concentrating density along transit corridors. The project is consistent with the Transportation Element's identification of La Brea Avenue as a Future Transit Priority Street, and will serve as an example of a transit-oriented development given the existing transit investments as well as the anticipated future investments to improve transit service on the corridor. The project also proposes that most of the residential vehicular access be provided from the alley east of La Brea Avenue, which minimizes turning movement delays to

vehicles and conflicts with pedestrians on La Brea Avenue, a Major Highway, Class II. In addition, the Department of Transportation conducted a Traffic Assessment of the proposed project dated August 22, 2014 that determined the impact of trip generation will be less than significant.

6. Charter Findings - City Charter Sections 556 and 558 (General Plan Amendment).

The proposed General Plan Amendment complies with Sections 556 and 558 in that the plan amendment is consistent with numerous goals, policies and objectives of the Citywide General Plan Framework and the Hollywood Community Plan to provide adequate housing for all economic, age and ethnic segments of the community, to locate higher residential densities and encourage mixed-use development near transit stations, and to develop mixed-use projects along major boulevards.

The General Plan Amendment would replace marginally viable industrial land fronting La Brea Avenue, which has been transitioning to commercial, mixed-use and office uses in the past decade. It would allow housing to be developed in proximity to a transit corridor, and continue to develop La Brea Avenue as a Transit Priority Street, as identified in the Transportation Element.

The subject property's location within 1,000 feet of Santa Monica Boulevard, the changing nature of La Brea Avenue, and the subject property's consistency with several of the eight criteria established by the Citywide General Plan Framework Policy 3.14.6 for the identification of marginal industrial lands suitable for redesignation for alternative uses, all ensure that changing the land use to a commercial designation in this area will be consistent with the City's industrial land use policy and good zoning practice.

- 7. The Sewerage Facilities Element** of the General Plan will not be affected by the recommended action. While the sewer system might be able to accommodate the total flows for the proposed project, further detailed gauging and evaluation may be needed as part of the permit process to identify a specific sewer connection point. If the public sewer has insufficient capacity then the developer will be required to build sewer lines to a point in the sewer system with sufficient capacity. A final approval for sewer capacity and connection permit will be made at that time. Ultimately, this sewage flow will be conveyed to the Hyperion Treatment Plant, which has sufficient capacity for the project.

Entitlement Findings

8. Zone Change Findings.

- a. Pursuant to Section 12.32-C 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 recommended zone change to the [T][Q]C2-2D Zone would replace marginally viable industrial development with a mixture of commercial space and housing in proximity to existing transit lines. The zoning along La Brea Avenue has undergone changes in this area from limited industrial to office, mixed-use and commercial uses in the past ten years. Eliminating the industrial designation and zoning on the subject property will acknowledge the transformation that La Brea Avenue is undergoing while protecting the viable industrial land to the east for use by the entertainment industry.

The location of the subject property on a designated Transit Priority Street and the project site's questionable viability for future industrial use indicate that changing the zone to a

commercial zone in this area would be beneficial and consistent with the City's industrial land use policy. The proposed commercial and mixed-use development that would be permitted by the recommended [T][Q]C2-2D Zone will be consistent with the City's policy of locating housing and encouraging mixed use near public transit, and is therefore a higher and more appropriate use of land on a Transit Priority Street.

The zone change to C2 will allow uses on the parcel that have previously not been allowed in the MR1 Zone. The MR1 Zone was created to preserve industrial land for light industrial uses and to provide for non-retail businesses which enhance the City's employment base. Retail uses are not allowed within the MR1 Zone. The change to the C2 Zone will allow the introduction of retail uses on the project site, as well as housing and mixed-use development, such as the proposed project. The MR1 Zone also requires a yard setback which is not compatible within an urban setting. It is most appropriate for an industrial business park in a suburban setting. The recommendation for a C2 Zone along La Brea Avenue recognizes the evolution of the corridor from one dominated by auto-oriented and light industrial uses to one that provides community-serving commercial and retail uses.

The applicant is requesting a Vesting Zone and Height District Change to C2-2D. Height District 2 would allow an unlimited height and a Floor Area Ratio (FAR) of 6:1. Most of the other properties on the same block on La Brea Avenue are zoned M1 or MR1 in Height District 1, which limits the FAR to 1.5:1. However, the property across the subject site is zoned [T][Q]RAS4-1, which allows a maximum FAR of 3:1 and unlimited height. The applicant is proposing a maximum FAR of 3:1, and the development on the property will be limited to a maximum FAR of 3:1 and a height of 78 feet through the imposition of the "D" Development Limitation. Therefore, the approval of the Vesting Zone and Height District Change will be consistent with public necessity, convenience, general welfare and good zoning practice

- b. The current action, as recommended, has been made contingent upon compliance with new "T" and "Q" conditions of approval and "D" development limitations imposed herein for the proposed project. Such limitations are necessary to protect the best interests of and to assure a development more compatible with surrounding properties and the overall pattern of development in the community, to secure an appropriate development in harmony with the General Plan, and to prevent or mitigate the potential adverse environmental effects of the subject recommended action.

9. Zoning Administrator's Adjustment Findings.

- a. **While site characteristics or existing improvements make strict adherence to the zoning regulations impractical or infeasible, the project nonetheless conforms with the intent of those regulations.**

The applicant is requesting relief from the rear yard requirement from providing a 19-foot rear yard setback to a 5-foot setback on the second and third stories and a 16-foot setback on the fourth through seventh stories. The project is a mixed use building. In order to improve the project's aesthetics, the applicant decided to partially wrap the second and third stories at the corner of Willoughby Avenue and La Brea Avenue in order to disguise the parking behind it. While the wrapped units are generally desirable as they shield views of the parking use from the street, the residential units are triggering the residential rear yard requirement for the C2 zone. The rear yard requirement is intended to provide light and air as well as privacy between the residential units on the upper stories and the adjacent building to the north. There are no residential units proposed at the northern end of the project on the second and third

floors, and the residential units on the fourth through seventh floor will have a 16-foot setback. The project will be taller than the adjacent building to the north, which is 41 feet tall. The project's residential units on the fourth floor and above begin at 35 feet, and given that the adjacent building does not have any windows on its southern side, privacy issues would be minimized. Therefore, the project, while providing a smaller rear yard setback than what is required, nonetheless conforms to the intent of the rear yard regulations that provide suitable guarantees for light, air and privacy for residential units.

- b. In light of the project as a whole, including any mitigation measures imposed, the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.**

The project involves the demolition of existing structures and the construction, use and maintenance of a seven-story, 78-foot tall mixed-use development consisting of 169 rental dwelling units (including 14 units affordable to Very Low Income households) and 37,057 square feet of ground-floor retail. There will be approximately 294 automobile parking spaces, 36 short-term bicycle parking spaces and 188 long-term bicycle parking spaces. The project will be compatible with regard to form and orientation with the other buildings that are within the same block. The project under construction across La Brea Avenue to the west was approved for 179 dwelling units and a height of up to 65 feet. The current project will be compatible in height. The project will act as a gateway to the more intense West Hollywood Gateway Shopping Center to the north, and provide a transition to the less intense commercial corridor to the south. Given that the more sensitive uses such as housing, are located to the south of the project, no shade-shadow impacts are anticipated. Therefore, the project's location, size, height, and operations will be compatible with the development that currently exists or is under construction, and will not adversely affect the surrounding neighborhood.

- c. The project is in substantial conformance with the purpose, intent and provisions of the General Plan, the applicable community plan and any applicable specific plan.**

The project is requesting a General Plan Amendment from Limited Manufacturing to Neighborhood Commercial, and a Zone Change from MR1-1 to [T][Q]C2-2D. The General Plan Amendment and Zone Change are consistent with the overall goals, objectives, policies and programs of the General Plan Framework and Housing and Transportation Elements, which call for the concentration of new development along major boulevards and transit lines and increasing housing opportunities for all segments of the population. The conversion of the subject site, which is industrially zoned, to commercial and residential uses is consistent with the criteria set under Policy 3.14.6 of the General Plan Framework to consider potential re-designation of marginal industrial lands for alternative uses. The Hollywood Community Plan also calls for the designation of "lands at appropriate locations for the various private uses and public facilities in the quantities and at densities required to accommodate the projected population and activities" under Objective 2, and "...promot(ing) 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" in Objective 4. The project will acknowledge the changing nature of the area within the immediate block of the subject site from a marginal industrial use to a mixed-use and office corridor. The project will

provide housing opportunities to multiple segments of the population through market-rate and affordable housing, and also provide jobs and amenities through the retail uses. Therefore, the project will be in substantial conformance with the provisions of the General Plan and the Hollywood Community Plan. The project is not in any specific plan area.

10. Site Plan Review Findings. In order for the site plan review to be granted, all three of the legally mandated findings delineated in Section 16.05-F of the Los Angeles Municipal Code must be made in the affirmative:

- 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 project is requesting a General Plan Amendment from Limited Manufacturing to Neighborhood Commercial, and a Zone Change from MR1-1 to [T][Q]C2-2D. The General Plan Amendment and Zone Change are consistent with the overall goals, objectives, policies and programs of the General Plan Framework and Housing and Transportation Elements, which call for the concentration of new development along major boulevards and transit lines and increasing housing opportunities for all segments of the population. The conversion of the subject site, which is industrially zoned, to commercial and residential uses is consistent with the criteria set under Policy 3.14.6 of the General Plan Framework to consider potential re-designation of marginal industrial lands for alternative uses. The Hollywood Community Plan also calls for the designation of "lands at appropriate locations for the various private uses and public facilities in the quantities and at densities required to accommodate the projected population and activities" under Objective 2, and "...promot(ing) 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" in Objective 4. The project will acknowledge the changing nature of the area within the immediate block of the subject site from a marginal industrial use to a mixed-use and office corridor. The project will provide housing opportunities to multiple segments of the population through market-rate and affordable housing, and also provide jobs and amenities through the retail uses. Therefore, the project will be in substantial conformance with the provisions of the General Plan and the Hollywood Community Plan. The project is not in any specific plan area.

- 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.**

The proposed project's arrangement on the site, vehicle and pedestrian access to and from the site, loading areas, and other project details will be compatible with the existing and future built environment. The surrounding area is generally characterized by one- and two-story retail buildings to the south of Willoughby Avenue along La Brea Avenue, limited and light industrial uses across the alley to the east of La Brea Avenue, one- to two-story residential uses south of Willoughby Avenue and east of La Brea Avenue, and a 4-story parking and office building to the north, adjacent to the project site. Metro Local Lines 212 and 312 service La Brea Avenue, and Metro Rapid Line 704 and Local Line 4 service Santa Monica Boulevard, within 1,000 feet of the project site.

The proposed project will be compatible with the surrounding development and will provide a transition between the more intense development to the north and the smaller scale commercial development to the south along La Brea Avenue.

The project will have a similar form as the La Brea Gateway project under construction across La Brea Avenue to the west, which was approved in 2009 and modified in 2013. The La Brea Gateway project will be 65 feet in height, has a FAR of 2.12:1, and the building's massing will be concentrated along La Brea Avenue. The proposed project follows a similar design, with the massing being concentrated along La Brea Avenue. The proposed project observes a 5-foot landscaped buffer at the ground level adjacent to the building to the north, which is an appropriate distance given that the adjacent building is built to the property line and is a blank wall.

The patrons of the commercial uses will access the site from La Brea Avenue, while the tenants of the residential units and the loading for the commercial uses will occur off of the alley at the eastern edge of the property. This configuration was the best way to minimize congestion and curb cuts along La Brea Avenue, a Major Highway, Class II, while affording convenient access to the building. The use of the alley by the residential vehicles will not conflict with the use of the loading dock, as they have different peak hours. The applicant will coordinate with the adjacent property owners to the east to ensure that the use of the alley is managed appropriately so that conflicts are minimized.

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

The project will provide on-site recreational and service amenities to improve habitability for the new tenants in the residential units. The project features 14,920 square feet of common open space through a pool deck on the fourth floor that is oriented towards views of the Hollywood Hills, a 1,075 square-foot deck on the seventh floor, and a combined 3,500 square feet of private balconies. The project also includes over 37,000 square feet of retail that will have neighborhood-serving retail uses. The amenities offered will not only provide a service to the new residents, but will minimize impacts on neighboring properties by reducing the need for vehicle trips by the new residents to access services that can be obtained within the building and through providing spaces for recreation onsite.

Environmental Findings

11. Environmental Finding. A Mitigated Negative Declaration (ENV-2014-4075-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 and the Revisions and Additional Analysis dated March 27, 2015, 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 Department of City Planning in Room 750, 200 North Spring Street.

12. Flood Insurance. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Flood Zone X, areas identified on the flood map as areas of moderate or minimal hazard from the principal source of flood. Currently, there are no flood zone compliance requirements for construction in these zones.