



APPLICATIONS:

APPEAL APPLICATION

Instructions and Checklist

Related Code Section: Refer to the City Planning case determination to identify the Zone Code section for the entitlement and the appeal procedure.

Purpose: This application is for the appeal of Department of City Planning determinations authorized by the Los Angeles Municipal Code (LAMC).

A. APPELLATE BODY/CASE INFORMATION

1. APPELLATE BODY

- ☐ Area Planning Commission ☐ City Planning Commission ☒ City Council ☐ Director of Planning
☐ Zoning Administrator

Regarding Case Number: CPC-2014-4705-ZC-HD-MCUP-CU-SPR

Project Address: 6220 W Yucca Street (and additional applicable addresses)

Final Date to Appeal: 10/22/2020

2. APPELLANT

Appellant Identity:
(check all that apply)

- ☐ Representative
☐ Applicant

- ☐ Property Owner
☐ Operator of the Use/Site

☒ Person, other than the Applicant, Owner or Operator claiming to be aggrieved
Susan Hunter on behalf of LATU - Hollywood Local and YATA

- ☐ Person affected by the determination made by the **Department of Building and Safety**
☐ Representative ☐ Owner ☐ Aggrieved Party
☐ Applicant ☐ Operator

3. APPELLANT INFORMATION

Appellant's Name: Susan Hunter

Company/Organization: Los Angeles Tenants Union - Hollywood Local

Mailing Address: 6500 Sunset Blvd.

City: Los Angeles State: CA Zip: 90028

Telephone: (949) 295-0206 E-mail: heysuzhunter@gmail.com

a. Is the appeal being filed on your behalf or on behalf of another party, organization or company?

☐ Self ☒ Other: LATU and YATA

b. Is the appeal being filed to support the original applicant's position? ☐ Yes ☒ No

4. REPRESENTATIVE/AGENT INFORMATION

Representative/Agent name (if applicable): _____

Company: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ E-mail: _____

5. JUSTIFICATION/REASON FOR APPEAL

a. Is the entire decision, or only parts of it being appealed? ☐ Entire ☒ Part

b. Are specific conditions of approval being appealed? ☒ Yes ☐ No

If Yes, list the condition number(s) here: Condition 14

Attach a separate sheet providing your reasons for the appeal. Your reason must state:

- ☒ The reason for the appeal ☒ How you are aggrieved by the decision
☒ Specifically the points at issue ☒ Why you believe the decision-maker erred or abused their discretion

6. APPLICANT'S AFFIDAVIT

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

Appellant Signature: _____

Date: 10/15/2020

GENERAL APPEAL FILING REQUIREMENTS

B. ALL CASES REQUIRE THE FOLLOWING ITEMS - SEE THE ADDITIONAL INSTRUCTIONS FOR SPECIFIC CASE TYPES

1. Appeal Documents

a. **Three (3) sets** - The following documents are required for each appeal filed (1 original and 2 duplicates)
Each case being appealed is required to provide three (3) sets of the listed documents.

- ☐ Appeal Application (form CP-7769)
☐ Justification/Reason for Appeal
☐ Copies of Original Determination Letter

b. **Electronic Copy**

- ☐ Provide an electronic copy of your appeal documents on a flash drive (planning staff will upload materials during filing and return the flash drive to you) or a CD (which will remain in the file). The following items must be saved as individual PDFs and labeled accordingly (e.g. "Appeal Form.pdf", "Justification/Reason Statement.pdf", or "Original Determination Letter.pdf" etc.). No file should exceed 9.8 MB in size.

c. **Appeal Fee**

- ☐ Original Applicant - A fee equal to 85% of the original application fee, provide a copy of the original application receipt(s) to calculate the fee per LAMC Section 19.01B 1.
☐ Aggrieved Party - The fee charged shall be in accordance with the LAMC Section 19.01B 1.

d. **Notice Requirement**

- ☐ Mailing List - All appeals require noticing per the applicable LAMC section(s). Original Applicants must provide noticing per the LAMC
☐ Mailing Fee - The appeal notice mailing fee is paid by the project applicant, payment is made to the City Planning's mailing contractor (BTC), a copy of the receipt must be submitted as proof of payment.

SPECIFIC CASE TYPES - APPEAL FILING INFORMATION

C. DENSITY BONUS / TRANSIT ORIENTED COMMUNITES (TOC)

1. Density Bonus/TOC

Appeal procedures for Density Bonus/TOC per LAMC Section 12.22.A 25 (g) f.

NOTE:

- Density Bonus/TOC cases, only the *on menu or additional incentives* items can be appealed.
- Appeals of Density Bonus/TOC cases can only be filed by adjacent owners or tenants (must have documentation), and always only appealable to the Citywide Planning Commission.
- ☐ Provide documentation to confirm adjacent owner or tenant status, i.e., a lease agreement, rent receipt, utility bill, property tax bill, ZIMAS, drivers license, bill statement etc.

D. WAIVER OF DEDICATION AND OR IMPROVEMENT

Appeal procedure for Waiver of Dedication or Improvement per LAMC Section 12.37 I.

NOTE:

- Waivers for By-Right Projects, can only be appealed by the owner.
- When a Waiver is on appeal and is part of a master land use application request or subdivider's statement for a project, the applicant may appeal pursuant to the procedures that governs the entitlement.

E. TENTATIVE TRACT/VESTING

1. Tentative Tract/Vesting - Appeal procedure for Tentative Tract / Vesting application per LAMC Section 17.54 A.

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

- ☐ Provide a copy of the written determination letter from Commission.

F. BUILDING AND SAFETY DETERMINATION

- ☐ 1. Appeal of the Department of Building and Safety determination, per LAMC 12.26 K 1, an appellant is considered the **Original Applicant** and must provide noticing and pay mailing fees.

a. Appeal Fee

- ☐ Original Applicant - The fee charged shall be in accordance with LAMC Section 19.01B 2, as stated in the Building and Safety determination letter, plus all surcharges. (the fee specified in Table 4-A, Section 98.0403.2 of the City of Los Angeles Building Code)

b. Notice Requirement

- ☐ Mailing Fee - The applicant must pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of receipt as proof of payment.

- ☐ 2. Appeal of the Director of City Planning determination per LAMC Section 12.26 K 6, an applicant or any other aggrieved person may file an appeal, and is appealable to the Area Planning Commission or Citywide Planning Commission as noted in the determination.

a. Appeal Fee

- ☐ Original Applicant - The fee charged shall be in accordance with the LAMC Section 19.01 B 1 a.

b. Notice Requirement

- ☐ Mailing List - The appeal notification requirements per LAMC Section 12.26 K 7 apply.
- ☐ Mailing Fees - The appeal notice mailing fee is made to City Planning's mailing contractor (BTC), a copy of receipt must be submitted as proof of payment.

G. NUISANCE ABATEMENT

1. Nuisance Abatement - Appeal procedure for Nuisance Abatement per LAMC Section 12.27.1 C 4

NOTE:

- Nuisance Abatement is only appealable to the City Council.

a. Appeal Fee

- ☐ Aggrieved Party the fee charged shall be in accordance with the LAMC Section 19.01 B 1.

2. Plan Approval/Compliance Review

Appeal procedure for Nuisance Abatement Plan Approval/Compliance Review per LAMC Section 12.27.1 C 4.

a. Appeal Fee

- ☐ Compliance Review - The fee charged shall be in accordance with the LAMC Section 19.01 B.
- ☐ Modification - The fee shall be in accordance with the LAMC Section 19.01 B.

NOTES

A Certified Neighborhood Council (CNC) or a person identified as a member of a CNC or as representing the CNC may not file an appeal on behalf of the Neighborhood Council; persons affiliated with a CNC may only file as an individual on behalf of self.

Please note that the appellate body must act on your appeal within a time period specified in the Section(s) of the Los Angeles Municipal Code (LAMC) pertaining to the type of appeal being filed. The Department of City Planning will make its best efforts to have appeals scheduled prior to the appellate body's last day to act in order to provide due process to the appellant. If the appellate body is unable to come to a consensus or is unable to hear and consider the appeal prior to the last day to act, the appeal is automatically deemed denied, and the original decision will stand. The last day to act as defined in the LAMC may only be extended if formally agreed upon by the applicant.

This Section for City Planning Staff Use Only		
Base Fee:	Reviewed & Accepted by (DSC Planner):	Date:
Receipt No:	Deemed Complete by (Project Planner):	Date:
<input type="checkbox"/> Determination authority notified		<input type="checkbox"/> Original receipt and BTC receipt (if original applicant)

City Council
PLUM Committee
200 North Spring Street
Los Angeles, CA 90012

Los Angeles Tenants Union – Hollywood Local
Susan Hunter
6500 Sunset Blvd.
Los Angeles, CA 90028
And;

Yucca Argyle Tenant Association
Luis Saldivar
6220 W Yucca St. Apt A
Hollywood, CA 90028
And;

Yucca Argyle Tenant Association
Shauna Johnson
6214 W. Yucca St. Apt B
Hollywood, CA 90028

10/07/2020

RE: CPC-2014-4705-ZC-HD-MCUP-CU-SPR/ Proposed Yucca-Argyle project

PLUM Committee Members,

The Los Angeles Tenants Union - Hollywood Local (LATU), a movement that represents its dues paying members within the project site and the larger community; along with the Yucca Argyle Tenants Association (YATA) are aggrieved by and do request amendments for the City Planning Commissions decision for certifying and adopting the “Yucca-Argyle Development Project”.

Reasons for modifying condition 14 (d) for the “Yucca-Argyle Project”
CPC-2014-4705-ZC-HD-MCUP-CU-SPR

While we are grateful that the City Planning Commission has agreed that we need a city-wide plan to address development caused displacement, we are concerned with the lack of transparency regarding the current condition for approval under Condition 14 (d). The language needs to be expanded to include the following:

“No part of the agreement will allow for a reduction of short-term or long-term rights of the tenants; or prevent tenants from bringing a lawsuit should the developer fail to uphold any part of the agreement. Tenants cannot be coerced into signing an agreement they do not agree with. Any

use of harassment, intimidation, or refusal to do repairs in order to obtain a signed agreement will render the agreement void, and that the condition will not have been met.”

Justification for Original Request

During previous hearings regarding this project, the applicant’s representative repeatedly watered down several issues of concern for the tenants. For six years the developer has promised to enter into an agreement with the current residents to guarantee a Right of Return. For six years the developer has only stated this verbally or in one letter sent to the tenants, but has failed to actually create an agreement. Due to their lack of action, we asked the CPC that a Right of Return Plan for the tenants be made a condition of approval for this project so that no tenants are displaced into homelessness. This action had been done previously by the City Planning Commission for the proposed Crossroads project which has the same representative. That condition also approved by PLUM. The CPC agreed to this request for the proposed Yucca Argyle project and added Condition 14 (d):

d. Prior to the issuance of a demolition permit, the Applicant or successor shall provide certified mailing receipts of proof of service, to the Department of City Planning Major Projects Section demonstrating that existing qualified tenants were provided an offer to enter into a private agreement with the applicant (or successor) that includes the following terms: 1) the ability for the tenant to return to a comparable unit within the project; and, 2) during construction of the project, funding of the difference in rent of a comparably-sized unit between the tenant’s rental rate immediately prior to the demolition of the building and the tenant’s new rental rate, until the ability to return, if accepted, is exercised. The Applicant (or successor) shall provide a copy of the signed agreement(s) with, or written rejection from, the tenant(s). Where the Applicant (or successor) is not able to enter into an agreement with the tenant(s), the Applicant (or successor) shall submit a written declaration, under penalty of perjury, that best faith efforts have been made to enter into a private agreement with the tenant(s). The applicant (or their successor) shall also submit to the Department of City Planning Major Projects Section, concurrent with certified mailing receipts of proof of service signed under penalty of perjury, the rent roll of occupied units at the time the offer is commenced.

Justification for Amended Request

Since the applicant and their representative have stated repeatedly that they want an agreement then there should be no reason for them to oppose this condition. However, we are especially concerned with this specific representative based on their previous history of promising to protect tenants only to then go back on their word.

1) At a Central Planning Commission hearing regarding tenants at 5825 Sunset, Jerry Neuman did repeatedly in writing and verbally promise that should his client be granted a new special type of use, no tenants would be evicted from the property (ZA-2017-210-CU). This request was approved with Condition 11 stating no tenants could be evicted. Also approved in the letter of determination (Appendix 1), was Condition 12 that any tenants who wished to be moved to one

floor could do so, as well as be allowed 30-60 days to complete the move to the “tenant only floor”. This Condition was proposed by Jerry Neuman who came up with the “tenant only floor” as a compromise for tenants who voiced concerns about their building being turned into a party hotel. Within a month of receiving this special use, tenants received notices that they were being evicted (Appendix 2). The extra condition requested specifically by Jerry Neuman for extra time to move the tenants to one floor was then used to issue eviction notices to tenants for them to “have ample time to find housing elsewhere” signed by Neuman himself. He failed to mention any possibility of moving to one floor in the eviction notice. The eviction timed out to terminate their tenancies at Christmas.

2) At the Crossroads project approval, the City Planning Commission added a similar condition to ensure tenants would have a right of return. The developer offered a contract, withdrew the contract, and then offered a contract again. During this time, they also served Ellis evictions on the tenants also threatening to displace them from their homes at Christmas (Appendix 3). The tenants were pressured to either sign a terrible offer that potentially stripped them of their rights, or risk losing their homes during the holidays. The offer included such language as Tenant’s Release of Claims, Tenant’s Section 1542 Release, Covenant Not to Sue, and Abandonment of the Project – which could happen at any time and for any reason. When our membership struck out these parts of the agreement with a letter saying the agreement needed to be revised with much clearer and easier to read language before they would sign, they were sent a letter stating they had to sign the agreement as is, or they released any right of return (Appendix 4).

Summary of Request for Amendment

Our local chapter of the Union is dedicated to stopping the flow of our residents into homelessness. It is the actions of developers like these that we, as a movement, even exist. There is no reason to continue to make empty promises just to get a project approval to then throw people out of their homes during the holidays.

There is also no real reason to build hundreds of units by displacing 20 – 25 families in order to do it. It is clear that the applicant and their representative don’t care about the current tenants since their existence was omitted from the EIR and previous project descriptions. We need to create housing that will actually address the needs of the community. The Median Household income for Hollywood is \$43,998 ¹. We need housing that reflects the actual needs of the community, not a “build it and the rich will come” mentality. We are a working-class neighborhood that is in desperate need to keep the housing we can realistically afford. What we see instead is the continual removal of the housing we live in and can afford being threatened by gentrification and development. We have built thousands of units in Hollywood (Appendix 5). We have seen an increase in homelessness in Hollywood of 22% ². These two issues are absolutely linked. They are clearly linked because we are not building enough affordable housing to replace the RSO housing being taken away in order to build the market-rate housing. What is the point of making luxury housing Rent-Stabilized when it is intended for a higher income person who doesn’t live in this neighborhood? As proposed, this project will result in the loss of

¹ <https://censusreporter.org/profiles/86000US90028-90028/>

² <https://www.lahsa.org/documents?id=4672-2020-homeless-count-council-district-13>

23 affordable units by reducing the number from 40 to only 17 on site. We have no way of justifying the net loss of affordable housing for more market-rate housing.

What we are asking for is very simple. House the people who need to be housed by starting with the people who already live on the property. Require a Plan for a Right of Return (Appendix 6) as a condition of approval that is enforceable and can be monitored to make sure it is being met without any bullying. Do not rely on bad actors such as Jerry Neuman and Kendra Casper who enjoy displacing tenants during the holidays. 25 units must be held for a Right of Return, before applying the density bonus for 17 units. A total of 42 units must be set aside out of 269, a whopping 9%. The 25 should not be reduced by the 17, otherwise we just continue to reduce the number of affordable units we need to house new families due to double dipping. We need more affordable housing. Instead, we reduce our production to meet a developer's bottom line while expecting the rest of the community to pick up the tab for the services for the newly homeless. Realistically, there should be no less than 35% affordable in all developments if we are to meet our affordable housing needs. Why are we continuing to approve projects that don't give the community what it really needs if we claim want to do something about our homeless and housing issues?

We need to look at all of our alternatives including the fact that replacement housing is not under the jurisdiction of the Ellis Act. We can be creative and overlay a new Certificate of Occupancy over old ones to preserve RSO the lower rental rates for existing tenants, while creating new units to meet our housing needs. A process that was already done at 5825 Sunset by this same representative. If we can do this for a developer to make more money by adding a new use to an existing one, we can do it to preserve our affordable housing. We should require this condition for a universal right of return on any proposed project site where there are tenants, and guarantee their housing in the interim, so that we reduce the number of people who enter into homelessness.

We must also acknowledge that if the push from the city is to increase density and FAR under Re-Code and Community Plans to reduce the entitlement process, then the City needs to codify a Right of Return Plan into the LAMC in order to apply to any projects that would be considered by-right in the future. This can be done through Ryu's motion CF 14-0268-S16, which has been delayed for over a year due to HCID not returning their report-backs in a timely manner. The report-back was to have been fulfilled by December 23, 2019 per a vote in the Housing Committee held October 23, 2019 and with the due date of 60 days selected by HCID at the meeting.

If the only choice at this time is to continue with a condition that requires a private agreement, then the language of Condition 14 (d) needs to be strengthened given the representatives past actions.

"No part of the agreement will allow for a reduction of short-term or long-term rights of the tenants; or prevent tenants from bringing a lawsuit should the developer fail to uphold any part of the agreement. Tenants cannot be coerced into signing an agreement they do not agree with. Any use of harassment, intimidation, or refusal to do repairs in order to obtain a signed agreement will render the agreement void, and that the condition will not have been met."

Signed,

Susan Hunter
Caseworker
Los Angeles Tenants Union – Hollywood Local

Appendix

- 1) Letter of Determination regarding 5825 Sunset Special Use.
- 2) Eviction Notice Sent to 5825 Tenant Violating the Condition of Approval.
- 3) Crossroad Tenant Ellis Eviction Notice.
- 4) Pressure Notice from Developer Refusing to Negotiate.
- 5) Hollywood Chamber of Commerce image with total number of units built from 2010-2018. Multi-family units total over 8,000.
- 6) Proposed Plan for First Right of Refusal Under Full Demolition.



CENTRAL AREA PLANNING COMMISSION

200 North Spring Street, Room 532, Los Angeles, California, 90012-4801, (213) 978-1300
www.planning.lacity.org

LETTER OF DETERMINATION

MAILING DATE: OCT 03 2017

Case No.: ZA-2017-210-CU-1A

Council District: 13 – O'Farrell

CEQA: ENV-2017-211-CE

Plan Area: Hollywood

Project Site: 5815-5825 West Sunset Boulevard

Applicant: Brad Woomer, 5825 West Sunset Boulevard, LLC
Representative: Jerold Neuman; Jeremy Chan, Liner, LLP

Appellant: Susan Hunter

At its meeting of **September 12, 2017**, the Central Los Angeles Area Planning Commission took the actions below in conjunction with the approval of the following project:

A transient occupancy residential structure addition to an existing residential dwelling use within 500 feet of an R Zone.

1. **Determined** based on the whole of the administrative record, the Project is exempt from CEQA pursuant to CEQA Guidelines, Article III, Section 1, Class 1, Category 22, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies;
2. **Denied** the appeal and **sustained** the Zoning Administrator's determination in approving a Conditional Use Permit to allow a transient occupancy residential structure addition to an existing residential dwelling use within 500 feet of an R Zone;
3. **Adopted** the attached Conditions of Approval as modified by the Commission; and
4. **Adopted** the attached Findings as amended by the Commission.

This action was taken by the following vote:

Moved: Chung-Kim
Seconded: DelGado
Ayes: Mendez
Absent: Chemerinsky

Vote: 3 - 0


Etta Armstrong, Commission Executive Assistant I
Central Los Angeles Area Planning Commission

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

Effective Date/Appeals: The decision of the Central Los Angeles Area Planning Commission is final upon the mailing date of this letter, and it is not further appealable.

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Attachments: Modified Conditions of Approval, Amended Findings

c: Jack Chiang, Associate Zoning Administrator

CONDITIONS OF APPROVAL
(MODIFIED BY THE CENTRAL LOS ANGELES AREA PLANNING COMMISSION
ON SEPTEMBER 12, 2017)

CONDITIONS OF APPROVAL

1. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
2. The use and development of the property shall be in substantial conformance with the plot plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.
3. 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 Zoning Administrator to impose additional corrective Conditions, if, in the Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
5. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.
6. Approved herein is an amended Transient Occupancy Residential Structure use in addition to the existing apartment dwelling use, within a residential building containing 52 units and 45,984 square-feet of floor area, for the occupancy of 30 consecutive calendar days or less, counting portions of calendar days as full days.
7. The current "Apartment" use shown the existing Certificate of Occupancy shall be maintained with the transient occupancy residential structure use.
8. The property shall comply with all (Q) Qualified Conditions set forth in CPC-2005-7334-GPA-VZC-CU-SPR, including but not limited to, (Q) Condition No. A1, **Use Restriction and Limitations**: "The use of the subject property including restrictions, limitations, and area regulations, shall be limited to those permitted in the C2 Zones as defined in Section 12.14 of the Municipal Code."
9. The project shall provide parking complying with the Code satisfying either apartment dwelling use or transient occupancy residential structure use, whichever is more.
10. The applicant shall submit a site plans to the Fire Department for their review and approval prior to initiate condition clearance at the Planning Department Development Services Center.

11. **REVISED** - The applicant shall not displace or evict apartment tenants with existing active lease agreements, including month to month leases without just cause as to breach lease agreements.
12. **REVISED** - The applicant shall provide appropriate relocation notices complying with the California Department of Consumer Affairs noticing regulations of providing a 30-day day (less than one-year tenancy) or a 60-day (more than one-year tenancy) notice based on the length of the tenancy, in the event of non-renewal of new lease agreements. The applicant shall provide an option to existing apartment tenants to stay up for an additional 30-day period beyond the end of the tenancy for the relocation purpose, starting from the expiration of an active lease agreement, provided that the tenant pays the rental payment for the 30-day period.
13. **REVISED** - Security patrol shall be provided 24 hours a day on site patrolling the premises, within the building and in parking lot. A camera surveillance system shall be installed which will cover all common areas as well as high-risk areas, sidewalk areas, parking area, and entrances and exits of the premises. Doors leading into common residential areas beyond lobby shall be secured at all times, access to these areas shall be limited to on-site residents and property management. Video tapes shall be maintained for 90 days and shall be made available to the Police Department or other enforcement agency upon request.
14. The property and all associated parking, and common areas in the building, including any adjacent area under the control of the property management, sidewalk and alley shall be maintained in an attractive condition and shall be kept free of obstruction, trash, litter and debris at all times.
15. **REVISED** - The property management shall provide an on-site manager available 24 hours a day. A contact number shall be provided to all residents to address service and repair needs.
16. Any music, sound or noise emitted from all dwelling units shall comply with the noise regulations in the Los Angeles Municipal Code.
17. The applicant shall post signs that state, "Loitering Is Prohibited", on or around the premises or the area under control of the applicant.
18. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.
19. No deviations from any other Municipal Code zoning regulations have been requested or granted herein.
20. **Within 30 days of the effective date of this grant**, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center for approval

before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Development Services Center or Condition Compliance Unit for inclusion in the case file. Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

21. INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.

Applicant shall do all of the following:

- a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages and/or settlement costs.
- c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).
- d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement (b).
- e. If the City determines it necessary to protect the City's interests, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own

expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

“City” shall be defined to include the City, its agents, officers, boards, commission, committees, employees and volunteers.

“Action” shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

22. **NEW** - All existing tenants who are using their space as their primary residence shall be given a four month extension to their tenancy and that they be offered the right to be relocated together on two contiguous floors. This would, at the time of relocation and for the length of the extension ensure that all tenants on those floors would be primary tenants and not short term residents;

Thereafter, all new tenants would be provided notice prior to signing leases that the building was a mixed tenancy building and that upon signing a lease they would be given phone numbers for both managers and security that can be reached 24 hours a day in the event of any issues with a short term tenant.

23. **NEW** - All short term tenants shall be given a notice that it is a mixed tenancy building and provided rules of conduct. Rules of conduct shall include quiet hours commencing at 10pm on weekdays and 11:00pm on weekends, prohibition of drinking alcoholic beverages or smoking of any kind outside of private residences unless in specifically designated areas.

FINDINGS
(MODIFIED BY THE CENTRAL LOS ANGELES AREA PLANNING COMMISSION
ON SEPTEMBER 12, 2017)

FINDINGS

Following is a delineation of the findings and the application of the relevant facts to same:

1. **REVISED - The project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city or region.**

The subject property is a part of a unified development project consists of two sites on 8 lots (Lot Nos. 101 to 108, Grider and Hamilton's Grant Place), and four entitlement approvals. The unified development was to convert one existing 12-story hotel into a 52-unit apartment building, converting an existing U-shaped commercial building into 20 residential town-house, and the construction of a brand new 79 unit residential condominium.

Since the Floor Area Ratio was limited to 1.5 to 1 at the time, the applicant filed applications for a General Plan Amendment, Zone Changes for Height District Change, and Conditional Use to increase the Floor Area Ratio from 1.5 to 1 to 3 to 1, increase the Height District to 2D, and the Averaging of Floor Area of 2.59 to 1 across all 8 involved lots, for a total of 131 dwelling units and a combine of 171,177 square-foot floor area. The following is the detail information of the unified development on each site:

Site No. 1 – Metropolitan Creative Campus, the subject project site containing the existing 12-story Metropolitan Hotel building, and the existing U-shaped commercial building, was approved for a conversion from a hotel to an apartment with 52 units and a conversion a commercial building into 20 residential townhouses, by the approvals of CPC-2005-7334-GPA-VZC-CU-SPR and VTT-63478.

Vesting Tentative Tract No. 63478 was later modified by VTT-63478-M1, and further converted 20 units of townhouses into 20 units of commercial condominium for the creative office use. The Vesting Tentative Tract was never recorded to effectuate the commercial condominium use, but the 52 residential units and the 42,000-square-foot of commercial floor area for a creative office use are in effect by the authority of CPC-2005-7334- GPA-VZC-CU-SPR.

Site No. 2 – Metropolitan West Apartments, a site immediately to the west of the Metropolitan Creative Campus, was approved for a 74 units of residential condominium, by the approvals of CPC-2005-7325-GPA-VZC-CU-ZV-SPR and VTT-63479. Vesting Tentative Tract No. 63479 was later modified by VTT-63479-M1 to increase the residential density from 74 units to 79 units, of which 5 units may be Joint Live Work Quarter units, and 4 units shall be Low Income units. The Vesting Tentative Tract was never recorded to effectuate the

condominium use, but the dwelling units are authorized for an apartment use under the authority of CPC2005-7325-GPA-VZC-CU-ZV-SPR.

The subject Conditional Use only involves the 52-unit Metropolitan Building on Site No. 1, for amending a Transient Occupancy Residential Structure (TORS) use to the Building, without affecting other components of the unified project. The applicant hereby requests a Conditional Use Permit application to allow a TORS use in addition to the existing apartment use within the residential building in the C2 Zone and located within 500 feet of an R Zone. The applicant clearly stated that the apartment use will remain and will not be removed. The application is not a Plan Amendment, Zone Change, or a Variance. The property's land use plan designation and zone remain unchanged. The applicant also does not propose to implement any physical changes to the Metropolitan Building, including the floor area square footage, height, number of stories, or building footprint.

The project property is zoned (Q)C2-2D-SN and improved with a 12-story, 52-unit apartment building, and a two- to four-story creative office building. The 12-story apartment building was initially a 90-guestroom hotel when constructed in 1980, then it was converted to the current apartment use in 2009. The subject property has been approved for a Vesting Tentative Tract Map No. 63478, to subdivide the property into two lots. The 52-unit apartment building is located on proposed Lot No. 1, and the creative office building is located on the proposed Lot No. 2 of VTT-63478. A final map has not been recorded with the Los Angeles County at this time. The properties to the north of the site, across a 12-foot alley, are zoned R4.

The property located in the heart of Hollywood Community where it has multifaceted entertainment, tourism and media industries. Many television, movie, media, and creative work studios are located close by the project site. These studios often engage in various television or movie production work or programs that last from few days to several months. The property itself also is a part of a unified development that contains creative offices, where these offices often bring in consultants and contractors from other cities. The Hollywood Community also attracts many domestic and international visitors. All of these short-term residents and visitors are a transient population that generates both short-term and long-term boarding accommodation. The current City Codes regulate residential uses into non-transient and transient types. Non-transient residential uses such as single family home and apartment uses are occupancies of 30 days and more, whereas a transient use is less than 30 days of occupancy and stated explicitly in the Los Angeles Building Code.

Pursuant to Los Angeles Building Code, Section 202, it defines Transient as:

“Occupancy of a dwelling unit or sleeping unit for not more than 30 days.”

Both the Municipal Code and Building Code do not currently contain a dwelling use permitting both more than a 30-day and less than 30-day occupancies. Thus, this creates a problem for long-term residential facilities that need to provide a boarding accommodation for less than 30-days of occupancy, and also a troublesome operation for hotels to house guests that stay more than 30 days or several months. The applicant explained that if a short-term resident needs to stay for 3

months, it would be difficult to find an apartment lease for 3 months only. If this person is to stay in a hotel, the law only permits an occupancy for 30 days only, so both the occupant and the hotel must process check out and check in transactions in the hotel several times to circumvent a violation. The applicant stated that City Codes currently creates inconveniences to both the residential facility operators and short-term residents, and therefore, proposed the TORS use to the Metropolitan Building in order to resolve problem.

A TORS would allow a short-term rental for less than 30 days which essentially is similar to a hotel use, however, unlike a very transient nature of the hotel use, the TORS use is a more long-term stable residential use. TORS are allowed to have kitchens whereas hotel guest rooms are not. Many extended residential inns that were popular in the 1980s were designed with the TORS specification.

Los Angeles Municipal Code, Section 12.03, it defines a TORS as:

“A residential building designed or used for one or more dwelling units or a combination of three or more dwelling units and not more than five guest rooms or suites of rooms wherein occupancy, by any person by reason of concession, permit, right of access, license, or other agreement is for a period of 30 consecutive calendar days or less, counting portions of calendar days as full days.”

Applicant indicated in the March 24, 2017 hearing that the Metropolitan building has a high tenancy turnover rate, and there are only 30 units being occupied currently. An amended TORS use would allow the applicant to increase the occupancy rate and generate tax revenues for the City. The applicant stated that the TORS use is intended to serve a stable short-term residents, and not aimed for visitors who stay for a few days. The applicant has no intention to operate a hotel use for day stays. A TORS would offer an additional boarding option in the City in comparison to hotels and motels. Therefore, the project will provide a unique and valuable flexible residential use and service that is essential and beneficial to the Hollywood Community, by preserving long-term while providing short-term housing units to permanent apartment tenants and entertainment/creative industry working professionals.

Allowing short-term rentals while maintaining the apartment use would make efficient and flexible use of the existing building by providing long-term residential dwelling units for permanent apartment tenants, and also accommodations for short-term residents to stay from a few weeks to several months. The proposed project will preserve the long-term housing while addressing the short-term residential occupancy issue within Hollywood Community, and further provide benefit and support to the creative and entertainment industry and the local tourism.

At the September 12, 2017, Central Area Planning Commission appeal hearing, the Commission amended Condition Nos. 22 and 23 requiring the applicant to provide existing long term-tenant an option to relocate onto same floors to avoid potential impacts from short-term tenants, and also requiring the applicant to provide rules of conducts to the short-term tenants to prohibit nuisance behavior. The Commission finds that Condition Nos. 22 and 23 provides habitat compatibility

to a building having both long-term and short-term residential units as to assure nuisance be kept at minimum. The project will perform a service that is essential and beneficial to the community, city and region.

The Conditional Use does not grant physical change to the building floor area, building footprint, or the height. No environmental impact is anticipated since there is no new construction proposed by the project. The existing apartment use is required to remain on the Certificate of Occupancy, so that the Metropolitan Building can continue to admit new long-term apartment tenants. All existing apartment residents are able to remain as the Metropolitan Building tenants, whereas the determination imposes Condition No. 11 and 12 requiring the applicant to honor the existing apartment lease agreements, ensuring no existing tenants will be displaced or evicted based on the addition of the TORS use. A Condition is also imposed to provide an option to the existing tenants allowing a 30-day stay if a tenant decides not to extend the lease.

Further, based on a review of the floor plan, all units consist of a studio or a one-bedroom layout, which are still very similar to the previous hotel arrangement, lacking solid wall separations between the living area and sleeping area. Floor plans from second floor to tenth floor are identical, with studio units. Floor Plans on the eleventh and twelfth floor are the same, but designed with larger luxury penthouse studio units, wrapping the top of the building with views. Families with three or more members, or children, may find all of these units provide inadequate practicality, privacy, and in some units with little floor area. The size and the openness of the units are more fitting and accommodating for both a low occupancy apartment use and a TORS use. It is not anticipated that conventional housing units will be reduced in Hollywood Community. The project as proposed, will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city or region.

2. **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 existing residential building was built in the 1980s and was used as a hotel. A change of use to an apartment building was approved in 2006 under Case No. CPC-2005-7334-GPA-VZC-CU-SPR which turned the hotel into the current apartment building. As the existing building was operated as a hotel prior to the change of use to an apartment, the addition of a TORS use is similar to the original use for the building, and it would not introduce a complete new use to the site and the surrounding neighborhood. Additionally, the applicant does not propose any expansion to the existing building, thus the project lot coverage, floor area, or height remain the same without creating physical change to the site or introducing new environmental impacts to the surrounding area. The proposed project of amending the TORS use to the existing apartment is not expected to adversely affect the adjacent properties, surrounding neighborhood or public health, welfare and safety in terms of location, size, or height of the building.

Some existing tenants have expressed concerns about their current lease agreements and displacement of existing tenants over phone calls. The applicant

stated that the building management will honor all existing active apartment lease agreements, therefore, no existing apartment tenant will be displaced or evicted based on the addition of the TORS use. The determination imposes Condition Nos. 11 and 12, guaranteeing the existing tenant rights, and providing the option to existing tenants a 30-day stay if a lease will not be extended. The project still maintains the existing apartment use to preserve the long-term housing stock. It is anticipated that the project will not adversely affect the existing on-site tenant or the housing stock in the area.

The Department of Transportation (DOT) Referral Form, completed and signed by DOT staff on February 24, 2017, indicates that changing the use to TORS would result in a net decrease of 134 daily trips, one (1) AM peak hour trip, and 14 PM peak hour trips, and a traffic study is not required for the proposed project. Additionally, parking spaces will be provided according to the Los Angeles Municipal Code requirement, which complies with (Q) Condition No. A5 set forth in Case No. CPC-2005-7334-GPA-VZC-CU-SPR. There are currently 73 parking spaces provided at the site. The transient occupancy residential structure use requires 41 spaces while the apartment use requires 52 spaces. The project meets the parking space requirement and supplies excess parking spaces. Further, there will be no sale of alcohol as seen often with hotels which may result in noise and unruly behaviors. Therefore, the project is not expected to create significant adverse impacts on traffic patterns, parking, or nuisance associated with alcohol consumption in the area.

Interested parties have raised a concern that units in Metropolitan Building have been used as Airbnb rentals, and that this is a possible violation. Based on a March 19, 2014 Memorandum issued by Planning Department, the City's position on the short term rental currently is that it is allowed in the Commercial Zones and High Density Multiple Family RAS4, R4 and R5 zones, but it is prohibited in the Single Family R1 Zone and Low and Medium Density Family R2, RD, R3, and RAS3 Zones. The Memorandum states that a Conditional Use Permit may be required in some cases, while not in other situation, but it does not explain when a Conditional Use is required. Additionally, the Department of City Planning has completed a proposed Home-Sharing Ordinance, Case No. CPC-2016-1243-CA (Code Amendment) anticipating the shared-economy growth. The staff recommendation report has completed the Housing Committee review, and it is currently submitted to the City Council for further review, but no Council action date is anticipated in the near future. The Zoning Administrator reviewed the staff report, and finds the subject conditional use permit as proposed, does not conflict with the proposed Home-Sharing Ordinance.

A few tenants have also commented that property management has offered units in the building for Airbnb guestroom services. Theft and robbery incidents occurred in the building and in the parking lot. Airbnb guests created loud noises during the stay, and trash is also found in common areas in the building. The Zoning Administrator did a search on Airbnb website at 5825 W. Sunset location. There are 16 unique studio rental listings found with nine different hosts; "Sasha, Ben, Xavier, Kate, Joel, Errol, Nick, Nasim, and Jeremiah", with Sasha hosting up to 7 studios on Airbnb. Units listed on Airbnb all seem to be the top floor penthouse luxury studio lofts. The applicant has stated that the property management does not operate the Airbnb service themselves, and that some tenants of the building

are subleasing to visitors without permission from the property management. The applicant expressed that the property management wishes to resolve this non-supervised short-term rentals and keep it under control. The applicant explained that the TORS use, together with the apartment use, are intended to serve the both stable long-term and short-term residents, and not for visitors who stay for a few days. Condition Nos. 13, 14, 15, 16, and 17 are imposed to improve property security, cleanliness, and management response, and also to reduce noise and loitering persons from and around the Metropolitan Building.

Finally, the subject conditional use permit is required because the project is within 500-feet from R Zone pursuant to Code Section 12.12.2-A,1,(d). The intent of the Code is to protect the adverse impact maybe created from the TORS use to the peacefulness and quietness enjoyed by the surrounding residential properties, otherwise the project is a by-right use without needing a conditional use permit. As stated previously, the project involves no construction, no height increase, a decrease in traffic generation, the 52-unit density remains the same, and no elimination of the apartment use or housing units. In addition, the building exterior is mostly encased with sealed glass walls with very few windows to contain internal noise generated from the units. The building is also separated by a 4-story creative office building from the northerly abutting R Zone properties, in providing a further buffer. The existing on-site and surrounding physical environmental setting will be remaining the same. Shade and shadow, and wind pattern all remains the same. Therefore, 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

3. **The project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any specific plan.**

The General Plan is the City's roadmap for future growth and development. The General Plan establishes goals, policies, purposes, and programs that provide for the regulatory environment in managing the City, and for addressing environmental concerns and problems. The General Plan consists of seven state-mandated Elements including Land Use, Mobility, Housing, Conservation, Noise, Safety, and Open Space, and optional Elements including Framework, Air Quality, Service Systems, and Plan for a Healthy Los Angeles. The Land Use Element is comprised of 35 Community Plans that establish parameters for land use decisions within the communities of the City.

City updated the Hollywood Community Plan in 2012, however, due to a Los Angeles Superior Court decision on the Plan's Environmental Impact Report, the City Council took action on April 2, 2014 to rescind the 2012 Hollywood Community Plan Update (HCPU). As a result of this action, the City has reverted, by operation of law, to the 1988 Hollywood Community Plan and the zoning regulations that existed immediately prior to June 19, 2012 (the date of the adoption of the HCPU and ordinance).

The 1988 Hollywood Community Plan is the current effective plan governing Hollywood Community. The subject property is located within the Hollywood Community Plan area and has an underlying land use designation of Highway

Oriented Commercial with corresponding zones of C1, C2, P, RAS3, and RAS4.

Objective 1. *To coordinate the development of Hollywood with that of other parts of the City of Los Angeles and the metropolitan area. To further the development of Hollywood as a major center of population, employment, retail services, and entertainment...*

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

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

Based on the Conditional Use Permit application request, there is no change in the Plan Land Use, Zone, and the Height District to the project that would affect the Hollywood Community Plan. The project complies with the Plan Objectives in terms of enhancing “*Hollywood as a major center of population, employment, retail services, and entertainment*”, “*accommodate population and activities projected to the year 2010*”, and create “*housing required to satisfy the varying needs and desires of all economic segments of the Community, maximizing the opportunity for individual choice.*”

The project also does not conflict with the Hollywood Community Plan Policies respect to Commerce and Housing under Land Use section. The Commerce Standards and Criteria encourages commercial and entertainment activities in the community and for the entire region. Developments combining residential and commercial uses are especially encouraged in the Hollywood Center area.

The Housing Standards and Criteria focuses housing uses within Residential Land Uses ranging from Minimum, Very Low, Low, Medium, High-Medium, to High Density. The subject property is designated as Highway Oriented Commercial, the Housing Standards and Criteria does not contain any housing use in Commercial Land Use Designation, therefore, Housing Standards and Criteria do not apply to the project property.

In addition, the project complies with the (Q) Qualified Conditions of Case No. CPC-2005-7334-GPA-VZC-CU-SPR case, particularly Condition Nos. A1 and A3.

(Q) Condition No. A1 – Use Restrictions and Limitations. The use of the subject property including restrictions, limitations, and area regulations, shall be limited to those permitted in the C2 Zone as defined in Section 12.14 of the Municipal Code.

(Q) Condition No. A1 permits all uses permitted C2 Zone. Pursuant to Los Angeles Municipal Code, C2 Zone allows a TORS use. The project application is not a variance in seeking an exception from the C2 or the approved (T)(Q)C2-2D-SN Zones. The requested TORS use complies with the C2 Zone and further complies with (Q) Condition No. A1.

(Q) Condition No. A3 – Density. Not more than 52 dwelling units shall be

constructed on the subject property.

(Q) Condition No. A3 only restricts the density, not the use. No other (Q) Condition set forth in CPC-2005-7334-GPA-VZC-CU-SPR, restricts the use of the property, or restricts the dwelling units shall be for an apartment use. The Condition does not prohibit a TORS use. In addition, Finding No. 9b. specifically states, “the project provides housing opportunities in the form of renter occupied studio size units, owner occupied condominium units, live/work units, and four very low income affordable housing units.”

The CPC approval clearly does not restrict dwelling units to be apartments only, and it further encourages a variety of housing uses, such as a TORS to address a stable short-term housing use. This intent also complies with Hollywood Community Plan *Objective 3 - To make provision for the housing required to satisfy the varying needs and desires of all economic segments of the Community, maximizing the opportunity for individual choice.*

In order to preserve the apartment housing, the grant imposes Condition No. 7 to maintain the apartment use on the Metropolitan Building's Certificate of Occupancy. Further, four very low income affordable housing units were provided in the Metropolitan West Apartment building as a part of the unified development, located at 5831-5841 Sunset, under the approval of CPC-2005-7325-GPA-VZC-CU-SPR and VTT-63479-M1. An affordable housing Covenant No. 20160741035 was recorded with Los Angeles County on June 27, 2016.

Finally, the project does not conflict with the Measure JJJ, a City wide initiative which was passed on November 8, 2016. In a Memorandum issued by the Department of City Planning, dated December 13, 2016, it clarifies that Measure JJJ deals with projects that; 1). Will result in ten or more residential units, and 2). Requires a General Plan Amendment, Zone Changes, and/or Height District Change that results in increased allowable residential floor area, density, height, or allows a residential use where previously not allowed. The subject Metropolitan Building Condition Use, does not involve any Plan Amendment, Zone Change, and Height District Change, nor does it result in increase of unit-density, residential floor area, or building height. The project conforms to Hollywood Community Plan, (Q) Conditions, and all Sections of the Los Angeles Municipal Code except that it is located within 500 feet from R Zone properties.

The project site is located along a major commercial arterial, Sunset Boulevard, and is located less than a mile from Hollywood Walk of Fame, a popular tourist attraction, entertainment and recording studios, and concert halls, including Sunset Bronson Studios, KTLA 5, Sunset Gower Studios, and Hollywood Palladium. The inclusion of TORS would satisfy the demand and need for short-term housing in Hollywood Community, a major tourism, creative, and entertainment industry employment center in the City.

TORS will be available for patrons who are seeking a long-term or a short-term place to stay in proximity to local and regional destinations and employment centers in Hollywood, thereby supporting the development of Hollywood as a major

center or population, employment, retail services and entertainment. As such, the proposed project substantially conforms to the purpose, intent and provisions of the General Plan.

**SIXTY-DAY (60-DAY) OR NINETY-DAY (90-DAY)
NOTICE TO TERMINATE**
(Code of Civil Procedure §1161 and §1161.1, et seq.)

TO TENANT: **Tequan Richmond** (by notice to the below-defined Premises); and
all others in possession of the Premises located at:

5825 West Sunset Boulevard #902, Hollywood, CA 90028,
specifically that certain property as defined in further detail in the below-defined Lease
(the "Premises")

FROM: 5825 W. SUNSET, LLC, a California limited liability company, as
successor-in-interest to Metropolitan (the "Landlord").

RE: The written Lease and Rental Agreement dated May 1, 2014 (the "Lease")
for the rental of the Premises by and between Metropolitan, as landlord, on
one hand, and Tenant, as tenant, on the other hand, for the rental of the
Premises.

PLEASE TAKE NOTICE that your Lease and/or month-to-month tenancy of the above-
described Premises is hereby terminated as of the date sixty (60) days, or ninety (90) days if you
exercise the option described below) after service of this **NOTICE** upon you and you are hereby
required to quit and surrender possession thereof to the undersigned no later than sixty (60) days,
or ninety (90) days, as applicable, after service of this **NOTICE** upon you subject only to an
additional (30) thirty day extension you may elect as provided below.

This NOTICE is intended as a sixty (60) day, or ninety (90) day, as applicable, legal notice for
the purpose of terminating YOUR tenancy in accordance with, among others, the First
Amendment and California Civil Code Sections 789 and/or 1946.

PLEASE TAKE NOTICE in order to provide you ample time to find new housing, you have an
option to stay for an additional thirty (30) day period (the "30 Day Extension") after the
expiration of the initial sixty (60) day notice period thus making this a ninety (90) notice,
provided that prior to the expiration of the initial sixty (60) day notice period, you give written
notice to Metropolitan Tower, by sending notice in writing to: **Metropolitan Tower C/O**
Management Office 5825 W Sunset Blvd Los Angeles, CA 90028, of your election to accept
the 30 Day Extension offer and to convert this notice to a ninety (90) day notice. .

PLEASE TAKE NOTICE your failure to vacate the Premises as of the date **SIXTY (60)**
DAYS or **NINETY (90) DAYS**, if the 30 Day Extension is elected by you, after service of this
NOTICE may result in legal action being taken against you wherein a declaration of forfeiture of
the Lease and possession of the Premises will be sought and wherein damages for such things as
rent, court costs, attorneys' fees, etc. may also be sought.

Landlord does not intend to accept a payment of rent for any portion of time beyond the sixtieth or ninetieth day, if the 30 Day Extension is elected, day of this notice,. If such a payment is sent to a lock box, Landlord will return the payment as soon as Landlord becomes aware of it. The fact that your check may be deposited in a lock box does not mean that Landlord was aware of it and intended to keep it.

State law permits you to reclaim abandoned personal property left at the Premises, subject to certain conditions. You may or may not be able to reclaim property without incurring additional costs, depending on the costs of storing the property and the length of time before it is reclaimed. In general, these costs will be lower the sooner you contact Landlord after being notified that property belonging to you was left behind after you moved out.

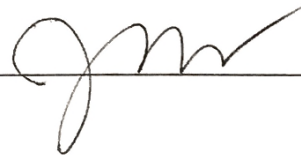
Nothing contained herein is intended as, nor shall be construed as, a waiver or release of any of the Landlord's rights and remedies, and the Landlord hereby reserves all such rights and remedies.

This NOTICE supersedes any prior Notice you received from Landlord or this office.

Property Management Associates
Authorized Agent for Landlord,
5825 W. SUNSET, LLC

October 26, 2017

By: _____





DLA Piper LLP (US)
550 S Hope Street,
24th Floor
Los Angeles, California 90071-2618
www.dlapiper.com

Karen Hallock
karen.hallock@dlapiper.com
T 213.694.3154
F 310.595.3408

August 26, 2019

BY PERSONAL DELIVERY AND BY U.S. MAIL

[redacted] and Occupants
1545 N Las Palmas Avenue, Unit [redacted]
Los Angeles, CA 90028

Re: NOTICE OF TERMINATION OF TENANCY

Dear [redacted] and Occupants,

Please be advised that pursuant to California Government Code Section 7060 *et seq.* (the "Ellis Act"), California Civil Code Section 1946, and Los Angeles Municipal Code Section 151.02 *et seq.*, the rental unit at 1545 N Las Palmas Avenue, [redacted] Los Angeles, CA 90028 (the "Premises") is being withdrawn from the rental market.

NOTICE IS HEREBY GIVEN that the tenancy by which you hold possession of the Premises will be terminated as of 120 days of the date herein. Please be advised that you must vacate the Premises on or before 120 days, and deliver possession to Cross Roads Properties I, LLC ("Landlord").

FURTHER NOTICE IS HEREBY GIVEN that your failure to deliver possession of the Premises on or before 120 days will cause Landlord to initiate legal proceedings to recover possession of the Premises.

Please review the enclosed Notice to Tenant of Pending Withdrawal regarding your rights as a tenant during this process.

Pursuant to California Civil Code Section 1946.1, state law permits former tenants to reclaim abandoned personal property left at the former address of the tenant, subject to certain conditions. You may or may not be able to reclaim property without incurring additional costs, depending on the cost of storing the property and the length of time before it is reclaimed. In general, these costs will be lower the sooner you contact your former landlord after being notified that property belonging to you was left behind after you moved out.

Sincerely,

A handwritten signature in black ink, appearing to be 'K. Hallock', written over a horizontal line.

Karen Hallock

Enclosure

CROSSROADS MANAGEMENT, INC.

6671 Sunset Blvd., Suite 1575, Los Angeles, CA 90028

Phone (323) 463-5611 • Fax (323) 463-0297

www.crossroadshollywood.com



October 28, 2019

[REDACTED]
1545 N Las Palmas Avenue, [REDACTED]
Los Angeles, CA 90028

Dear [REDACTED]

Thank you for reaching out to us.

This is responding to the attached package we received from you.

We sincerely hope you will take advantage of this unprecedented offer to live in a brand new apartment as part of the new Crossroads Hollywood project under your current rental arrangement. However, you struck out a large portion of the agreement and we are unable to accept that.

You still have the option to sign and return the original version of the agreement, which you must do by November 1, 2019, to secure your first right of first refusal to return to a new unit once the proposed development has been constructed.

We hope to work with you in the future and to welcome you as tenants in Crossroads Hollywood.

Sincerely,

Linda L. Duttlinger

Cross Roads Properties I, LLC

★ HOLLYWOOD RESIDENTS

47%



USE RESIDENCE
AS PRIMARY OR
SECONDARY
WORK SPACE

39%
OWN

57%
RENT

★ GETTING AROUND RESIDENTS ARE MORE LIKELY TO

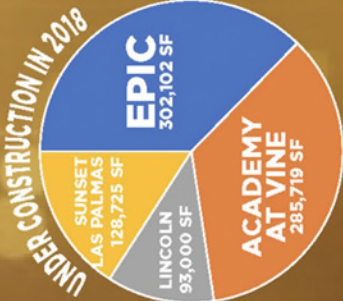
59% 43%



★ HOLLYWOOD RESIDENCY PEOPLE ARE COMING

30% HAVE LIVED HERE
3 YEARS OR LESS

★ CLASS A OFFICE SPACE



628,000 SF

CLASS A OFFICE SPACE IN THE PIPELINE
HOLLYWOOD MARKET STUDY COMMISSIONED BY THE HOLLYWOOD CHAMBER OF COMMERCE
FOR MORE INFORMATION CONTACT INFO@HOLLYWOODCHAMBER.NET

HOLLYWOOD

BY THE NUMBERS

★ AVERAGE HOUSEHOLD
\$104K HOLLYWOOD
\$92K WITHIN 5-10 MILES
\$83K OUTSIDE OF 10 MILES

★ RETAIL OPPORTUNITIES RESIDENTS' DISCRETIONARY INCOME SPENT IN HOLLYWOOD



60%

41%

★ MULTIFAMILY PROJECT UNITS COMPLETED



2,900 UNITS

UNDER CONSTRUCTION IN 2018

**PLAN FOR FIRST RIGHT OF REFUSAL
UNDER FULL DEMOLITION TO AMMEND LAMC SEC. 152.00**

1. Purpose The First Right of Refusal Plan for Full Demolition (hereinafter, “**Plan**”) shall be for the purpose of the following:

The City recognizes that displacement from rental housing creates hardships on renters who are senior citizens, persons on fixed incomes and low and moderate income households, particularly when there is a shortage of decent, safe and sanitary housing at affordable rent levels in the City. The City has also declared, in its adoption of Section 161.101*et seq.* of this Code, that it is in the public interest of the people of Los Angeles to protect and promote the existence of sound and wholesome residential buildings, dwelling units and neighborhoods. It is also important to recognize the integrity of a neighborhood which is based on its residents. Displacement of residents has a negative impact on the fabric of that community.

This Plan had been established to define for landlords their responsibilities for those who wish to expand the rental housing stock in Los Angeles by reinvesting in the development of their properties which currently have tenants residing on the property. Through rent adjustments authorized by the LAMC, landlords are able to recover a substantial portion of these unit improvement costs over time. However, Demolition Work involves substantial modification or full removal of buildings and structures and, by its very nature, such work generally makes rental units untenable, as defined by California Civil Code Section 1941.1, until the replacement unit is completed and the combined Certificate of Occupancy is issued. By overlaying a new CofO on an existing CofO, additional units can be created under full demolition work while retaining the existence of the original units into replacement units. This allows for more density to be created on already zoned residential parcels while minimizing displacement and preserving the LARSO.

This article is adopted to facilitate landlord investment in Demolition Work without subjecting tenants to either untenable housing conditions during such work or forced permanent displacement and loss of First Right of Refusal. This Plan requires landlords to mitigate such temporary untenable conditions, through the temporary relocation of tenants to alternative housing accommodations until such time as they can take possession of the replacement unit. Unless the tenant chooses to relinquish the right or is forced to relinquish, in which the tenant will be compensated. These two options should be regarded as mutually exclusive. Plan acknowledges the right of the tenants to occupy their unit does not cease during the time of demolition and construction even if it is not a physical feasible option.

2. Definitions

Temporary Relocation. The moving of a tenant from the tenant’s permanent residence to habitable temporary housing accommodations in accordance with the Plan. The temporary relocation of a tenant from his/her/their permanent place of residence shall not constitute the voluntary vacation of the unit and shall not terminate the status and rights of a tenant, including the right to reoccupy the replacement unit, upon the completion of the Demolition Work and new construction, subject to any rent adjustments as may be authorized under LAMC.

Compensation. The monetary amount a tenant will be entitled to should their right to occupy their replacement unit be diminished without their knowledge or consent; or should they choose to relinquish that right for whatever reason.

- (a) Compensation will be based on tenant's entering into a higher at-risk category for homelessness within five years of a tenant losing their housing;
- (b) Tenants will be compensated the equivalent of 36 months of the average market rate of a comparable unit to what the tenant was in possession of prior to demolition based on the city-wide median price of that size unit; and
- (c) In the case of tenants who are elderly, disabled, or have minor children, the amount will be based on the full 60 months.
- (d) In the case of multiple tenants in a multiple bedroom unit who don't all wish to exercise the First Right of Refusal under the Plan, the Compensation will be based on the median city cost of the one bedroom. Should multiple tenants share the one bedroom, the compensation will be split equally between them. Tenants who wish to exercise their right to occupy the replacement unit from the multiple bedroom unit will be allowed to do so as long as they have not received any compensation to relinquish their right.
- (e) Recipients for compensation for relinquishing of Right of First Refusal will not be subject to taxation as relocation is not taxable. Under the Uniform Relocation and Real Property Acquisition Policies Act of 1970 as Amended, relocation is not taxable due to imminent domain. Under California Government Code Chapter 12.75, private landowners are transferred power by the state to enact imminent domain.

3. Responsibility of the Applicant; and Further Findings and Rights of Tenants

- 3.1 A landlord shall pay for all temporary housing accommodation costs and any costs related to relocating the tenant's to temporary housing accommodations during Demolition Work, regardless of whether those costs exceed rent paid by the tenant. The landlord shall also pay any costs related to returning the tenant to his/her unit, if applicable. The Commission may adopt guidelines or regulations regarding the payment of moving costs.
- 3.2 In the case of multiple tenants in a multiple bedroom unit who don't all wish to exercise the First Right of Refusal, the Compensation will be based on the median city cost of the one bedroom. Replacement tenants for the replacement unit will be subject to the same approval requirements as were in place prior to the Demolition Work. Replacement Tenants will not be barred so long as they meet the requirements for renting. The same number of tenants residing in a unit prior to the Demolition work will be the allowable number of tenants allowed into the replacement unit.
- 3.3 Compensation payment must be made available in full within fifteen (15) days of service of the written notice of filing for the Plan. The landlord may, at the landlord's sole

discretion and at the landlord's cost, elect to pay the monetary relocation and relocation benefits through an escrow account. The monies must be placed in full in the escrow account within the required 15-day period. The escrow account must provide for payments to the tenant(s) for actual compensation and doesn't include: first and last month's rent; security deposit; or utility connection charges. Payments from the escrow account shall be made within three (3) working days of receiving a request for payment.

- 3.4 Temporary relocation units must be comparable to the unit being demolished, be within five miles of the unit being Demolished, and have the same services and amenities. Any reduction in size, services, or amenities must have a correlating reduction in rent for the duration of the time the tenant resides in the temporary unit.
- 3.5 The newly constructed unit must be comparable to the unit that was demolished and include the same services and amenities. Any reduction in the size of the unit, services, or amenities must accompany a correlating reduction in rent.
- 3.6 No additional rules may be created to prevent the tenant(s) from taking occupancy of the unit, such as (but not limited to) credit checks, additional deposits, rejection based on citizenship status, or criminal charges incurred during the time of construction or Demolition. Only domestic abuse, violent crime, or sexual based criminal arrests would be allowed to prevent the tenant charged with the crime from taking possession of the unit. This would be up to the discretion of the applicant to allow or not allow that tenant to take possession of the replacement unit. All other tenants residing in the unit prior to vacating would still be allowed to take possession of the replacement unit. The tenant's previous lease will still be in good standing. Leases will only allow addendums based on additional amenities and services (such as a new pool area) upon taking possession of the replacement unit.
- 3.7 Tenants taking possession of the replacement unit will not be denied access to any new amenities or services provided by the new development that were not offered in the previous structure prior to Demolition.
- 3.8 If the demolished unit was subject to the RSO regulations, then the replacement unit will also be applicable to RSO as long as the units are in possession of the tenant who resided in the unit prior to Demolition. Rent increases will be based on LARSO for that year. Plan recognizes that tenants were not always listed on the lease, so residency is based on possession prior to Demolition. This finding does not conflict with CA CIV CODE 1954.50-1594.535 as the Plan recognizes that the tenant's rights are intact and applicable to the replacement unit as the unit is a replacement unit for an RSO unit built before the legal cut-off year.
- 3.9 Plan does not allow for the applicant or any successor to be free from lawsuits from the City or the Tenants if the applicant fails to fulfill any of its responsibilities under the Plan at any time of demolition or subsequent construction of replacement units.

4. Changes to the Plan

Plan may only be changed by process of public hearings held before City Council. A motion must be introduced by a Councilmember and is subject to the applicable committees. Commissioners and other administrators may not re-interpret any part of the plan or its intent.

The Los Angeles Tenants Union - Hollywood Local, a movement that represents its dues paying members within the project site and the larger community, are *aggrieved by* and do oppose the City Planning Commission findings for certifying and adopting the “Yucca-Argyle Development Project” including Condition 14, based on the following findings and EIR basis for addressing housing and RSO needs. Condition 14 was created to allow a pathway for right of return. That right of return, and the need for it city-wide, should be worked back into the Housing and Population aspects of the EIR (And all subsequent EIR’s for proposed projects within the City of Los Angeles) for the following reasons:

Underlying Reasons for Modifying Condition 14 of the “Yucca-Argyle Project”
CPC-2014-4705-ZC-HD-MCUP-CU-SPR/ ENV-2014-4706-EIR/VT 73718

1. The population findings are based on inflated SCAG projections. The findings do not incorporate the most current population decline numbers due to mass migration out of the City. The EIR uses incomplete data in its analysis to come to conclusions that benefit the developer and do not stay neutral in its findings.
2. This project conflicts with California Government Code Chapter 12.75 and LAMC SEC. 151.26 – known as the Ellis Act; by failing to look at alternatives.
3. This project conflicts with the CRA Hollywood Redevelopment Plan and CA Health and Safety Code DIV 24 Part I Chapter 4 Article 9 Section 33413 (2) (A) (i). The area has not met its affordable housing requirements in order to justify taking away affordable housing without finding preservation methods.
4. This EIR makes an unsubstantiated projection of positive impacts on the community without disclosing methodology.
5. The EIR falsely claims that the project supports the City’s Housing Goals. This is in conflict with the Housing Element of the General Plan and the Hollywood Community Plan.
6. Overall, the EIR uses findings in support of the approval of the project are not supported by substantial evidence in the record; the EIR conflicts with itself in claiming to conform to State and Local laws and goals; the EIR uses outdated data that doesn’t reflect the current issues including but not limited to population, traffic, geology and soils; this EIR fails to give a complete “Cradle to Grave” analysis that is crucial and the EIR is inadequate without this methodology for multiple aspects of impacts arising from this project. Lastly, we adopt all other objections to this project that have been submitted.

1) The population findings are based on 2016 SCAG projections, and the findings do not incorporate the most current population decline numbers due to COVID and mass migration out of the City.

Area of Controversy:

The EIR relies on SCAG projections from 2016 only. This fails to include US Census or current migration and death rates due to COVID. County-wide, we have experienced 5,663 deaths¹ to date. Without a vaccine in place we can expect to see an increase in cases during the same time as cold and flu season. The population numbers also fail to consider the mass migration out of the City and State. According to early data from moving company trends (Appendix 1), California over has had a 63% increase in people leaving the State vs. people moving in. This data only accounts for people who were able to afford to hire professional movers. It doesn't account for individuals who moved on their own without professional help. Refusing to acknowledge that we have a mass migration out of the State and the resulting impacts is not professional or ethical. Refusing to acknowledge this current issue is only using incomplete data to conclusions that benefit the developer and do not stay neutral in its findings. There is no data that conclusively shows a planned return of those who have left.

Alternative:

The only option to mitigate the deficiency in the Population and Housing projections in the EIR is to issue a new assessment to include data on the migration out of current population as well as any expected return. This will have to include the formula for the basis of return and data sources.

2) This project violates California Government Code Chapter 12.75 and LAMC SEC. 151.26 – known as the Ellis Act; by failing to look at alternatives.

This proposed project fails to account for the financial discrimination that this project will bring into the environment. The EIR fails to acknowledge the cumulative loss of affordable housing to put in market rate housing. This project under Alternative 1 will create a loss of affordable housing by removing 23 units from the site. The developer hopes that by making all the units subject to the LARSO, that this will somehow preserve affordable units on site. They have not entered into any kind of a covenant agreement for what the rental rates on the new units will be.

The proposed project conflicts with California Government Code Chapter 12.75 and LAMC SEC 151.26 – known as the Ellis Act; by failing to look at alternatives to preserve the affordable RSO units on the property as well as the deed restricted affordable units.

Areas of Controversy:

Because the developer is offering any units not under an affordability covenant to be under the Rent Stabilization Ordinance, then they are offering RSO units for rent after displacing tenants from an RSO unit claiming Ellis. This is a direct violation of the Ellis law as Ellis is only intended for those landlords who wish to withdraw their units from the rental market. Not only

¹ <http://publichealth.lacounty.gov/media/coronavirus/data/index.htm>

does the developer intend on not withdrawing from the rental market, they actually intend on building more of them. This is just an attempt to remove rent stabilized tenants from their housing in order to rent out the unit to a higher rent paying tenant, which is being used as a work around for the Rent Stabilization law to protect renters against unfair rent increases to price them out of their home.

Alternative:

In order to comply with SEC 7060.1 (c) of California Government Code Chapter 12.75, which states:

“nothing in this chapter does any of the following:

(c) Diminishes or enhances any power in any public entity to mitigate any adverse impact on persons displaced by reason of the withdrawal from rent or lease of any accommodations.” (Appendix 2)

Ellis doesn't have authority over replacement units. In order to diminish the adverse impacts of tenants displaced into homelessness (a cost subsequently born by the tax payers), then by preserving the original CofO and overlaying the new CofO for the additional new units, property owners can maximize the density on their lots while retaining existing tenants. The developer can also create a robust and well thought out Plan for Right of Return as a condition for project approval. Lastly, they can enter into an agreement that all units not held for deed-restriction or Right of Return will only have a starting rental point that is equal to that of the median area rent for a comparable unit. For a one-bedroom, that would be \$2,400 a month.

3) This project conflicts with the CRA Hollywood Redevelopment Plan.

This EIR doesn't conform with the Hollywood Redevelopment Plan 410.4 New or Rehabilitated Dwelling Units Developed Within the Project Area

At least thirty percent (30%) of all new or rehabilitated dwelling units developed within the Project Area by the Agency, if any, shall be for persons and families of low or moderate income; and of such thirty percent, not less than fifty percent (50%) thereof shall be for very low-income households. At least fifteen percent (15%) of all new or rehabilitated units developed within the Project Area by public or private entities or persons other than the Agency shall be for persons and families of low or moderate income; and of such fifteen percent, not less than forty percent (40%) thereof shall be for very low-income households. The percentage requirements set forth in this Section shall apply in the aggregate to housing in the Project Area and not to each individual case of rehabilitation, development or construction of dwelling units; And

CA Health and Safety Code DIV 24 Part I Chapter 4 Article 9 Section 33413 (2) (A) (i) Prior to the time limit on the effectiveness of the redevelopment plan established pursuant to Sections 33333.2, 33333.6, and 33333.10 at least 15 percent of all new and substantially rehabilitated dwelling units developed within a project area under the jurisdiction of an agency by public or private entities or persons other than the agency shall be available at affordable housing cost to, and occupied by, persons and families of low or moderate income. Not less than 40 percent of the dwelling units required to be available at affordable housing cost to, and occupied by,

persons and families of low or moderate income shall be available at affordable housing cost to, and occupied by, very low-income households.

Area of Controversy:

Hollywood has continually failed to meet the requirements for 15% area-wide affordable housing. We lack thousands of affordable units in order to meet this legal requirement. Our trajectory is one that we will not meet this demand, and that the City Attorney has claimed that the City will start enforcing this law.

Alternative:

In order to meet our area-wide deficit of affordable housing, we should require that this and all other proposed developments be 100% affordable housing. We are overwhelmed with market-rate housing units and have more than is needed under our RHNA goals. As such, we should only allow for the creation of 100% affordable housing. There is no justification to destroy current affordable housing in order to build more luxury units that we don't need.

4) This EIR makes an unsubstantiated projection of neutral impacts on the community without disclosing methodology.

Page 79 of the letter of determination under “Growth Inducing Impacts” – Modified Alternative 2, fails to discuss methodology. The conclusion fails to recognize other impacts on economic or population growth by not accounting for two things:

- Population decline due to COVID
- Lack of access to newly constructed units due to economic hurdles
- Use of newly constructed units for purposes other than for housing

Area of Controversy:

The conclusion cannot just look at positive economic impacts that a development will bring without also looking at cumulative negative economic impacts on the currently existing population. The analysis also fails to acknowledge the population decline that is currently happening within the City of LA, and the this should trigger a reassessment for overall housing and population needs. The project will cumulatively have a negative economic impact on the surrounding community with a net loss of affordable units and creation of market-rate units that are priced out the median area wages. The project will also create amenities not available to the community, either by physical blockages or economic ones. Lastly, the analysis assumes that all units being constructed are being used for housing. This fails to acknowledge the use of R4 or R5 units in newly constructed housing being used for short-term, extended-stay, or transient uses. While home-sharing is currently illegal in RSO units under the Home-Sharing Act, there is no condition on the zoning of the property or of the project that would prevent any future hotel use on the site with a conversion. Therefore, the analysis is based on incomplete data in its analysis to come to conclusions that benefit the developer and do not stay neutral in its findings by claiming there is no negative impact.

Alternative:

A condition of approval must be applied to the project that the property will never be allowed to have any kind of hotel or transient use. If the applicant has no intentions of having any kind of transient usage, then this should not be a problem. The community should be given access to on-site amenities such as a pool or community rooms without charge.

5) The EIR falsely claims that the project supports the City's Housing Goals.

The Goals of both the Housing Element of the General Plan and the Hollywood Community Plan are to *increase* the affordable housing available area-wide and City-wide.

Area of Controversy:

Page 83 of the letter of determination, second bullet point, "Supports City's Housing Goals" fails to acknowledge the existence of the 40 RSO units on the proposed project site. The EIR only speaks to the creation of the 17 affordable units, and not the loss of 23 which would not be replaced. The EIR fails to acknowledge the market-rate value of the 209 units prior to being RSO. Unless the developer will enter into a contract to restrict the starting rental prices of the other newly constructed units to be comparable to other units in the area at the time construction is completed, then the use of demolition is being done to side-step the purpose of the LARSO. LARSO is meant to keep rental prices more affordable the longer a tenant lives in a unit. The EIR fails to examine the difference in turn over for tenancies in higher priced rental units and lower priced rental units before making a determination that simply supplying RSO units addresses the economic needs of the community. If there is a high turn over rate, and the units are continually priced out of median area incomes due to proximity of amenities (Appendix 3), then over time the units will not become more affordable for the tenant living in it.

Per the Hollywood Community Plan:

Additional low and moderate-income housing is needed in all parts of this Community. Density bonuses for provision of such housing through Government Code 65915 may be granted in the Low-Medium I or less restrictive residential categories.

Per the Housing Element of the General Plan:

The Housing Element of the General Plan identifies the City's housing conditions and needs, establishes the goals, objectives, and policies that are the foundation of the City's housing strategy, and provides an array of programs to create sustainable, mixed-income neighborhoods across the City.

Per Chapter 1 of the Housing Element (Housing Needs Assessment):

The Housing Element of the City of Los Angeles addresses the housing needs of the City's residents based on a comprehensive overview of the City's population, household types, housing stock characteristics, and special needs. Among other findings, this analysis indicates that the City's residents experience high rates of housing cost burdens, low home ownership rates, and loss of existing low-rent housing. These issues inform the policies and programs the City is

implementing to relieve these housing pressures for the City's residents. From Page 1-65 Chapter 5 and 6 - Rent Stabilization and Condominium Conversion: Given these regulatory disincentives for demolitions and conversions of RSO units, as well as the poor state of the economy, a report commissioned by the HCIDLA and DCP projects a smaller number of RSO unit losses this decade versus the last¹²⁷. The study projects that the City of Los Angeles will lose approximately 3,463 RSO housing units – or about 0.5% of current RSO stock – during the period 2010 to 2020. The most common types of evictions in RSO Units are due to demolitions and conversions. Apartment buildings built 30 or more years ago, may well continue to be attractive sites for new development, especially as the economy improves. These development projects will displace low- and moderate-income households, whose ability to find replacement housing at comparable rents will be challenged by the rising price of market-rate rental housing and the overall gentrification of some of the City's previously low-cost neighborhoods.

In actuality, we have lost 10,406 units to Ellis during 2010- start of 2020. Triple the number estimated (Appendix 4 and 5).

Alternative:

As a condition of approval, the developer must agree to:

- A Right of Return plan for current tenants (Roughly 25 families),
- Limits on the starting price of the new units to equal the median cost for a similar unit in the Hollywood area at time of completion of construction; And
- An increase in affordable units so that:
 - i. 25 will be held for right of return at close to the current rent being paid with an additional 15 units for affordable to replace the units that will be destroyed, and 17 affordable for the density bonus units to create the extra affordable housing we need to get out of our deficit. This would total 57 units out of 271 to be held for Right of Return and Affordability, totaling 21% of the entire project; Or
 - ii. At the minimum, 25 held for Right of Return along with 17 for the density bonus which would equal 42 units, or 9% of the entire project; Or
 - iii. We should be requiring 35% affordability on all new projects in order to dig our way out of the affordable housing crisis on top of the Right of Return units, totaling 119 units.

Double-dipping only leads to less affordable units being created to house people who are housing challenged. The current tenants are not housing challenged. They have a home. They just will become housing challenged if this project is approved with no pathway for a Right of Return. We can't keep adding to the pile of people displaced to the streets while hoping that somehow the crisis will solve itself.

Signed,
LATU – Hollywood Local

Appendix

- 1) Business Insider article on current moving company trends.
- 2) California Government Code Chapter 12.75
- 3) Federal Reserve Study - more supply of housing doesn't lower the rental cost.
- 4) Anti-Eviction mapping project – Ellis Evictions in Los Angeles from 2001-2009.
- 5) Anti-Eviction mapping project – Ellis Evictions in Los Angeles from 2010-2020.

▼ DOW
+0.3%▼ S&P 500
+1.02%▼ NASDAQ 100
+1.73%[HOME](#) > [STRATEGY](#)

More people have moved into these 9 US states than moved out during the pandemic

Madison Hoff Aug 23, 2020, 5:50 AM[◀ HOMEPAGE](#)

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Using data from moving marketplace [HireAHelper](#), we looked at which states saw

more people moving in than out during the pandemic.

Idaho had the largest net gain at 194%, followed by New Mexico at 44%. This means that 194% more people moved into Idaho than left the state since March.

Not being able to afford their current housing or deciding to move in with family or friends were the most common coronavirus-related reasons people reported choosing to move.

[Visit Business Insider's homepage for more stories.](#)

The pandemic has led to some Americans choosing to move to a different state, whether it be for a brief move to quarantine with others or a permanent change.

Moving marketplace [HireAHelper](#) examined which states saw more people moving in than out since the pandemic was declared in [March](#). Using customer data, the company looked at the net gains and losses in the past few months.

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the help of moving services. It mainly includes hybrid moving data, or moves that

include "purchasing transportation and labor separately to save money," according to Mike Glanz, president of moving services for HireAHelper.

Idaho had the largest net gain, where 194% more people moved into the state than out during the pandemic. On the other hand, New York and California had the largest net losses, with 64% and 63% more people moving out of the state than moving in

respectively. To find these net changes, HireAHelper calculated the ratio of the number of moves into a state to the number of people moving out.



Glanz told Business Insider in an email that even cities that saw more people moving out than in during the pandemic, such as New York City, "are likely to eventually rebound and we anticipate seeing a resurgence of population growth in metropolitan areas given previous trends."

Almost all states in HireAHelper's analysis saw a drop in the total number of people moving since last year. The exceptions among states with available data were South

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decline in the total number of moves from last year at -86%.

HireAHelper found 15% of 1,350 people surveyed who moved between January and June did so because of the pandemic. The most common reason these survey respondents said they moved were because they couldn't afford their place after losing household income due to the pandemic, at 37%. About 33% decided to move to quarantine at the homes of friends and family.

Glanz noted that a survey conducted by [Pew Research Center](#) of 9,654 US adults also found 3% moved because of the pandemic, and according to that survey 61% of people decided to move in with family during this time.



The following are the nine states that had the largest ratios of people moving in to people moving out since the declaration of the pandemic. We also included the percent change in total moves between March 11 and June 30 compared to this same period in 2019, using data from HireAHelper, to look at how the pandemic may have negatively impacted state-to-state migration overall.

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GOVERNMENT CODE - GOV**TITLE 1. GENERAL [100 - 7914]** (Title 1 enacted by Stats. 1943, Ch. 134.)**DIVISION 7. MISCELLANEOUS [6000 - 7599.2]** (Division 7 enacted by Stats. 1943, Ch. 134.)**CHAPTER 12.75. Residential Real Property [7060 - 7060.7]** (Chapter 12.75 added by Stats. 1985, Ch. 1509, Sec. 1.)

7060. (a) No public entity, as defined in Section 811.2, shall, by statute, ordinance, or regulation, or by administrative action implementing any statute, ordinance or regulation, compel the owner of any residential real property to offer, or to continue to offer, accommodations in the property for rent or lease, except for guestrooms or efficiency units within a residential hotel, as defined in Section 50519 of the Health and Safety Code, if the residential hotel meets all of the following conditions:

- (1) The residential hotel is located in a city and county, or in a city with a population of over 1,000,000.
- (2) The residential hotel has a permit of occupancy issued prior to January 1, 1990.
- (3) The residential hotel did not send a notice of intent to withdraw the accommodations from rent or lease pursuant to subdivision (a) of Section 7060.4 that was delivered to the public entity prior to January 1, 2004.

(b) For the purposes of this chapter, the following definitions apply:

(1) "Accommodations" means either of the following:

- (A) The residential rental units in any detached physical structure containing four or more residential rental units.
- (B) With respect to a detached physical structure containing three or fewer residential rental units, the residential rental units in that structure and in any other structure located on the same parcel of land, including any detached physical structure specified in subparagraph (A).

(2) "Disabled" means a person with a disability, as defined in Section 12955.3 of the Government Code.

(Amended by Stats. 2003, Ch. 766, Sec. 1. Effective January 1, 2004.)

7060.1. Notwithstanding Section 7060, nothing in this chapter does any of the following:

(a) Prevents a public entity from enforcing any contract or agreement by which an owner of residential real property has agreed to offer the accommodations for rent or lease in consideration for a direct financial contribution or, with respect to written contracts or agreements entered into prior to July 1, 1986, for any consideration. Any contract or agreement specified in this subdivision is not enforceable against a person who acquires title to the accommodations as a bona fide purchaser for value (or successors in interest thereof), unless (1) the purchaser at the time of acquiring title to the accommodations has actual knowledge of the contract or agreement, or (2) a written memorandum of the contract or agreement which specifically describes the terms thereof and the affected real property, and which identifies the owner of the property, has been recorded with the county recorder prior to July 1, 1986, or not less than 30 days prior to transfer of title to the property to the purchaser. The county recorder shall index such a written memorandum in the grantor-grantee index.

As used in this subdivision, "direct financial contribution" includes contributions specified in Section 65916 and any form of interest rate subsidy or tax abatement provided to facilitate the acquisition or development of real property.

(b) Diminishes or enhances, except as specifically provided in Section 7060.2, any power which currently exists or which may hereafter exist in any public entity to grant or deny any entitlement to the use of real property, including, but not limited to, planning, zoning, and subdivision map approvals.

(c) Diminishes or enhances any power in any public entity to mitigate any adverse impact on persons displaced by reason of the withdrawal from rent or lease of any accommodations.

(d) Supersedes any provision of Chapter 16 (commencing with Section 7260) of this division, Part 2.8 (commencing with Section 12900) of Division 3 of Title 2 of this code, Chapter 5 (commencing with Section 17200) of Part 2 of Division 7 of the Business and Professions Code, Part 2 (commencing with Section 43) of Division 1 of the Civil Code, Title 5 (commencing with Section 1925) of Part 4 of Division 3 of the Civil Code, Chapter 4 (commencing with Section 1159) of Title 3 of Part 3 of the Code of Civil Procedure, or Division 24 (commencing with Section 33000) of the Health and Safety Code.

(e) Relieves any party to a lease or rental agreement of the duty to perform any obligation under that lease or rental agreement.

(Amended by Stats. 2003, Ch. 766, Sec. 2. Effective January 1, 2004.)

7060.2. If a public entity, by valid exercise of its police power, has in effect any control or system of control on the price at which accommodations may be offered for rent or lease, that entity may, notwithstanding any provision of this chapter, provide by statute or ordinance, or by regulation as specified in Section 7060.5, that any accommodations which have been offered for rent or lease and which were subject to that control or system of control at the time the accommodations were withdrawn from rent or lease, shall be subject to the following:

(a) (1) For all tenancies commenced during the time periods described in paragraph (2), the accommodations shall be offered and rented or leased at the lawful rent in effect at the time any notice of intent to withdraw the accommodations is filed with the public entity, plus annual adjustments available under the system of control.

(2) The provisions of paragraph (1) shall apply to all tenancies commenced during either of the following time periods:

(A) The five-year period after any notice of intent to withdraw the accommodations is filed with the public entity, whether or not the notice of intent is rescinded or the withdrawal of the accommodations is completed pursuant to the notice of intent.

(B) The five-year period after the accommodations are withdrawn.

(3) This subdivision shall prevail over any conflicting provision of law authorizing the landlord to establish the rental rate upon the initial hiring of the accommodations.

(b) If the accommodations are offered again for rent or lease for residential purposes within two years of the date the accommodations were withdrawn from rent or lease, the following provisions shall govern:

(1) The owner of the accommodations shall be liable to any tenant or lessee who was displaced from the property by that action for actual and exemplary damages. Any action by a tenant or lessee pursuant to this paragraph shall be brought within three years of the withdrawal of the accommodations from rent or lease. However, nothing in this paragraph precludes a tenant from pursuing any alternative remedy available under the law.

(2) A public entity which has acted pursuant to this section may institute a civil proceeding against any owner who has again offered accommodations for rent or lease subject to this subdivision, for exemplary damages for displacement of tenants or lessees. Any action by a public entity pursuant to this paragraph shall be brought within three years of the withdrawal of the accommodations from rent or lease.

(3) Any owner who offers accommodations again for rent or lease shall first offer the unit for rent or lease to the tenant or lessee displaced from that unit by the withdrawal pursuant to this chapter, if the tenant has advised the owner in writing within 30 days of the displacement of the tenant's desire to consider an offer to renew the tenancy and has furnished the owner with an address to which that offer is to be directed. That tenant, lessee, or former tenant or lessee may advise the owner at any time during the eligibility of a change of address to which an offer is to be directed.

If the owner again offers the accommodations for rent or lease pursuant to this subdivision, and the tenant or lessee has advised the owner pursuant to this subdivision of a desire to consider an offer to renew the tenancy, then the owner shall offer to reinstitute a rental agreement or lease on terms permitted by law to that displaced tenant or lessee.

This offer shall be deposited in the United States mail, by registered or certified mail with postage prepaid, addressed to the displaced tenant or lessee at the address furnished to the owner as provided in this subdivision, and shall describe the terms of the offer. The displaced tenant or lessee shall have 30 days from the deposit of the offer in the mail to accept the offer by personal delivery of that acceptance or by deposit of the acceptance in the United States mail by registered or certified mail with postage prepaid.

(c) A public entity which has acted pursuant to this section, may require by statute or ordinance, or by regulation as specified in Section 7060.5, that an owner who offers accommodations again for rent or lease within a period not exceeding 10 years from the date on which they are withdrawn, and which are subject to this subdivision, shall first offer the unit to the tenant or lessee displaced from that unit by the withdrawal, if that tenant or lessee requests

the offer in writing within 30 days after the owner has notified the public entity of an intention to offer the accommodations again for residential rent or lease pursuant to a requirement adopted by the public entity under subdivision (c) of Section 7060.4. The owner of the accommodations shall be liable to any tenant or lessee who was displaced by that action for failure to comply with this paragraph, for punitive damages in an amount which does not exceed the contract rent for six months, and the payment of which shall not be construed to extinguish the owner's obligation to comply with this subdivision.

(d) If the accommodations are demolished, and new accommodations are constructed on the same property, and offered for rent or lease within five years of the date the accommodations were withdrawn from rent or lease, the newly constructed accommodations shall be subject to any system of controls on the price at which they would be offered on the basis of a fair and reasonable return on the newly constructed accommodations, notwithstanding any exemption from the system of controls for newly constructed accommodations.

(e) The amendments to this section enacted by the act adding this subdivision shall apply to all new tenancies created after December 31, 2002. If a new tenancy was lawfully created prior to January 1, 2003, after a lawful withdrawal of the unit under this chapter, the amendments to this section enacted by the act adding this subdivision may not apply to new tenancies created after that date.

(Amended by Stats. 2019, Ch. 596, Sec. 1. (AB 1399) Effective January 1, 2020.)

7060.3. If a public entity determines to apply constraints pursuant to Section 7060.2 to a successor in interest of an owner who has withdrawn accommodations from rent or lease, the public entity shall record a notice with the county recorder which shall specifically describe the real property where the accommodations are located, the dates applicable to the constraints and the name of the owner of record of the real property. The notice shall be indexed in the grantor-grantee index.

A person who acquires title to the real property subsequent to the date upon which the accommodations thereon have been withdrawn from rent or lease, as a bona fide purchaser for value, shall not be a successor in interest for the purposes of this chapter if the notice prescribed by this section has not been recorded with the county recorder at least one day before the transfer of title.

(Amended by Stats. 1986, Ch. 509, Sec. 1.)

7060.4. (a) Any public entity which, by a valid exercise of its police power, has in effect any control or system of control on the price at which accommodations are offered for rent or lease, may require by statute or ordinance, or by regulation as specified in Section 7060.5, that the owner notify the entity of an intention to withdraw those accommodations from rent or lease and may require that the notice contain statements, under penalty of perjury, providing information on the number of accommodations, the address or location of those accommodations, the name or names of the tenants or lessees of the accommodations, and the rent applicable to each residential rental unit.

Information respecting the name or names of the tenants, the rent applicable to any residential rental unit, or the total number of accommodations, is confidential information and for purposes of this chapter shall be treated as confidential information by any public entity for purposes of the Information Practices Act of 1977 (Chapter 1 (commencing with Section 1798) of Title 1.8 of Part 4 of Division 3 of the Civil Code). A public entity shall, to the extent required by the preceding sentence, be considered an "agency," as defined by subdivision (d) of Section 1798.3 of the Civil Code.

(b) The statute, ordinance, or regulation of the public entity may require that the owner record with the county recorder a memorandum summarizing the provisions, other than the confidential provisions, of the notice in a form which shall be prescribed by the statute, ordinance, or regulation, and require a certification with that notice that actions have been initiated as required by law to terminate any existing tenancies. In that situation, the date on which the accommodations are withdrawn from rent or lease for purposes of this chapter is 120 days from the delivery in person or by first-class mail of that notice to the public entity. However, if the tenant or lessee is at least 62 years of age or disabled, and has lived in their accommodations or unit within the accommodations for at least one year prior to the date of delivery to the public entity of the notice of intent to withdraw pursuant to subdivision (a), then the date of withdrawal of the accommodations of that tenant or lessee shall be extended to one year after the date of delivery of that notice to the public entity, provided that the tenant or lessee gives written notice of their entitlement to an extension to the owner within 60 days of the date of delivery to the public entity of the notice of intent to withdraw. In that situation, the following provisions shall apply:

(1) The tenancy shall be continued on the same terms and conditions as existed on the date of delivery to the public entity of the notice of intent to withdraw, subject to any adjustments otherwise available under the system of control.

(2) No party shall be relieved of the duty to perform any obligation under the lease or rental agreement.

(3) The owner may elect to extend the tenancy on any other unit within the accommodations up to one year after date of delivery to the public entity of the notice of intent to withdraw, subject to paragraphs (1) and (2).

(4) Within 30 days of the notification by the tenant or lessee to the owner of their entitlement to an extension, the owner shall give written notice to the public entity of the claim that the tenant or lessee is entitled to stay in their accommodations or unit within the accommodations for one year after date of delivery to the public entity of the notice of intent to withdraw.

(5) Within 90 days of date of delivery to the public entity of the notice of intent to withdraw, the owner shall give written notice of the owner's election to extend a tenancy under paragraph (3) and the revised date of withdrawal to the public entity and any tenant or lessee whose tenancy is extended.

(6) The date of withdrawal for the accommodations as a whole, for purposes of calculating the time periods described in Section 7060.2, shall be the latest termination date among all tenants within the accommodations, as stated in the notices required by paragraphs (4) and (5). An owner's further voluntary extension of a tenancy beyond the date stated in the notices required by paragraphs (4) and (5) shall not extend the date of withdrawal.

(c) The statute, ordinance, or regulation of the public entity adopted pursuant to subdivision (a) may also require the owner to notify any tenant or lessee displaced pursuant to this chapter of the following:

(1) That the public entity has been notified pursuant to subdivision (a).

(2) That the notice to the public entity specified the name and the amount of rent paid by the tenant or lessee as an occupant of the accommodations.

(3) The amount of rent the owner specified in the notice to the public entity.

(4) Notice to the tenant or lessee of their rights under paragraph (3) of subdivision (b) of Section 7060.2.

(5) Notice to the tenant or lessee of the following:

(A) If the tenant or lessee is at least 62 years of age or disabled, and has lived in their accommodations for at least one year prior to the date of delivery to the public entity of the notice of intent to withdraw, then tenancy shall be extended to one year after date of delivery to the public entity of the notice of intent to withdraw, provided that the tenant or lessee gives written notice of their entitlement to the owner within 60 days of date of delivery to the public entity of the notice of intent to withdraw.

(B) The extended tenancy shall be continued on the same terms and conditions as existed on date of delivery to the public entity of the notice of intent to withdraw, subject to any adjustments otherwise available under the system of control.

(C) No party shall be relieved of the duty to perform any obligation under the lease or rental agreement during the extended tenancy.

(d) The statute, ordinance, or regulation of the public entity adopted pursuant to subdivision (a) may also require the owner to notify the public entity in writing of an intention to again offer the accommodations for rent or lease.

(Amended by Stats. 2019, Ch. 596, Sec. 2. (AB 1399) Effective January 1, 2020.)

7060.5. The actions authorized by Sections 7060.2 and 7060.4 may be taken by regulation adopted after public notice and hearing by a public body of a public entity, if the members of the body have been elected by the voters of the public entity. The regulation shall be subject to referendum in the manner prescribed by law for the ordinances of the legislative body of the public entity except that:

(a) The decision to repeal the regulation or to submit it to the voters shall be made by the public body which adopted the regulation.

(b) The regulation shall become effective upon adoption by the public body of the public entity and shall remain in effect until a majority of the voters voting on the issue vote against the regulation, notwithstanding Section 9235, 9237, or 9241 of the Elections Code or any other law.

(Amended by Stats. 1994, Ch. 923, Sec. 36. Effective January 1, 1995.)

7060.6. If an owner seeks to displace a tenant or lessee from accommodations withdrawn from rent or lease pursuant to this chapter by an unlawful detainer proceeding, the tenant or lessee may appear and answer or demur pursuant to Section 1170 of the Code of Civil Procedure and may assert by way of defense that the owner has not complied with the applicable provisions of this chapter, or statutes, ordinances, or regulations of public entities adopted to implement this chapter, as authorized by this chapter.

(Added by Stats. 1985, Ch. 1509, Sec. 1. Operative July 1, 1986, by Sec. 2 of Ch. 1509.)

7060.7. It is the intent of the Legislature in enacting this chapter to supersede any holding or portion of any holding in *Nash v. City of Santa Monica*, 37 Cal.3d 97 to the extent that the holding, or portion of the holding, conflicts with this chapter, so as to permit landlords to go out of business. However, this act is not otherwise intended to do any of the following:

- (a) Interfere with local governmental authority over land use, including regulation of the conversion of existing housing to condominiums or other subdivided interests or to other nonresidential use following its withdrawal from rent or lease under this chapter.
- (b) Preempt local or municipal environmental or land use regulations, procedures, or controls that govern the demolition and redevelopment of residential property.
- (c) Override procedural protections designed to prevent abuse of the right to evict tenants.
- (d) Permit an owner to do any of the following:
 - (1) Withdraw from rent or lease less than all of the accommodations, as defined by paragraph (1) or (2) of subdivision (b) of Section 7060.
 - (2) Decline to make a written rental offer to any tenant or lessee who occupied a unit at the time when the owner gave the public entity notice of its intent to withdraw the accommodations, in the manner and within the timeframe specified in paragraph (3) of subdivision (b), or in subdivision (c), of Section 7060.2. But the requirements of this paragraph shall not apply to:
 - (A) A unit that was the principal place of residence of any owner or owner's family member at the time of withdrawal, provided that it continues to be that person's or those persons' principal place of residence when accommodations are returned to the rental market as provided in this section.
 - (B) A unit that is the principal place of residence of an owner when the accommodations are returned to the rental market, if it is the owners' principal place of residence, at the time of return to the rental market, as provided in this section. If the owner vacates the unit within 10 years from the date of withdrawal, the owner shall, within 30 days, offer to rent if required under this paragraph.
- (e) Grant to any public entity any power which it does not possess independent of this chapter to control or establish a system of control on the price at which accommodations may be offered for rent or lease, or to diminish any such power which that public entity may possess, except as specifically provided in this chapter.
- (f) Alter in any way either Section 65863.7 relating to the withdrawal of accommodations which comprise a mobilehome park from rent or lease or subdivision (f) of Section 798.56 of the Civil Code relating to a change of use of a mobilehome park.

(Amended by Stats. 2019, Ch. 596, Sec. 3. (AB 1399) Effective January 1, 2020.)

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Can More Housing Supply Solve the Affordability Crisis? Evidence from a Neighborhood Choice Model*

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April 17, 2018

Abstract

We estimate a neighborhood choice model using 2014 American Community Survey data to investigate the degree to which new housing supply can improve housing affordability. In the model, equilibrium rental rates are determined so that the number of households choosing each neighborhood is equal to the number of housing units in each neighborhood. We use the estimated model to simulate how rental rates would respond to an exogenous increase in the number of housing units in a neighborhood. We find that the rent elasticity is low, and thus marginal reductions in supply constraints alone are unlikely to meaningfully reduce rent burdens. The reason for this result appears to be that rental rates are more closely determined by the level of amenities in a neighborhood—as in a Rosen-Roback spatial equilibrium framework—than by the supply of housing.

JEL Codes: R21, R31

Keywords: Housing affordability, housing supply, neighborhood choice

*The analysis and conclusions set forth are those of the authors and do not indicate concurrence by other members of the research staff or the Board of Governors of the Federal Reserve System.

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1 Introduction

Housing rents have appreciated significantly in recent years. Rising rents and stagnant incomes across much of the income distribution have contributed to what has been called an “affordability crisis”, where the share of households spending greater than 30 percent of their income on housing is near an all-time high.¹ The increasing expenditure share on housing does not appear to be driven by households consuming housing units of higher physical quality, or by rising construction costs. Rather, quality-adjusted prices are increasing even as the cost of producing a home has stayed more or less the same. These facts have prompted many to suggest that constraints on the supply of housing, such as land use regulations or labor shortages, are at the heart of the affordability crisis. Relaxing such constraints is widely proposed as a solution to the affordability crisis.²

However, the effect of relaxing supply constraints on affordability will, of course, depend on the elasticity of rent with respect to new housing supply. If the rent elasticity is low, for potential reasons that we will discuss later, then relaxing supply constraints may spur construction but still do little to improve affordability. Ideally, we could estimate the rent elasticity directly from data. But identification is a challenge because there are few sources of exogenous variation in the housing supply. Indeed, we are not aware of any direct estimates of the rent elasticity with respect to new housing supply in the literature.

In this paper, we present simulation-based evidence that the elasticity of rent with respect to small changes in housing supply within metropolitan areas (henceforth, “cities”) is low. The implication of this finding is that even if a city were able to ease some supply constraints to achieve a marginal increase in its housing stock, the city will not experience a meaningful reduction in rental burdens.³ Following Bayer et al. (2007), we first estimate an equilibrium model of neighborhood choice,

¹Housing expenditures for owners have also been increasing in recent years, but the fraction of cost burdened households is much higher among renters than owners.

²Examples of proposed solutions for relaxing constraints include more accommodative monetary policy, construction worker retraining, and the transfer of local housing regulation authority to state or federal levels where the externalities associated with restrictive housing supply could be internalized more effectively.

³As an example of such city action, the Los Angeles mayor recently outlined a plan to improve affordability by increasing the housing stock in LA by 100,000 units by 2021 through subsidies and cutting of red tape that drive up costs for builders. Source: <http://www.latimes.com/business/realestate/la-fi-garcetti-build-100k-new-units-20141029-story.html>

in which equilibrium rents are determined so that the number of households choosing each neighborhood in a city is equal to the number of housing units in that neighborhood.⁴ We estimate the model using data on household neighborhood choice from the 2014 American Community Survey (ACS) for 10 major cities. We define neighborhoods within cities as public use microdata areas (PUMAs), which are contiguous geographic areas of at least 100,000 people.⁵ Using the estimated model, we then simulate the effect on rents of exogenously adding housing stock to the most expensive neighborhoods in each city. We find that increasing the housing stock in the most expensive neighborhoods by 5% would only reduce equilibrium rents in those neighborhoods by less than 0.5%. The implied rent elasticity is therefore quite low.

An important reason for the low rent elasticity in the model is that we estimate a relatively low amount of preference heterogeneity across households. In other words, there tends to be more agreement than disagreement across households on which neighborhoods in the city have the most attractive amenities. This finding implies that the willingness to pay to live in a particular neighborhood for a household that is on the margin between living in that neighborhood and elsewhere will be similar before and after a change in housing supply. As prices are set by the willingness to pay of the marginal household in our model, the price elasticity with respect to new supply is small. In our estimated model, rental rates are more closely determined by the level of amenities in a neighborhood—as in a Rosen-Roback (Rosen et al. (1979); Roback (1982)) spatial equilibrium framework—than by the supply of housing.

We close the paper by considering an alternative approach for reducing rents, which is to improve amenities in substitute neighborhoods. For example, improving access to and the quality of public transportation in neighborhoods far from the city core could make these neighborhoods more competitive with more expensive, downtown neighborhoods and so could relieve some price pressure in downtown neighborhoods through a substitution effect. To explore this idea, we conduct a counterfactual simulation in which we assume that the resources used to construct a given number of new homes in high-priced neighborhoods are instead used to increase the

⁴The model and estimation strategy are based on McFadden (1978) and Berry et al. (1995), respectively. Bayer et al. (2004, 2007) were the first to introduce this empirical approach into urban economics, and the approach has become a foundation for structural estimation of neighborhood choice models in urban economics (Holmes et al. (2015)).

⁵PUMAs are constructed by the Census Bureau based on census tracts and counties. It is the smallest geographic unit used by the Census for disseminating individual level data from survey respondents.

amenity quality in low-priced neighborhoods. We find that, even when using conservative estimates of the construction cost of building more units, improving amenities in low-priced neighborhoods has a larger effect on rents in high-priced neighborhoods than directly adding new housing supply in those neighborhoods.

One potentially important assumption behind our analysis throughout this paper is that our model treats each city as a closed economy. Although households can choose from among many different types of neighborhoods within the city, they cannot choose to live outside the city, and households from outside the city cannot choose to move to the city. Therefore, in our counterfactuals where we expand the housing supply, we must assume that the new entrants to the city arrive exogenously, and we must make an assumption about the distribution of preferences among the new entrants. Our counterfactuals are concerned with small changes to the housing stock, so it turns out that our results are not too sensitive to this assumption. However, for larger changes to the housing stock of the city, the number and particular preference distribution of new entrants may become important for the main results. Moreover, our model ignores any potential congestive or agglomerative effects associated with increasing housing supply in a city, which may be appropriate for small changes but is less realistic for large changes. Thus, we caution against extrapolating our model's elasticities to very large changes to the housing stock.

We are not aware of any studies that directly estimate the rent elasticity with respect to new housing supply. However, a number of papers estimate the effect of regulation on the price and quantity of housing.⁶ Gyourko and Molloy (2014) review this literature and conclude that regulation tends to have sizable positive effects on prices and negative effects on construction, though there are a range of estimates in the literature and many of the estimates should be interpreted with caution because variation in regulation is deeply endogenous.⁷ Interestingly, Glaeser and Ward (2009), who study the effects of local regulation on relative house prices between towns within the Boston metro area, find small effects of regulation on price, consistent with our findings. They attribute the small effects to the high substitutability of towns within

⁶We focus on the price elasticity with respect to new housing supply because regulations are difficult to measure and vary quite a bit across location and time periods, making it difficult to extrapolate the elasticities to actual policies under consideration. Furthermore, supply constraints can be relaxed to increase housing supply through policies other than land use regulation.

⁷Some examples in this literature include Katz and Rosen (1987); Pollakowski and Wachter (1990); Quigley and Raphael (2005); Malpezzi (1996); Mayer and Somerville (2000); Segal and Srinivasan (1985); Black and Hoben (1985).

Boston, which is consistent with the mechanism highlighted in our model of low preference heterogeneity resulting in a low elasticity of rent with respect to new supply. The papers that find large effects of regulation on house prices are not necessarily at odds with our findings in this paper, because regulations can have very large effects on the housing stock. For example, Jackson (2016) finds that an additional regulation reduces residential permits by 4 to 8 percent per year. Glaeser and Ward (2009) estimate even larger effects on supply. These effects on construction can accumulate into very large changes to the housing stock, especially when these regulations are in place for many years, as is often the case. Thus, regulation may be associated with changes to the size of the housing stock that are outside the scope of our model for the reasons mentioned above. Like our paper, most of the papers in the literature focus on prices and do not consider welfare implications of changing the housing supply. For discussions of welfare, see Hsieh and Moretti (2017), Turner et al. (2014), Herkenhoff et al. (2017), Engle et al. (1992), and Helsley and Strange (1995).

The intuition for our results is closely related to the theoretical model of Helsley and Strange (1995). Helsley and Strange (1995) consider the effect of growth controls (i.e. supply constraints) in a system of neighborhoods with homogeneous households. In the equilibrium of their model, price differences across neighborhoods reflect the amenity value of growth controls (i.e. through reduced congestion) rather than differences in the elasticity of housing supply created by the growth controls. So absent any direct effects of growth controls on neighborhood amenities, relative rents between neighborhoods are unaffected by growth controls. The total effect on rents depends on the housing supply elasticity in neighborhoods without growth controls. If housing supply is elastic in such neighborhoods, then the total effect on rents will also be small. This is comparable to the case emphasized in Engle et al. (1992), whose basic model is similar to Helsley and Strange (1995) but explicitly has rent in the neighborhood without growth control as being insensitive to population. Our model also bears many similarities to the model in Aura and Davidoff (2008), who show that in a model of housing demand with heterogeneous households, the effect of increasing land supply in a particular area on house prices in that area can be very small.

2 Motivating Facts

We begin with some basic facts on the geographic distribution of rental housing affordability that we compute using 2000 Census and 2014 American Community Survey download from IPUMS-USA (Ruggles et al. (1997)), and other sources. In 2014, 38.7 percent of U.S. households that rent spent more than 30 percent of their household income on rent, up from 29.2 percent of renters in 2000. Housing expenditures for owners have also been increasing in recent years, but the fraction of cost burdened households is much higher among renters than owners (see also Molloy (2017)). The renter share of US households has been increasing in recent years and stands near a 50-year high of around 37 percent (Fernald (2017)).⁸ Motivated by the higher cost burdened share among renters and the increase in rental demand in recent years, in this paper we focus on renter households. Figure 1 shows that cost burdened renter households are not predominantly located in certain areas of the country. In most large metropolitan areas (more specifically, core-based statistical areas (CBSAs)), a significant share of households are cost burdened.

Figures 2-3 show that both declining incomes and increasing rents have contributed to the rising share of renters that are cost burdened. The increases in rents likely reflect increases in demand combined with some inelasticity of the housing supply due to a variety of factors, some of which we will discuss below. The declines in real median income are due to a variety of factors that are largely outside the scope of the housing market, and so there is probably little that housing policy—including the specific counterfactuals that we consider in our model below—can do to improve affordability through the income channel. Nonetheless, we motivate our model with a discussion of affordability to show that high rents are in fact burdening the budgets of many households.

The magnitude of the cost burdened share differs somewhat across metro areas. For example, in high-priced cities like Los Angeles and San Diego, the cost burdened share is about 15 percentage points higher than in lower-priced cities such as Houston and Charlotte. The positive correlation between rent and cost burden share holds across PUMAs as well, and also when rents are adjusted for differences in housing unit quality across PUMAs. Since house and neighborhood characteristics are limited

⁸For example, Gete and Reher (forthcoming) provides evidence that the contraction in mortgage supply after the great recession contributed to the increased rental demand in recent years.

in the ACS data, we obtain quality adjusted rents from Zillow. The Zillow rent index estimates the median rent that would be offered for all properties within a geographic unit (regardless of which units are actually for rent at any given time). Zillow provides rent data at the zipcode level, which we then aggregate to PUMAs using a crosswalk provided by the Missouri Census Data Center. Figure 4 shows that, across PUMAs, a one dollar increase in quality-adjusted monthly rent per square foot is associated with a 9.5 percentage point increase in the cost burdened share.⁹

To further investigate differences in rents across neighborhoods, Figure 5 plots average quality-adjusted rent per square foot by distance-to-CBD for the ten largest metro areas.¹⁰ Rents are from Zillow and are measured at the zipcode level. In most metro areas, including the ones shown in the figure, rents are highest in zipcodes closest to the city center.¹¹ In neighborhoods further from the CBD, Figure 5 shows that rents tend to flatten out around a rough estimate of annualized construction cost per sqft for each metro area, as estimated by the Company (2015). These construction cost estimates exclude land and regulatory costs. In areas of the city where rents are closer to construction costs, housing supply is likely to be more elastic due to more available land and fewer or less binding regulations in such areas (see Glaeser and Gyourko (2017)). Indeed, using the Census data, Figure 6 shows that in areas of the country that experienced household growth between 2000-2014, rent growth has been highest in areas close to the CBD, and household growth has been highest in areas furthest from the CBD, consistent with such areas having a more elastic housing supply than in areas closer to the CBD.¹² These results suggest that the rent elasticity with respect to new construction may vary significantly within cities, and motivates using a model that potentially allows for such within-city variation in the rent elasticity.

⁹See <https://www.zillow.com/research/zillow-rent-index-methodology-2393/> for more information on Zillow's methodology.

¹⁰We exclude New York because of missing rent data for some PUMAs. CBDs are defined as in Holian and Kahn (2015).

¹¹The coefficient on distance-to-CBD in a regression of rent/sqft on distance-to-CBD with metro area fixed effects for the 100 largest metro areas is -0.23 and is statistically significant. A similar result holds for house prices.

¹²Couture and Handbury (2016) show a similar result for house price growth using Zillow house price data and household growth using ACS data at the census tract level. See also Bogin et al. (2016) for evidence that house price growth gradient with respect to distance from CBD has been strongly negative in recent years.

3 Model

We now present a model of equilibrium rent prices in a closed system of neighborhoods, i.e. a closed city. The model is based on the discrete choice framework of Bayer et al. (2004) and Bayer et al. (2007), in which heterogeneous households choose over a discrete set of housing choices, the supply of which is taken as given. In equilibrium, rental rates are set so that the number of households choosing each type of housing is equal to the supply of that type of housing. The vacancy rate is thus assumed to be zero.

Consider a city with $j = 1, \dots, J$ locations (neighborhoods), each with observed characteristics \mathbf{x}_j and rental price p_j . Neighborhood j has H_j units of housing, which for simplicity we will assume are identical in physical quality. The city is populated by $i = 1, \dots, N$ households, with observed characteristics \mathbf{z}_i . The utility that household i receives from living in neighborhood j is:

$$\begin{aligned} V_{ij} &= \mathbf{x}_j' \alpha + \mathbf{z}_i' \Theta \mathbf{x}_j + \beta p_j + \mathbf{z}_i' \gamma p_j + \xi_j + \epsilon_{ij} \\ &\equiv v_{ij} + \epsilon_{ij} \end{aligned} \tag{1}$$

where α , Θ , β , γ are $K_x \times 1$, $K_z \times K_x$, 1×1 , and $K_z \times 1$ vectors of parameters, where K_x is the number of observed neighborhood attributes and K_z is the number of observed household attributes. α defines the mean utility that households have over observed neighborhood attributes, and Θ defines how that utility varies by household attribute. β defines the mean utility that households have over rental rate, which should be negative, and γ defines how that utility varies by household attribute. ξ_j is a scalar that captures any unobserved vertical quality differences between neighborhoods, i.e. differences in the mean utility across neighborhoods, and ϵ_{ij} is a scalar that captures any unobserved heterogeneity in tastes for different neighborhoods across households. Following Bayer et al. (2007) and much of the discrete choice literature, we assume that ϵ_{ij} is iid across households and neighborhoods, and that it is distributed according to a type-1 extreme value distribution. No assumptions are made about the distribution of ξ_j .

Given these assumptions, the probability that a household i chooses neighborhood j is:

$$P_{ij} = \frac{\exp v_{ij}}{\sum_{k=1}^J \exp v_{ik}} \tag{2}$$

and the total number of households choosing neighborhood j is simply $\sum_{i=1}^N P_{ij}$.¹³ In equilibrium, housing markets clear and so the number of households choosing neighborhood j must be equal to the number of housing units in neighborhood j . The equilibrium condition is therefore:

$$\sum_{i=1}^N P_{ij} = H_j \quad (3)$$

Bayer et al. (2004) prove that if V_{ij} is a decreasing, linear function of p_j for all households, and if the distribution of ϵ_{ij} is continuous, then there exists a unique vector of rent prices p_j that clears the market (up to an additive constant).¹⁴

4 Estimation

4.1 Estimation Data

In order to estimate the model, we use public-use microdata from the 2014 American Community Survey. We use data from the 10 large metropolitan areas described in Section 2. We define neighborhoods as PUMAs, which is the finest level of geographic disaggregation that is available for public use in the ACS. For our sample of high population cities, we found that PUMAs capture fairly well the different neighborhoods within the city. Appendix Figure 1 shows a map of PUMAs for each city in our sample. For PUMA characteristics \mathbf{x}_j , we choose to include the percent white, percent with bachelor's degree or higher, percent population who do not drive to work¹⁵, the distance to central business district, the median household income, and

¹³We assume that N is large so that the number of households choosing neighborhood j approaches the expected number of households choosing neighborhood j .

¹⁴An equilibrium rent vector can only be found up to an additive constant because in a closed city where all households are required to choose one neighborhood, a level shift in the rents for all neighborhoods would not affect the share of households choosing each neighborhood. We discuss how we choose the normalization constant in counterfactual simulations in Section 5.

¹⁵Ideally, we would like to know a household's place of work and compute for each household the commuting time between place of work and place of residence. However, in the public-use microdata, the place of work measure is only available at very high geographic aggregation (place-of-work PUMA, which is much larger than a standard PUMA), and so is not very useful for accurately estimating commuting time. We found that the best proxy for the degree to which a neighborhood is close to a typical resident's workplace is the percentage of the working population in that neighborhood that does not drive to work. This would include walking, biking, and taking public transportation (mostly bus, subway, or light rail).

the number of restaurants in the PUMA¹⁶. For household characteristics \mathbf{z}_i , we include the household's yearly income, an indicator for whether the household head is white, an indicator for whether the household head has a bachelor's degree or higher, an indicator for whether the household head is married, and an indicator for whether there are children in the household.

To estimate the rental rate in each PUMA, we use Zillow's zipcode-level Zillow Rent Index, which is an estimate of the median monthly rental rate offer for properties in that zipcode as described in Section 2.

4.2 Estimation Methodology

Our estimation methodology follows Bayer et al. (2007). Consider for now data from only a single city. The ACS data allows us to see the neighborhood choices of individual households in that city, and thus allows us to form the log-likelihood of the data for estimation. For each household i observed in the data, let $d_{ij} = 1$ if that household lives in PUMA j , and 0 otherwise. Let w_i be the sampling weight associated with that household (w_i represents the number of households that the surveyed unit represents). The log likelihood of the data is therefore:¹⁷

$$LL = \sum_{i=1}^N w_i \left(\sum_{j=1}^J d_{ij} \log P_{ij} \right) \quad (4)$$

One complication of estimating the model by maximum likelihood is that besides the parameters $\alpha, \Theta, \beta, \gamma$, there are also J unknowns, ξ_j , that affect the choice probabilities but that we have made no assumptions about. However, we note that V_{ij} can be written as:

$$V_{ij} = \lambda_{ij} + \delta_j + \epsilon_{ij} \quad (5)$$

where

$$\lambda_{ij} = \mathbf{z}_i' \Theta \mathbf{x}_j + \mathbf{z}_i' \gamma p_j \quad (6)$$

and

$$\delta_j = \mathbf{x}_j' \alpha + \beta p_j + \xi_j \quad (7)$$

¹⁶We found that the number of restaurants is an important variable which probably captures the level of consumption amenities in the location.

¹⁷Note that with sampling weights, the equilibrium condition becomes $\sum_{i=1}^N w_i P_{ij} = H_j$. We omitted sampling weights from the discussion in the previous section for expositional clarity.

λ_{ij} is the observable component of utility that varies across households and neighborhoods, and δ_j is the component of utility that is constant within neighborhoods. δ_j can be thought of the mean utility of the neighborhood j and λ_{ij} can be thought of how the utility shifts according to household characteristics.

As described in Bayer et al. (2004) and Bayer et al. (2007), estimation can proceed in two steps. In the first step, the parameters Θ, γ , and the full vector of δ_j 's will be estimated by maximum likelihood. In the second step, the estimated δ_j 's will be regressed on \mathbf{x}_j and p_j , as in equation (7), to estimate α and β .

To implement the first step, we note that the equation:

$$\delta'_j = \delta_j + \log H_j - \log \left(\sum_{i=1}^N w_i P_{ij} \right) \quad (8)$$

is a contraction mapping in δ_j .¹⁸ So, given an initial guess of Θ and γ , which allows us to compute λ_{ij} , repeated iteration of equation (8) will yield the unique vector of δ_j 's such that the equilibrium condition $\sum_{i=1}^N w_i P_{ij} = H_j$ is satisfied. Intuitively, if the predicted number of households choosing neighborhood j is higher than the number of housing units, then the mean utility of that neighborhood, δ_j , will be reduced in the next iteration, and vice versa, until the equilibrium condition is satisfied for every j . Thus, we can estimate Θ and γ by the following algorithm:

1. For any guess of Θ and γ :
 - (a) Start with an initial guess of the δ_j 's
 - (b) Repeatedly iterate on equation (8) until the δ_j 's converge
 - (c) Calculate the log likelihood at this vector of δ_j 's
2. Search over Θ and γ to maximize the log likelihood.

Once this procedure is complete, we have an estimate of the equilibrium values of the δ_j 's. If ξ_j is uncorrelated with \mathbf{x}_j and p_j , then we can recover α and β by regressing δ_j on \mathbf{x}_j and p_j . Of course, ξ_j will *not* generally be uncorrelated with p_j since unobserved quality of the neighborhood is expected to have a direct effect on the rental rate. We therefore need to construct an instrument for p_j in estimating equation (7). We follow the strategy of Bayer et al. (2004), which is to guess a reasonable value of α and β ,

¹⁸See Berry et al. (1995) for further discussion and proof.

and then compute the vector of market clearing prices \hat{p}_j that would prevail if $\xi_j = 0$. We note that because the estimates of δ_j are not used for this computation, \hat{p}_j is a function only of the \mathbf{x}_j 's, which we assume to be exogenous to ξ_j . We then use \hat{p}_j as the instrument for p_j . To choose initial values for α and β , we simply assume that $\beta = -1$ and then regress p_j on \mathbf{x}_j to recover our initial guess of α .

4.3 Estimation Results

Table 1 reports our estimation results for the parameters $\alpha, \beta, \Theta, \gamma$ as described above. The row labeled “Mean” corresponds to estimates for α and β , while the other rows correspond to Θ and γ . We note that before estimating, we standardized each variable so that it has mean zero and standard deviation 1 within each city. We also pool the data from all the cities together, and assume that the preferences over the standardized units of amenities are the same across cities.¹⁹ Thus, the interpretation of the coefficient on row “Mean” and column “Log Rent” is that the average household’s utility is decreased by 3.542 utils when their log rental payment is increased by 1 standard deviation. In Table 2, we convert the parameter estimates to marginal willingness-to-pay, in units of log monthly rent, for a one standard deviation increase for each attribute.²⁰ The estimates on the row labeled “Mean” show the marginal willingness-to-pay for the average household in each city. The estimates on the rows labeled “log HH Income”, “White”, “B.A. or higher”, “Married”, and “Children in HH” show how the willingness-to-pay estimate changes with a one unit increase to each demographic characteristic. Finally, the numbers on the row labeled “S.D. of attribute” show the standard deviation (averaged across cities) of each neighborhood attribute.

On average, we find that households are willing to pay 3% more in rent for a 1 s.d. increase in the white-share of a neighborhood, 14% for a 1 s.d. increase in the college share, 1.6% more for a 1 s.d. increase in commutability, 4.8% more for a 1 s.d. *decrease* in the distance to CBD, 5.9% more for a 1 s.d. increase in neighborhood income, and 1.6% more for a 1 s.d. increase in the number of restaurants. Compared

¹⁹We do this because there are only about 40 PUMAs per city, so estimating equation (7) separately for each city results in very imprecise estimates.

²⁰We define marginal willingness-to-pay as the increase in monthly rent associated with a 1 s.d. increase in a neighborhood attribute that would leave a household living in the average neighborhood indifferent to the change. Since the average neighborhood is different in each city, the estimates we report are averaged across cities.

to the mean willingness-to-pay, the effect of household demographic characteristics is comparatively small. Consistent with the results of Bayer et al. (2004), we find that the strongest effects are in the self-sorting preferences, i.e. whites prefer white neighborhoods, college educated prefer college educated neighborhoods, etc..

5 Can More Supply Improve Affordability?

5.1 Marginal Effects of Increasing Supply

We now use our model to simulate the effects of increasing housing supply. For our baseline experiment, we increase the housing stock in one target neighborhood by a small amount, and solve for the effects on equilibrium rental rates. We can solve for rental rates using equation 3 and replacing H_j for each j with the new, counterfactual size of the housing stock in each neighborhood. Aside from rental rates, the other variables and parameters in equation 1 are assumed to be invariant to the counterfactual change in housing supply.

To conduct this exercise, two further assumptions need to be made. First, because our model assumes a zero vacancy rate, increasing the number of housing units will increase the population in the city, in equilibrium, and so we need to assume the population characteristics of the new residents.²¹ For our baseline counterfactual, we will assume that the distribution of characteristics in the new households is the same as in the existing population.²²

Second, we need to choose a normalization constant for the counterfactual rent vector because equilibrium rents are only unique up to an additive scalar, as mentioned above. To choose the normalization constant, we define a set of PUMAs for each city as “outskirts”, based on distance to CBD, and in the simulation we nor-

²¹We do not consider the possibility that existing residents will increase their consumption of housing space. This is unlikely to happen in the short-run when the experiment is to add new, separate housing units. However, it could happen in the long run if existing units get converted into larger units, or if the size and quality of newly constructed units changes. Our experiment is therefore best understood as the short-run effects of an exogenous increase in new housing units of equal quality to existing neighborhood units.

²²In results available on request, we show that the main results are robust to different assumptions on the incoming population. For example, if we assume that all new entrants are college-educated, white, married, with no children, and high income, then the average effects are not much changed, but there are some slight differences in effects across neighborhoods (rental rates are reduced more if construction takes place in low SES neighborhoods than if it took place in high SES neighborhoods.)

malize the counterfactual rent vector so that average rents in the outskirts do not change.²³ This decision is motivated by the evidence in Section 2 showing that in some areas of each city, housing supply appears fairly elastic and rents/house prices appear to be mainly determined by construction costs. Therefore, it is reasonable to assume that the prices in such areas will not change in our counterfactual.²⁴

Table 3 reports the results of the baseline simulations. For each city, we conduct 4J simulations—four for each PUMA—of increasing the housing supply in that PUMA by 1%, 5%, 10%, and 20%. The table reports the average effect on rental rates in the target PUMA, averaged across PUMAs for each city. We only reported averages because the variance in the response across PUMAs for each city was very small. There are also equilibrium effects on the rental rates of non-targeted PUMAs, but they are very small and we do not report them. The results show that within PUMAs, the elasticity of rental rate with respect to an exogenous increase to housing supply is fairly low, less than 0.1 in all cases. It follows that the affordability or share cost burdened elasticity is also fairly low.

As we discussed in the introduction, demand for neighborhoods can be very elastic with respect to price (and thus price is inelastic with respect to new supply) if there is relatively little preference heterogeneity. We find that this is indeed the case based on our model estimates. We find that the variance of V_{ij} across PUMAs within households is between 14 and 15.4 for each city. The variance across households within PUMAs is an order of magnitude smaller—between 1.38 and 1.44—for each city. This suggests that neighborhoods are much more vertically differentiated than they are horizontally differentiated. As a result, the willingness to pay to live in a particular neighborhood for a household who is on the margin between living in that neighborhood and elsewhere will not be too different before and after a change in housing supply. As prices are set by the willingness to pay of the marginal household in our model, the price elasticity with respect to new supply is small.

To make this point more directly, we simulate how the price response would change if preference heterogeneity were greater. To do this, we first simulate the equilibrium

²³We defined the distance to CBD threshold for outskirts separately by city. The threshold for each city was determined by visual inspection of Figure 5. The distance thresholds for each city are reported in Appendix Table 1.

²⁴As discussed in the introduction, this assumption may be less realistic if changes to the housing supply are large enough to cause significant population loss and vacancies in the outskirts areas. Then, the total effect on rents will depend on the rent elasticity to population loss in the outskirts. Nevertheless, the effect on *relative* rents will remain the same (absent any changes to amenity levels.)

rent vector that would result (under the baseline vector of housing stock) if the standard deviation of the idiosyncratic preference term ϵ_{ij} were increased to two or three times its baseline level. We then simulate the equilibrium rent response to a 5% increase in housing supply to single PUMAs, under the counterfactual distributions of ϵ_{ij} . Table 4 reports the results. Consistent with our hypothesis that low preference heterogeneity explains a low rental rate response, we find that increasing the standard deviation of ϵ_{ij} does increase the rental rate response, and quite significantly. However, even in the scenario where the standard deviation of ϵ_{ij} is three times as large as in our baseline estimates, the rental elasticity is still small at about 0.2. The effect on rents in the non-targeted neighborhoods is also more responsive when there is more preference heterogeneity. However, because the share of households that must be reallocated from each of the non-targeted neighborhoods is very small in our simulations, the marginal person in each non-targeted neighborhood will barely change and the rent effects are still very small in the non-targeted neighborhoods even when there is more preference heterogeneity.

5.2 Increasing Supply vs. Improving Amenities

We now use our model to compare the price effects of building new housing supply versus improving amenities. In this experiment, we first simulate the equilibrium rent response in high priced areas in each of our 10 cities to increasing the housing stock in those areas by +5%. We define high priced areas as the top decile of PUMAs in terms of monthly rents. We then compare this to the equilibrium rent response in high priced areas to improving amenities in the non-high-priced areas (i.e. the bottom 9 deciles of PUMAs). Improving amenities in lower priced neighborhoods will make these neighborhoods more attractive relative to high priced neighborhoods, and could put downward price pressure on the high priced neighborhoods through a substitution effect. We will only compare the two policies on their effect on rents and so we will not make any statements about the total welfare effect of the policies.

In order for the two policies to have a consistent cost basis, we need to make two assumptions. First, we need to assume the total cost of adding 5% to the housing stock in high priced areas. Second, we need to assume the rate at which those construction costs could instead be turned into amenities in the non-high-priced areas. For the total cost, we use the RS Means estimate of the cost of building a 1,500 square foot

economy apartment unit as a baseline. This is likely an underestimate of the true cost of building in higher priced areas because these areas are already quite dense and are often naturally supply constrained by steep slopes and proximity to water. Therefore the building costs and externalities (e.g. from congestion) associated with adding housing stock to these areas is likely quite high.

To convert the construction cost to amenities, we simply assume a conversion rate of dollars to amenities based on our estimates of the parameters that multiply the rental rate in Table 1. These parameters tell us households’ marginal utility of price and thus describes their indifference condition between utils and dollars. The assumption is then that this indifference condition also describes the rate at which utility over amenities (e.g. ξ_j) can be produced from dollars.²⁵ This particular experiment admittedly has little connection to any real policy (such as investment in public transportation), but without cost/benefit estimates for a specific policy proposal, we believe this is a reasonable benchmark to consider.²⁶

Table 5 reports the results of this experiment, for various assumptions on the construction cost. Even for our baseline assumption on construction costs—which is almost surely an underestimate of the cost of building in high-priced neighborhoods—improving amenities in low-priced neighborhoods can have a larger impact on rents in high-priced neighborhoods than new housing supply. As we assume higher construction costs, the comparison favors improving amenities even more. The only city for which improving amenities is still not favored, even when we assume construction costs for high-priced neighborhoods of +50% of an economy apartment, is San Francisco.

For each neighborhood in the bottom 9 deciles of the rent distribution that receives the direct improvement to amenities, we find in unreported results that the effect on rents and affordability is very small. Even for the case of construction costs equal to +50% of an economy apartment, the effect on rents is less than 0.1% in such neighborhoods.

²⁵We assume that the dollars are spread evenly among all housing units in the non-high-priced areas. This implicitly assumes that the expenditures are not on public goods.

²⁶An alternative experiment would be to convert the construction cost to direct income subsidies to residents of the non-targeted PUMAs. In results available on request, we show that the effects of the income subsidy are similar in magnitude to and even larger than the conversion to amenities that we consider in Table 5, which further strengthens our argument that improving the attractiveness of low-priced neighborhoods could be a more effective means of improving affordability in high-priced neighborhoods than new construction.

6 Conclusion

The effect of new construction on rents is a highly relevant elasticity for evaluating solutions to the affordability crisis, but direct evidence on the magnitude of the elasticity is scarce. Motivated by a lack of reduced-form evidence, in this paper, we estimate a structural model of neighborhood choice that allows us to simulate this elasticity. Our results suggest that the rent elasticity is likely to be low, and thus marginal reductions in supply constraints alone are unlikely to meaningfully reduce rental burdens. An important reason for the low rent elasticity in the model is that we estimate a relatively low amount of preference heterogeneity across households. We also present evidence to suggest that improving amenities in low-priced neighborhoods is a more cost effective way to reduce prices in high-priced neighborhoods, via a substitution effect, than directly building additional housing units in high-priced areas.

In future research, we would like to more directly estimate the rental price elasticity to new construction, without having to rely on restrictive modeling assumptions. This is a challenging task, because construction of new housing supply is a highly endogenous process influenced by myriad economic and political factors, most of which are not observed. On the modeling side, opening up our framework to allow for migration across metro areas seems like a natural extension to pursue.

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Table 1: Estimation Results

	Pct. White	Pct. College	Pct. No Drive	Dist. to CBD	log Med. HH Inc.	# Restaurants	log Rent
Mean	0.435*** (0.1319)	2.005*** (0.6051)	0.2289 (0.1453)	-0.6857*** (0.2226)	0.8393*** (0.3022)	0.2277** (0.1013)	-3.542*** (1.048)
log HH Income	-0.03276*** (0.0002836)	-0.04454*** (0.0004919)	0.01663*** (0.0002833)	-0.001831*** (0.0002607)	0.1663*** (0.0004207)	-0.0051*** (0.0002254)	0.02733*** (0.0003653)
White	0.4364*** (0.0002562)	-0.03558*** (0.0004938)	-0.006715*** (0.0002824)	0.01703*** (0.000278)	-0.018*** (0.0004288)	-0.007669*** (0.0002358)	0.01945*** (0.0003688)
B.A. or higher	-0.01821*** (0.0003029)	0.3804*** (0.0005294)	0.003513*** (0.0003032)	-0.002896*** (0.000281)	-0.03911*** (0.0004568)	0.006576*** (0.0002421)	-0.01141*** (0.0003925)
Married	0.03636*** (0.000309)	-0.05255*** (0.0005615)	-0.04733*** (0.0003193)	0.03752*** (0.0002826)	0.1235*** (0.0004854)	-0.04145*** (0.0002655)	-0.01049*** (0.0004183)
Children in HH	-0.003192*** (0.0002951)	-0.1178*** (0.0005476)	-0.03988*** (0.0003116)	-0.04194*** (0.0002708)	0.08393*** (0.0004705)	-0.06094*** (0.0002736)	0.01269*** (0.0004106)

Standard errors in parentheses, *** p<0.01, ** p<0.05, * p<0.1.

Note: This table reports maximum likelihood estimation results as described in Section 4. The coefficients in the row labeled “Constant” correspond to the estimates for α and β . The other coefficients correspond to Θ and γ . Each cell reports the increase in utils associated with a one standard deviation change to the neighborhood or household characteristic.

Table 2: Willingness to Pay in Log Rent for +1 s.d. in Neighborhood Amenities

	Pct. White	Pct. College	Pct. No Drive	Dist. to CBD	log Med. HH Inc.	# Restaurants
Mean	0.0306	0.1410	0.0161	-0.0482	0.0590	0.0160
log HH Income	-0.0013	-0.0013	0.0008	-0.0003	0.0078	-0.0002
White	0.0709	-0.0040	-0.0009	0.0021	-0.0022	-0.0010
B.A. or higher	-0.0028	0.0535	0.0004	-0.0001	-0.0060	0.0008
Married	0.0049	-0.0082	-0.0067	0.0055	0.0169	-0.0059
Children in HH	-0.0002	-0.0159	-0.0056	-0.0064	0.0125	-0.0087
S.D. of attribute	0.1964	0.1627	0.1003	33.29	0.3289	129.6

Note: This table reports willingness to pay for one standard deviation increase in neighborhood amenities. The willingness to pay is defined as the change in log-rent associated with an increase to the neighborhood amenity that would leave the household living in the average neighborhood indifferent to the change. Because the average neighborhood is different for each city, the willingness-to-pay estimates are averaged across cities.

Table 3: Simulation Results - Increasing Housing Stock to Single Neighborhoods

City	Rent response to adding +X% housing stock			
	+1%	+5%	+10%	+20%
Atlanta	-0.06%	-0.31%	-0.61%	-1.18%
Boston	-0.05%	-0.25%	-0.49%	-0.93%
Chicago	-0.07%	-0.34%	-0.66%	-1.27%
Dallas	-0.07%	-0.36%	-0.71%	-1.35%
Houston	-0.06%	-0.30%	-0.58%	-1.11%
Los Angeles	-0.07%	-0.36%	-0.71%	-1.36%
Miami	-0.06%	-0.30%	-0.59%	-1.13%
Philadelphia	-0.07%	-0.34%	-0.66%	-1.27%
San Francisco	-0.10%	-0.49%	-0.95%	-1.82%
Washington DC	-0.07%	-0.34%	-0.67%	-1.29%

Note: For each city, 4J simulations are conducted (4 for each PUMA), in which the housing stock in a single target PUMA is increased by 1%, 5%, 10%, or 20%. (The housing stock in each other PUMA remains the same.) This table reports the average simulated rental price response in target PUMAs, averaged within cities.

Table 4: The Role of Preference Heterogeneity in the Rent Response

City	Rent response to adding +5% housing stock		
	$\sigma = 1$	$\sigma = 2$	$\sigma = 3$
Atlanta	-0.31%	-0.62%	-0.94%
Boston	-0.25%	-0.49%	-0.74%
Chicago	-0.34%	-0.67%	-1.01%
Dallas	-0.36%	-0.72%	-1.07%
Houston	-0.30%	-0.59%	-0.88%
Los Angeles	-0.36%	-0.73%	-1.09%
Miami	-0.30%	-0.60%	-0.90%
Philadelphia	-0.34%	-0.67%	-1.01%
San Francisco	-0.49%	-0.97%	-1.45%
Washington DC	-0.34%	-0.68%	-1.02%

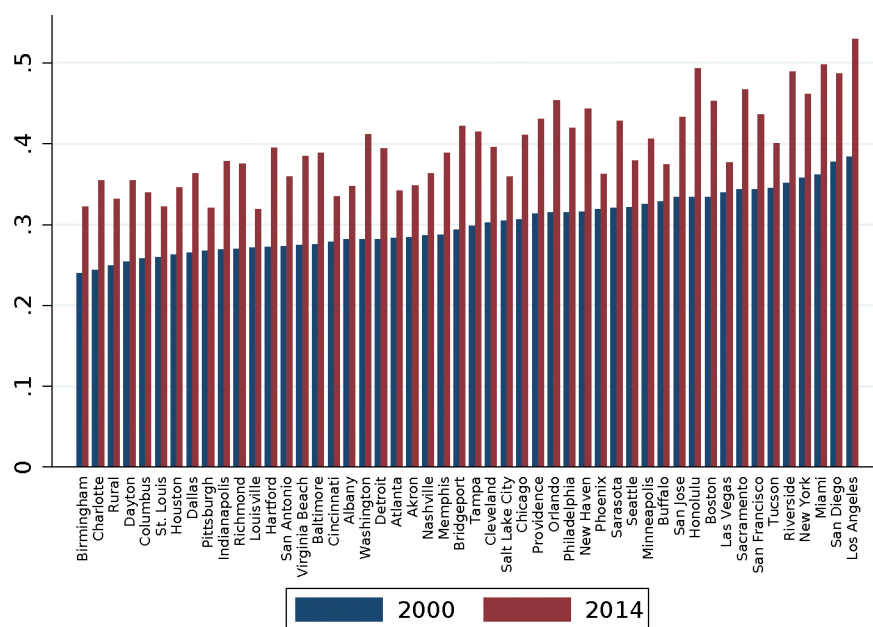
Note: For each city, a counterfactual rent vector is first simulated, assuming that the standard deviation of the idiosyncratic preference shock ϵ_{ij} is increased by a factor of 2 or 3 ($\sigma = 1$ is the baseline). For each counterfactual value of σ , J simulations are then conducted per city, one for each PUMA, in which the housing stock of a single target PUMA is increased by 5%. This table reports the average simulated rental price response in the target PUMAs, for counterfactual values of σ , averaged within cities.

Table 5: Increasing Housing Stock vs. Improving Amenities

City	Rent response in top decile most expensive PUMAs to:						
	adding +5% housing stock	improving amenities in the bottom 9 decile PUMAs (construction cost = base cost + X%)					
		X=0%	X=10%	X=20%	X=30%	X=40%	X=50%
Atlanta	-0.32%	-0.44%	-0.48%	-0.52%	-0.57%	-0.61%	-0.65%
Boston	-0.27%	-0.35%	-0.38%	-0.42%	-0.45%	-0.48%	-0.52%
Chicago	-0.36%	-0.44%	-0.48%	-0.53%	-0.57%	-0.62%	-0.66%
Dallas	-0.35%	-0.30%	-0.33%	-0.36%	-0.39%	-0.42%	-0.45%
Houston	-0.29%	-0.43%	-0.48%	-0.52%	-0.57%	-0.61%	-0.65%
Los Angeles	-0.33%	-0.30%	-0.33%	-0.35%	-0.38%	-0.41%	-0.44%
Miami	-0.30%	-0.25%	-0.27%	-0.30%	-0.32%	-0.35%	-0.37%
Philadelphia	-0.36%	-0.40%	-0.44%	-0.48%	-0.52%	-0.56%	-0.60%
San Francisco	-0.48%	-0.30%	-0.33%	-0.36%	-0.39%	-0.42%	-0.45%
Washington DC	-0.37%	-0.27%	-0.30%	-0.32%	-0.35%	-0.38%	-0.41%

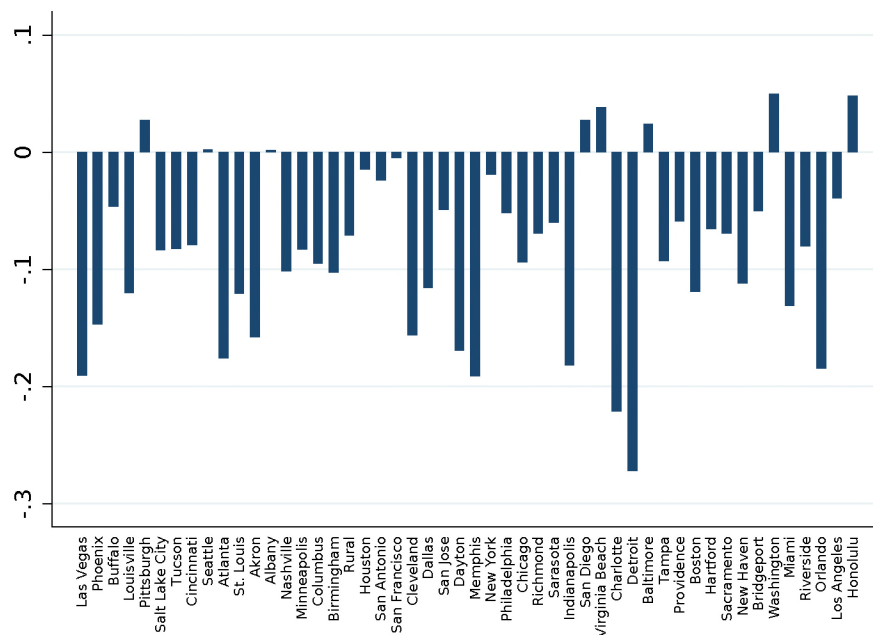
Note: For each city, we first simulate the equilibrium rent vector when the housing stock of the top decile most expensive PUMAs is increased by 5%. The first column of the table reports the average rent response in those top decile PUMAs. We then simulate the equilibrium rent vector when the housing stock remains at baseline, but the construction cost associated with the first simulation is instead spent on improving amenities in the bottom 9 decile PUMAs. (Section 5.2 describes the exercise in more detail.) Columns 2-7 of the Table reports the rent response in the *top decile* PUMAs in response to the increase in amenities to the *bottom 9* decile PUMAs. Each column in columns 2-7 makes a different assumption about construction cost (+X% of the RS Means estimate of an economy apartment unit.)

Figure 1: Share of Households Cost Burdened, 2000 - 2014



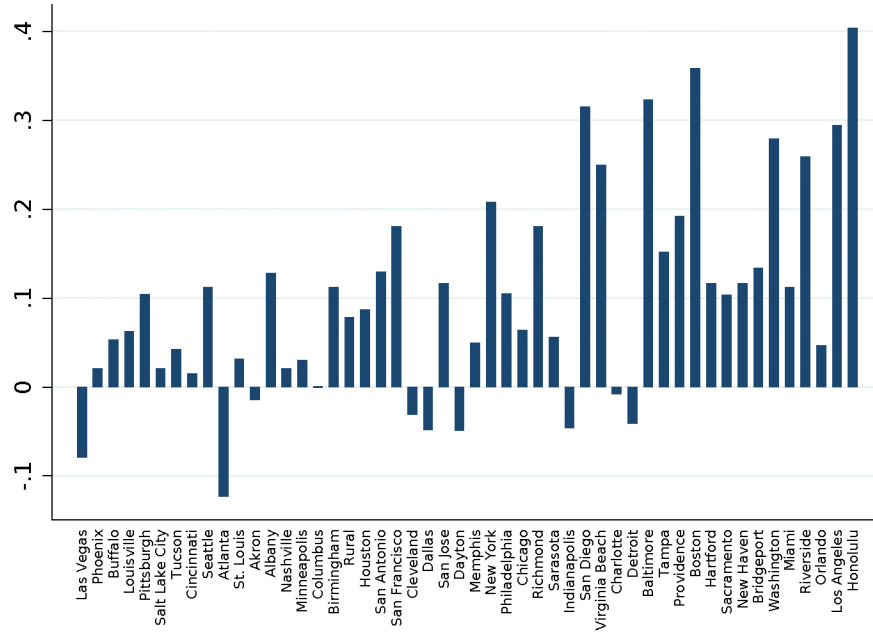
Shows share of households in each CBSA that spend at least 30 percent of their income on rent. Plot is for fifty most populous CBSAs as of 2000. Source: Census data.

Figure 2: Change in Log Median Real Household Income, 2000-2014



Plot is for fifty most populous CBSAs as of 2000 sorted by the largest change in the cost burdened share between 2000-2014. Source: Census data.

Figure 3: Change in Log Median Real Rent, 2000-2014



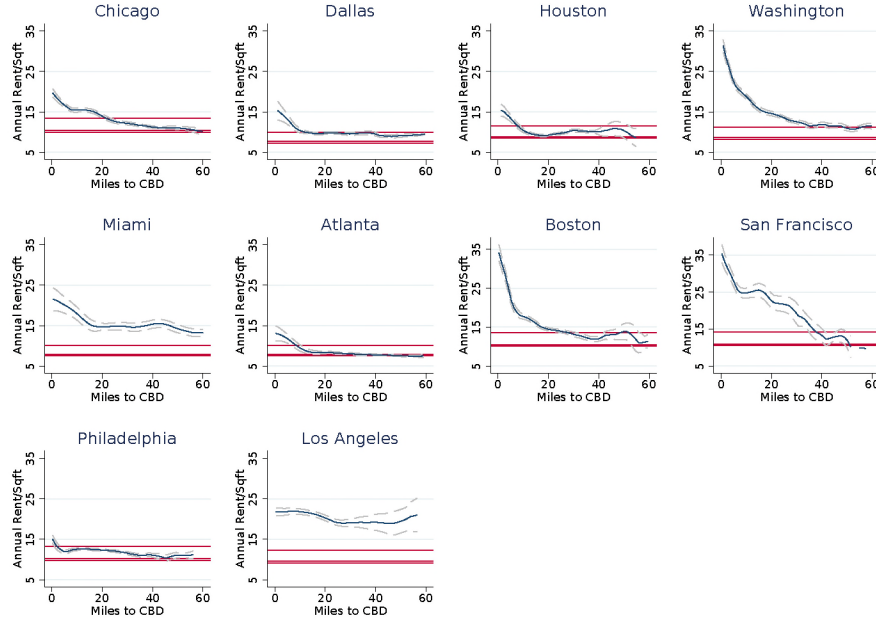
Plot is for fifty most populous CBSAs as of 2000 sorted by the largest change in the cost burdened share between 2000-2014. Source: Census data.

Figure 4: Correlation between Quality-Adjusted Rent/Sqft and Share Cost Burdened Across Census PUMAs in 2014



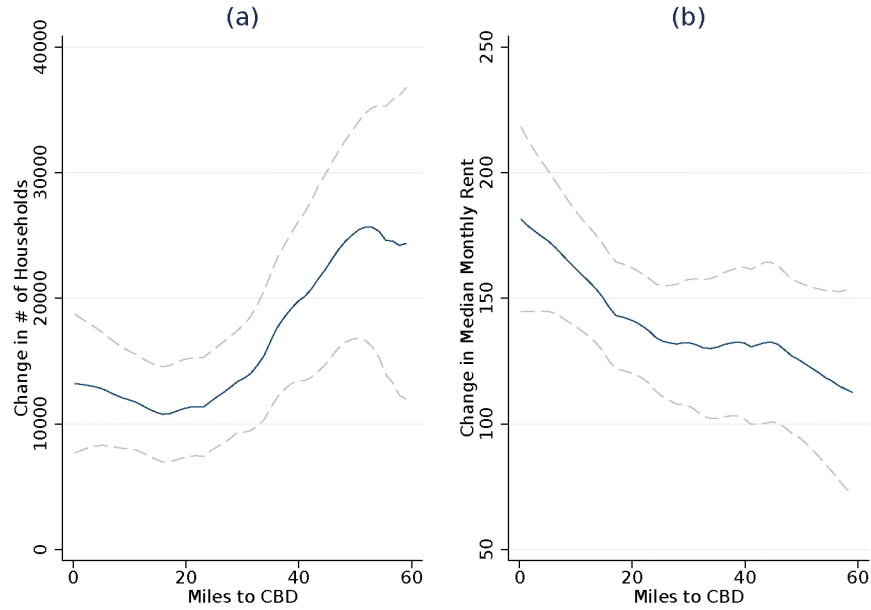
Cost burdened share is computed from the Census data. Rents are adjusted for unit quality and are from from Zillow.

Figure 5: Average Rent/Sqft by Distance to Central Business District in 2014



Rents are measured at the zipcode level. Rents are adjusted for unit quality and are from Zillow. The three horizontal red lines denote an estimate of construction cost per sqft for a 1-3 story (lowest cost), 4-7 story, and 8-20 story (highest cost) apartment building of average quality. The construction cost data come from the RS Means Company and are annualized by multiplying the cost by 0.05. The rent gradient for each CBSA is smoothed using a kernel-weighted local polynomial regression. The 95-percent confidence interval is shown by the dotted grey lines.

Figure 6: Change in Number of Households and Median Monthly Rent, 2000-2014



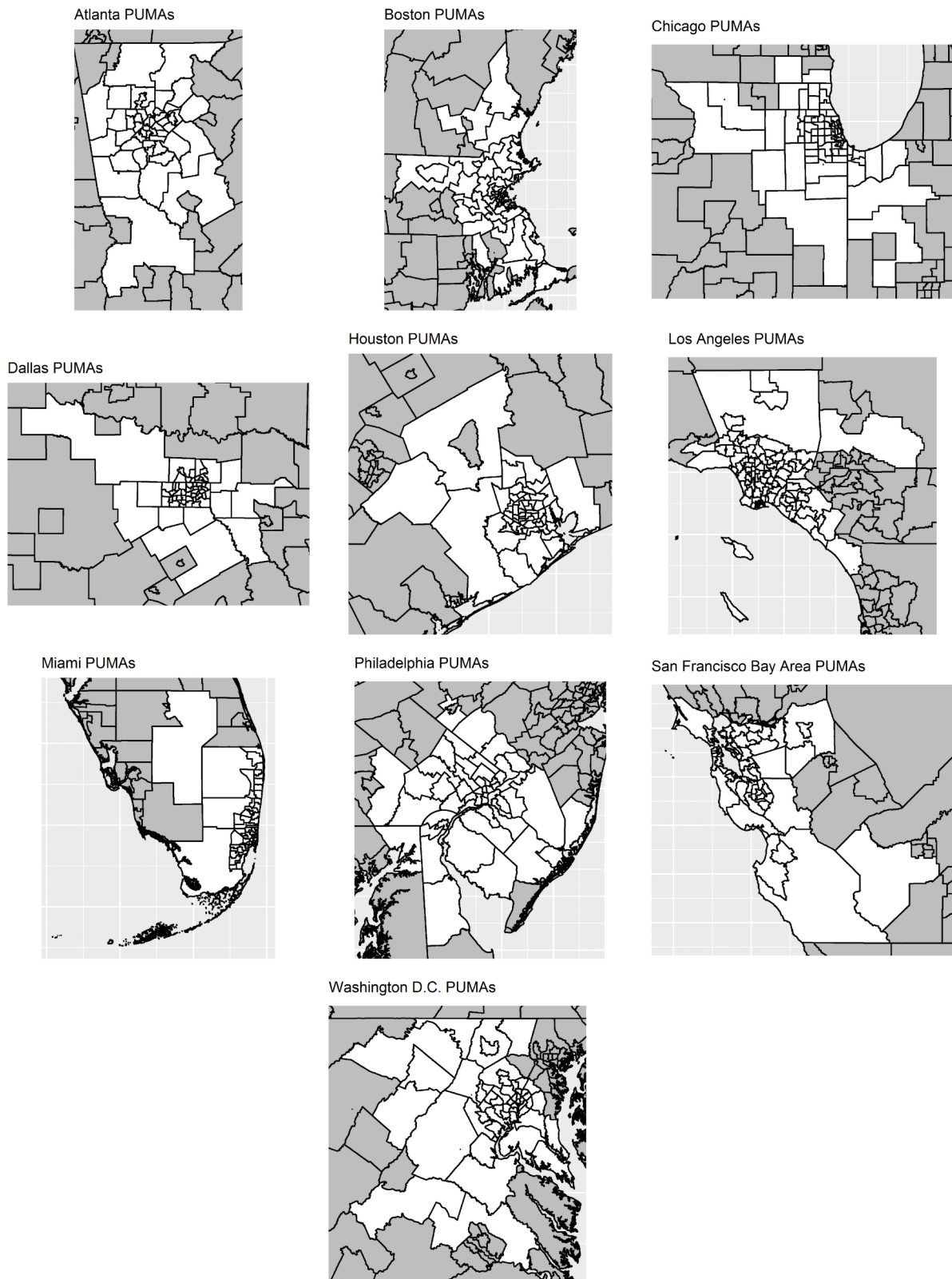
The graph summarizes household and rent growth in every 2000-2010 consistent Census PUMA in the US with at least a 10,000 increase in number of households between 2000 and 2014. Consistent Census PUMAs are larger than PUMAs and are used to compare consistent geographic areas over time in the Census. All data shown uses Census data. Rents are not adjusted for unit quality. The gradient with respect to distance to CBD is smoothed using a kernel-weighted local polynomial regression. The 95-percent confidence interval is shown by the dotted grey lines.

Table A.1: Mileage Threshold for Outskirt Neighborhoods by City

City	Mileage Threshold
Atlanta	16
Boston	38
Chicago	42
Dallas	12
Houston	17
Los Angeles	25
Miami	18
Philadelphia	38
San Francisco	43
Washington DC	40

Census PUMAs beyond the mileage threshold are classified as outskirts. In the counterfactual simulations discussed in Section 5, the counterfactual rent vector is normalized so that average rents in the outskirts do not change.

Figure A.1: Map of Census PUMAs by City



The CBSA is shaded in white. The black lines denote PUMA boundaries. The very light grey areas are water. PUMAs closer to the city core tend to have smaller areas because population density tends to be higher in such areas.

Ellis Act!

16479

NUMBER OF UNITS IN WHICH
LANDLORDS/DEVELOPERS FILED ELLIS
ACT DECLARATIONS TO EVICT
TENANTS WITH THE CITY OF LOS
ANGELES

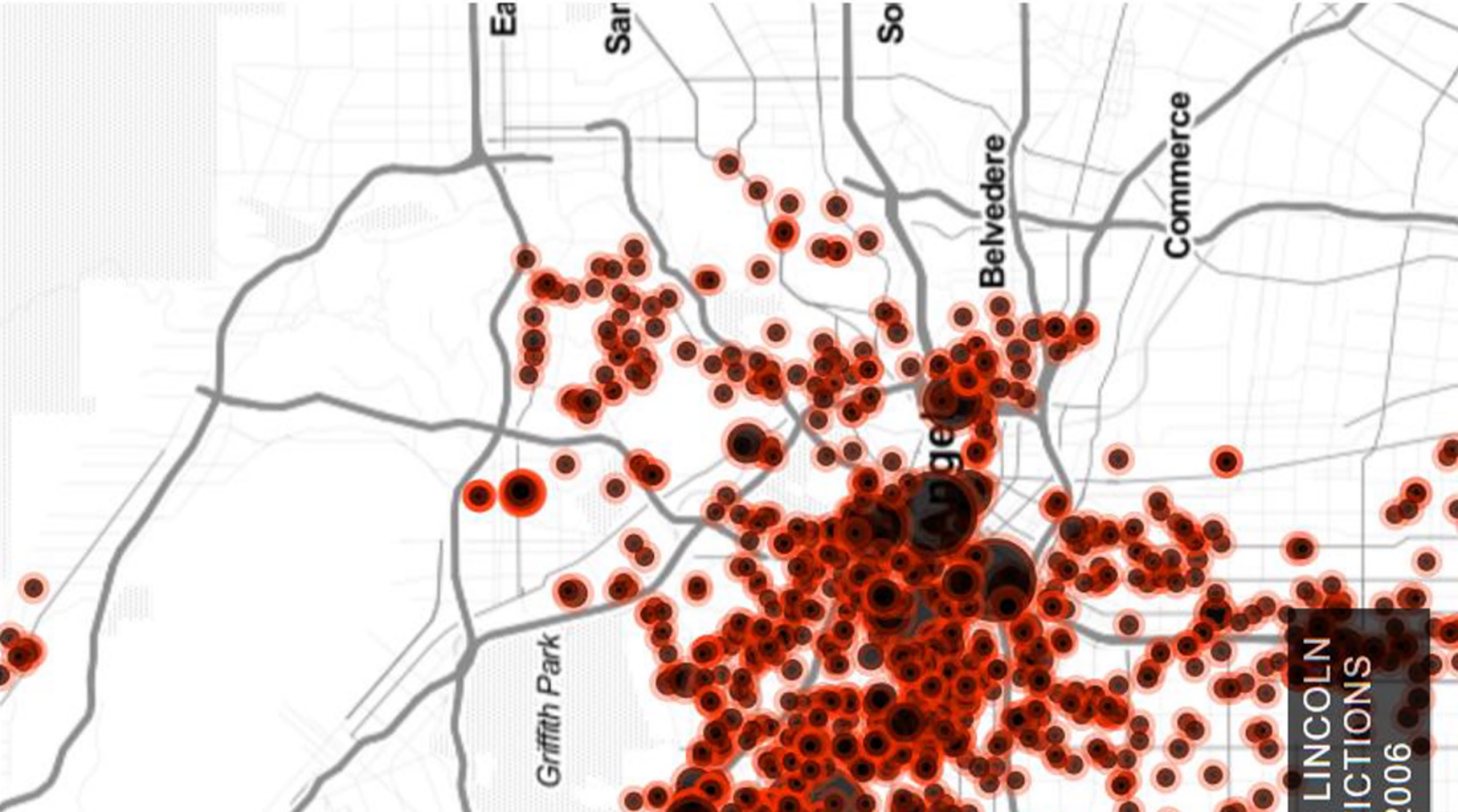
1/1/2001 - 12/22/2009



Map created by the [Anti-Eviction Mapping Project](#)

In collaboration with the [Coalition for Economic Survival](#).

FOR ★ ECONOMIC
★ C E S



Ellis Act!

26885

NUMBER OF UNITS IN WHICH
LANDLORDS/DEVELOPERS FILED ELLIS
ACT DECLARATIONS TO EVICT
TENANTS WITH THE CITY OF LOS
ANGELES

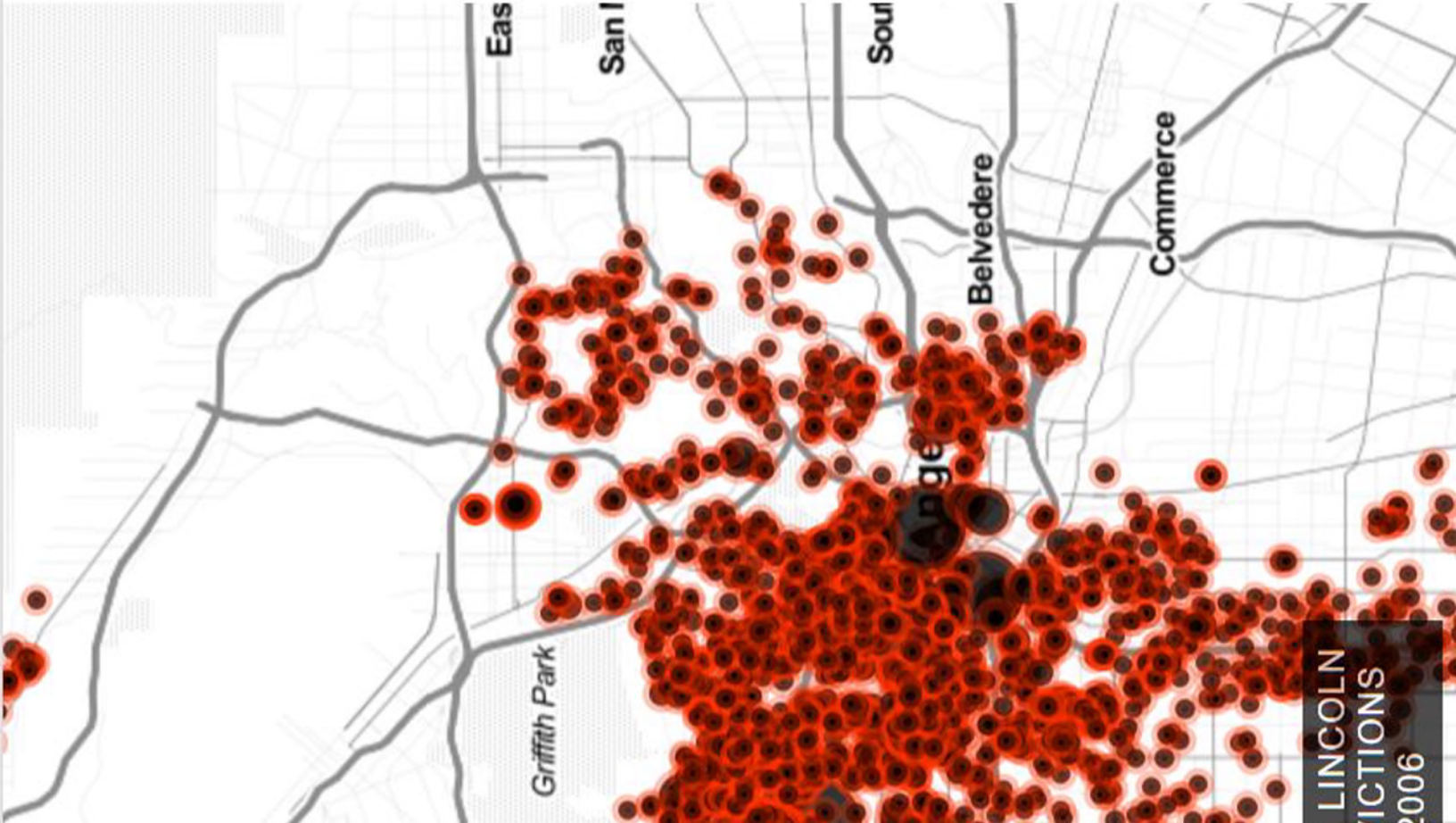
1/1/2001 - 4/15/2020



Map created by the [Anti-Eviction Mapping Project](#)

In collaboration with the [Coalition for Economic Survival](#).

FOR ★ ECONOMIC
N C E





LOS ANGELES CITY PLANNING COMMISSION

200 North Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300
www.planning.lacity.org

LETTER OF DETERMINATION

MAILING DATE: OCT 02 2020

Case No. **CPC-2014-4705-ZC-HD-DB-MCUP-CU-SPR**
CEQA: ENV-2014-4706-EIR; SCH. No. 2015111073
Plan Area: Hollywood
Related Case: VTT-73718-1A

Council District: 13 – O' Farrell

Project Site: 1756, 1760 North Argyle Avenue; 6210 – 6224 West Yucca Street;
1765, 1771, 1777, and 1779 North Vista Del Mar Avenue

Applicant: Riley Realty, L.P.
Representative: Kyndra Casper, DLA Piper, LLP

At its meeting of **September 24, 2020**, the Los Angeles City Planning Commission took the actions below in conjunction with the approval of the following project:

Construction and operation of a mixed-use development, with up to 316,948 square feet of floor area, within a new 30-story tower (Building 1) and two existing one- and two-story single-family buildings (1765 and 1771 Vista Del Mar Avenue) on an approximately 1.16-acre (net area) site. Building 1 would include up to 269 multi-family residential units (17 of which would be set aside for Very Low Income households) and approximately 7,760 square feet of commercial/restaurant uses. The residence at 1771 Vista Del Mar Avenue would remain as a single-family use and the residence at 1765 Vista Del Mar Avenue, which currently contains three residential units, will be restored and converted back to a single-family use. Five levels of subterranean and above-ground automobile parking would be located within the podium structure of Building 1 and surface parking would be provided for the two single-family residences. Four existing residential buildings containing 40 residential units would be removed from the Project Site. The Project is an Environmental Leadership Development Project (ELDP).

1. **Found**, based on the independent judgment of the decision-maker, after consideration of the whole of the administrative record, the project was assessed in the previously certified 6220 West Yucca Project Environmental Impact Report No. ENV-2014-4706-EIR, certified on October 2, 2020; and pursuant to CEQA Guidelines, Sections 15162 and 15164, no subsequent EIR, negative declaration, or addendum is required for approval of the project;
2. **Approved and Recommended** that the City Council **adopt**, pursuant to Section 12.32 of the Los Angeles Municipal Code (LAMC), a Zone and Height District Change from C4-2D-SN to (T)(Q)C2-2D-SN, from R4-2D to (T)(Q)C2-2D, and from [Q]R3-1XL to (T)(Q)R3-2D;
3. **Approved**, pursuant to LAMC Section 12.22 A.25(g), a Density Bonus Compliance Review for a Housing Development Project totaling: 271 dwelling units and reserving eight percent (17 dwelling units) of its units as Very Low Income Restricted Affordable Units for a period of 55 years, with the following requested incentive:
 - a. An On-Menu Incentive to permit a ten percent increase in allowable floor area for 316,948 square feet of floor area, in lieu of the maximum 288,171 square feet otherwise permitted;
4. **Approved**, pursuant to LAMC Section 12.24 W.1, a Master Conditional Use Permit for the sale and dispensing of a full line of alcoholic beverages for on-site consumption at three establishments;

5. **Approved**, pursuant to LAMC Section 12.24 W.18, a Conditional Use Permit to allow for live entertainment and dancing within the commercial uses of the project site;
6. **Approved**, pursuant to LAMC Section 16.05, a Site Plan Review for a development project which creates an increase of more than 50 dwelling units;
8. **Adopted** the attached Modified Conditions of Approval; and
9. **Adopted** the attached Amended Findings.

The vote proceeded as follows:

Moved: Ambroz
Second: Perlman
Ayes: Khorsand, Leung, Mack, Millman, Mitchell
Absent: Choe, Padilla-Campos

Vote: 7 – 0

Cecilia Lamas (Electronic Signature)

Cecilia Lamas, Commission Executive Assistant
Los Angeles City Planning Commission

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

Effective Date/Appeals: The decision of the Los Angeles City Planning Commission as it relates to the Zone Change and Height District Change is appealable by the Applicant only, if disapproved in whole or in part by the Commission. The decision of the Los Angeles City Planning Commission, regarding the remaining approvals, is appealable to the Los Angeles City Council within 20 days after the mailing date of this determination letter. Any appeal not filed within the 20-day period shall not be considered by the Council. All appeals shall be filed on forms provided at the Planning Department's Development Service Centers located at: 201 North Figueroa Street, Fourth Floor, Los Angeles; 6262 Van Nuys Boulevard, Suite 251, Van Nuys; or 1828 Sawtelle Boulevard, West Los Angeles.

FINAL APPEAL DATE: OCT 22 2020

Notice: An appeal of the CEQA clearance for the Project pursuant to Public Resources Code Section 21151(c) is only available if the Determination of the non-elected decision-making body (e.g., ZA, AA, APC, CPC) **is not further appealable** and the decision is final.

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Attachments: Zone Change Ordinance, Maps, Modified Conditions of Approval, Amended Findings, Interim Appeal Filing Procedures

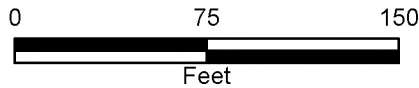
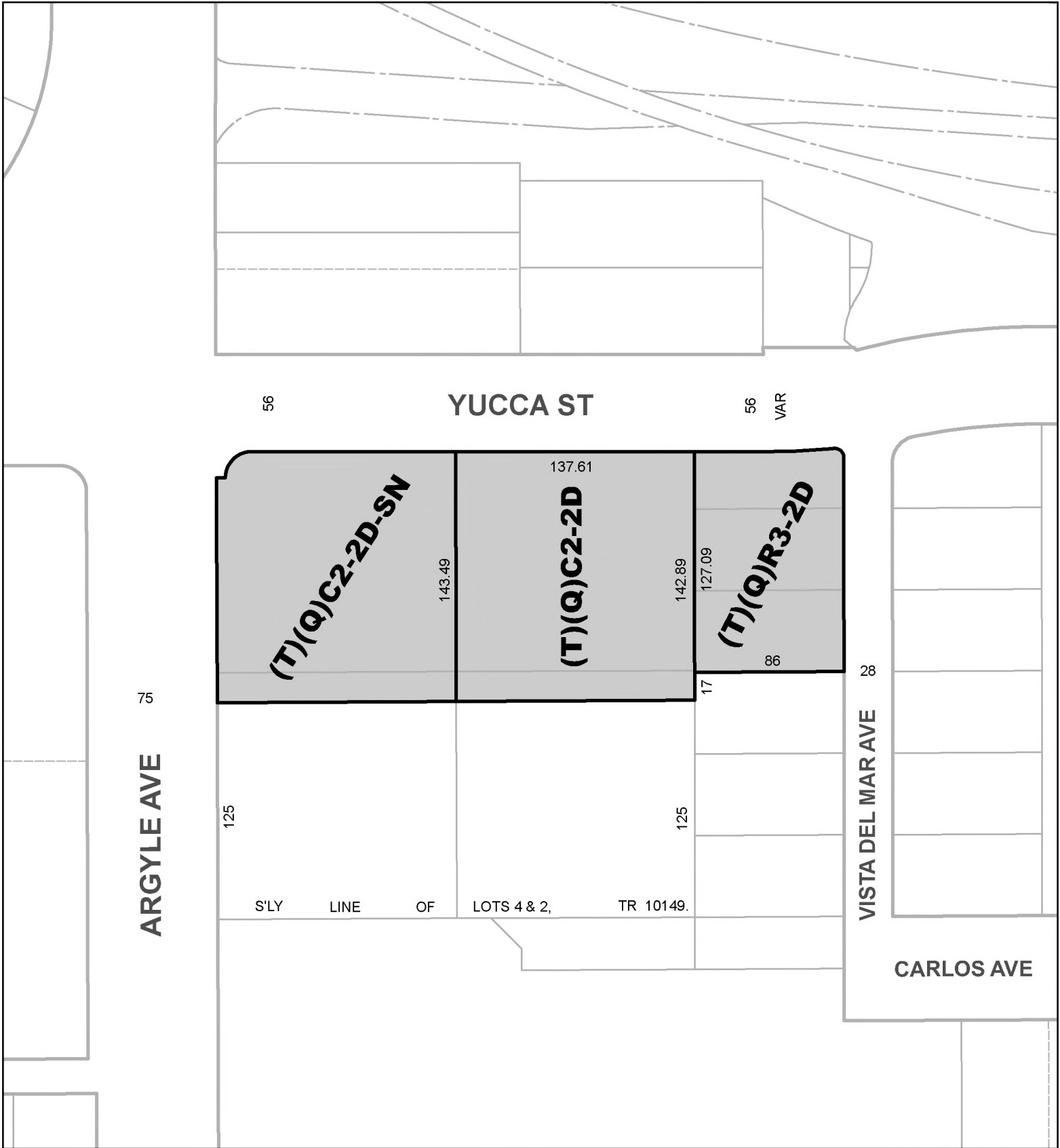
c: Luci Ibarra, Principal Planner
Milena Zasadzien, Senior City Planner
Alan Como, City Planner

ORDINANCE NO. _____

An ordinance amending Section 12.04 of the Los Angeles Municipal Code by amending the zoning map.

THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

Section 1. Section 12.04 of the Los Angeles Municipal Code is hereby amended by changing the zone and zone boundaries shown upon a portion of the zone map attached thereto and made a part of Article 2, Chapter 1 of the Los Angeles Municipal Code, so that such portion of the zoning map shall be as follows:

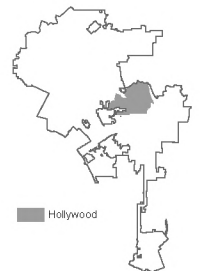


CPC-2014-4705-ZC-HD-DB-MCUP-CU-SPR

AA/cf

092520

City of Los Angeles



(Q) QUALIFIED CONDITIONS OF APPROVAL

Pursuant to Section 12.32 G of the Municipal Code, the following limitations are hereby imposed upon the use of the subject property, subject to the "Q" Qualified classification.

1. **Site Development.** The use and development of the property shall be in substantial conformance with the plans submitted with the application and marked Exhibit A, dated September 11, 2020. No change to the plans will be made without prior review by the Department of City Planning, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Municipal Code or the project conditions.

Any substantive changes to the materials, colors, or design of the podium shall return to the Above Grade Parking Subcommittee of the City Planning Commission for review and approval.

2. **Residential Density.** The project shall be limited to a maximum density of 271 residential units, of which 17 units (8 percent) shall be reserved for Very Low Income Occupants.
3. **Changes in Restricted Units.** Deviations that increase the number of restricted affordable units or that change the composition of units or change parking numbers shall be consistent with LAMC Section 12.22 A.25 (9a-d).
4. **Housing Requirements.** Prior to issuance of a building permit, the owner shall execute a covenant to the satisfaction of the Los Angeles Housing and Community Investment Department (HCIDLA) to make 8 percent (17 units) of the base 212 dwelling units available to Very Low Income Households, for sale or rental as determined to be affordable to such households by HCIDLA for a period of 55 years. Enforcement of the terms of said covenant shall be the responsibility of HCIDLA. The applicant will present a copy of the recorded covenant to the Department of City Planning for inclusion in this file. The project shall comply with any monitoring requirements established by the HCIDLA.
5. **Automobile Parking.** Vehicle parking shall be provided consistent with the LAMC Section 12.21 A.4.
6. **Electric Vehicle Parking.** All electric vehicle charging spaces (EV spaces) and electric vehicle charging stations (EVCS) shall comply with the regulations outlined in Sections 99.04.106 and 99.05.106 of Article 9, Chapter IX of the LAMC.
7. **Unbundled Parking.** Residential parking shall be unbundled from the cost of the rental units, with the exception of parking for Restricted Affordable Units.
8. **Adjustment of Parking.** In the event that the number of Restricted Affordable Units should increase, or the composition of such units should change (i.e. the number of bedrooms, or the number of units made available to Senior Citizens and/or Disabled Persons), or the applicant selects another Parking Option (including Bicycle Parking Ordinance) and no other Condition of Approval or incentive is affected, then no modification of this determination shall be necessary, and the number of parking spaces shall be re-calculated by the Department of Building and Safety.
9. **Commercial Floor Area.** The project shall be limited to a maximum commercial floor area of 7,760 square feet.

10. **Floor Area Ratio (FAR).** The maximum permitted Floor Area Ratio averaged across the site shall be no greater than a 6.6:1 FAR.
11. **Covenant.** The applicant shall file a covenant running with the land with the Department of Building and Safety prior to the issuance of any building permits. The covenant shall include a guarantee to continue the operation and maintenance of the development as a unified development; shall indicate the floor area and, if applicable, density used on each parcel and the floor area, and, if applicable, density potential (if any) that would remain; shall guarantee the continued maintenance of the unifying design elements; and shall specify an individual or entity to be responsible and accountable for this maintenance and the fee for the annual inspection of compliance by the Department of Building and Safety, required pursuant to LAMC Section 19.11.
12. **Development Services Center.** Prior to sign-off on building permits by the Department of City Planning's Development Services Center for the project, the Department of City Planning's Major Projects Section shall confirm, via signature, that the project's building plans substantially conform to the conceptual plans stamped as Exhibit A, as approved by the City Planning Commission.
13. **Landscaped Park.** A minimum 2,820 square foot ground floor publicly accessible landscaped open space shall be provided adjacent to Argyle Avenue, as shown in Exhibit A - Project Plans, dated September 11, 2020.
14. **Rent Stabilization Ordinance.**
 - a. The project shall comply with any tenant relocation requirements established by HCIDLA. Enforcement shall be the responsibility of HCIDLA.
 - b. The applicant shall execute and record a Covenant and Agreement (Planning Department General Form CP-6770) in a form satisfactory to the Advisory Agency binding the applicant and any successor in interest to provide tenant relocation assistance and establish a relocation program in a manner consistent with the Rent Stabilization Ordinance. The covenant and agreement shall be executed and recorded within 10 days after the expiration of the appeal period (and final action thereon) and a copy provided to each eligible tenant within five days of recordation of the covenant and agreement.
 - c. Within 10 days after the time to appeal has expired, the applicant shall execute and record a Covenant and Agreement (Planning Department General Form CP-6770) in a form satisfactory to the Advisory Agency binding the applicant and any successor in interest to the affirmative duty to abide by all provisions of the Rental Stabilization Ordinance.
 - d. Prior to the issuance of a demolition permit, the Applicant or successor shall provide certified mailing receipts of proof of service, to the Department of City Planning Major Projects Section demonstrating that existing qualified tenants were provided an offer to enter into a private agreement with the applicant (or successor) that includes the following terms: 1) the ability for the tenant to return to a comparable unit within the project; and, 2) during construction of the project, funding of the difference in rent of a comparably-sized unit between the tenant's rental rate immediately prior to the demolition of the building and the tenant's new rental rate, until the ability to return, if accepted, is exercised. The Applicant (or successor) shall provide a copy of the signed agreement(s) with, or written rejection from, the tenant(s). Where the

Applicant (or successor) is not able to enter into an agreement with the tenant(s), the Applicant (or successor) shall submit a written declaration, under penalty of perjury, that best faith efforts have been made to enter into a private agreement with the tenant(s). The applicant (or their successor) shall also submit to the Department of City Planning Major Projects Section, concurrent with certified mailing receipts of proof of service signed under penalty of perjury, the rent roll of occupied units at the time the offer is commenced.

D LIMITATIONS

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

A. Development Limitations:

1. **Floor Area Ratio.** The total floor area over the Project Site shall not exceed a 6.6:1 floor area ratio (FAR), or a total of 316,948 square feet.
2. **Building Height.** Building height shall be limited to a maximum height of 348 feet for parcels along Yucca Street, consistent with Exhibit "A", dated September 11, 2020.

CONDITIONS FOR EFFECTUATING (T) TENTATIVE CLASSIFICATION REMOVAL

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

Dedications/Improvements and Responsibilities/Guarantees.

Dedications and Improvements herein contained in these conditions which are in excess of street improvements contained in either the Mobility Element 2035 or any future Community Plan amendment or revision may be reduced to meet those plans with the concurrence of the Department of Transportation and the Bureau of Engineering:

1. As part of early consultation, plan review, and/or project permit review, the applicant/developer shall contact the responsible agencies to ensure that any necessary dedications and improvements are specifically acknowledged by the applicant/developer.
2. **Bureau of Engineering.** Street Dedications and Improvements shall be provided to the satisfaction of the City Engineer.
3. **Sewer.** Construction of necessary sewer facilities, or payment of sewer fees, shall be to the satisfaction of the City Engineer.
4. **Drainage.** Construction of necessary drainage and storm water runoff drainage facilities to the satisfaction of the City Engineer.
5. **Driveway/Parkway Area Plan.** Preparation of a parking plan and driveway plan to the satisfaction of the appropriate District Offices of the Bureau of Engineering and the Department of Transportation.
6. **Fire.** Incorporate into the building plans the recommendations of the Fire Department relative to fire safety, 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.
7. **Cable.** Make any necessary arrangements with the appropriate cable television franchise holder to assure that cable television facilities will be installed in City rights-of-way in the same manner as is required of other facilities, pursuant to Municipal Code Section 17.05 N to the satisfaction of the Department of Telecommunications.
8. **Recreation and Park Fees.** Payment of the Quimby fee shall be based on the C2 and R3 Zones and be paid prior to the recordation of Final Tract map. The application for Vesting Tentative Tract Map No. 73718 was deemed complete on August 16, 2016.
9. **Lighting.** Street lighting facilities shall be provided to the satisfaction of the Bureau of Street Lighting.
10. **Street Trees.** All trees in the public right-of-way shall be provided per the current Urban Forestry Division Standards.

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

CONDITIONS OF APPROVAL

(As modified by the City Planning Commission on September 24, 2020)

A. Entitlement Conditions – Conditional Use for Alcohol Sales.

1. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
2. The use and development of the property shall be in substantial conformance with the plot plan and floor plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.
3. 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 Zoning Administrator to impose additional corrective Conditions, if, in the Zoning Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
5. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety for purposes of having a building permit issued at any time during the term of this grant.
6. Authorized herein is the sale and dispensing and consumption of a full line of alcoholic beverages for on-site consumption, in conjunction with the 7,760 square-feet of commercial space for three establishments.
7. **Hours of Operation.** Hours of operation shall be limited to 7:00 a.m. to 12:00 a.m. daily for the restaurants.
8. **STAR/LEAD/RBS Training.** Within the first six months of operation, all employees involved with the sale of alcohol shall enroll in the Los Angeles Police Department "Standardized Training for Alcohol Retailers" (STAR) or Department of Alcoholic Beverage Control "Licensee Education on Alcohol and Drugs" (LEAD) training program or the Responsible Beverage Service (RBS) Training Program. Upon completion of such training, the applicant shall request the Police Department or Department of Alcohol Beverage Control to issue a letter identifying which employees completed the training. STAR or LEAD or RBS training shall be conducted for all new hires within three months of their employment.
9. After hour use shall be prohibited, except routine clean-up. This includes but is not limited to private or promotional events, special events, excluding any activities which are issued film permits by the City.
10. "No Loitering or Public Drinking" signs shall be posted in and outside of the subject facility.
11. The applicant shall be responsible for maintaining the premises and adjoining sidewalk free of debris or litter.

12. The applicant(s) shall comply with 6404.5(b) of the Labor Code, which prohibits smoking within any place of employment. The applicant shall not possess ashtrays or other receptacles used for the purpose of collecting trash or cigarettes/cigar butts within the interior of the subject establishment.
13. **Additional 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 Department of City Planning to impose additional corrective conditions, if, it is determined by the Department of City Planning that such conditions are proven necessary for the protection of person in the neighborhood or occupants of adjacent property.
14. **Security.** A camera surveillance system shall be installed and operating at all times to monitor the interior, entrance, exits and exterior areas, in front of and around the premises. Recordings shall be maintained for a minimum period of 30 days and are intended for use by the Los Angeles Police Department.
15. An electronic age verification device shall be purchased and retained on the premises to determine the age of any individual and shall be installed on at each point-of-sales location. This device shall be maintained in operational condition and all employees shall be instructed in its use.
16. **Master Plan Approval (MPA) Requirement.** Each individual venue shall be subject to a Master Plan Approval (MPA) determination pursuant to LAMC Section 12.24 M, or as otherwise provided for in the LAMC for on-site alcohol sales in conjunction with the operation of restaurants and bars, in order to implement and utilize the Master Conditional Use authorization granted. The purpose of the Master Plan Approval determination is to review each proposed venue in greater detail and to tailor site-specific conditions of approval for each of the premises subject to analysis of the venue's individual mode and character of operations including but not limited to hours of operation, seating capacity, size, security, live entertainment, the length of a term grant and/or any requirement for a subsequent MPA application to evaluate compliance and effectiveness of the conditions of approval. These conditions may include additional conditions not included in the Master Conditional Use Conditions of Approval. A Plan Approval without a hearing may be granted by the Chief Zoning Administrator if the operator agrees to the Conditional Use Permit Conditions.
17. **Lease Agreements.** All establishments applying for an Alcoholic Beverage Control license shall be given a copy of these conditions prior to executing a lease and these conditions shall be incorporated into the lease. Furthermore, all vendors of alcoholic beverages shall be made aware that violations of these conditions may result in revocation of the privileges of serving alcoholic beverages on the premises.
18. **Building Plans.** A copy of this grant and all Conditions and/or any subsequent appeal of this grant and resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.
19. **Ownership/Operator Change.** Should there be a change in the ownership and/or the operator of the business, the property owner and the business owner or operator shall provide the prospective new property owner and the new business owner/operator with a copy of the conditions of this action prior to the legal acquisition of the property and/or the business. Evidence that a copy of this determination has been provided to the

prospective owner/operator, including the conditions required herewith, shall be submitted to the BESt (Beverage and Entertainment Streamlined Program) in a letter from the new operator indicating the date that the new operator/management began and attesting to the receipt of this approval and its conditions. The new operator shall submit this letter to the BESt (Beverage and Entertainment Streamlined Program) within 30 days of the beginning day of his/her new operation of the establishment along with the dimensioned floor plan, seating arrangement and number of seats of the new operation.

20. MViP – Monitoring, Verification and Inspection Program. Prior to the effectuation of this grant, fees required per L.A.M.C Section 19.01-E,3 - Monitoring of Conditional Use Permits, Inspection, and Field Compliance for Review of Operations, and Section 19.04 - Miscellaneous ZA Sign Offs shall be paid to the City.

- a. Within 24 months from the beginning of operations or issuance of a Certificate of Occupancy, a City inspector will conduct a site visit to assess compliance with, or violations of, any of the conditions of this grant. Observations and results of said inspection will be documented and included in the administrative file.
- b. The owner and operator shall be notified of the deficiency or violation and required to correct or eliminate the deficiency or violation. Multiple or continued documented violations or Orders to Comply issued by the Department of Building and Safety which are not addressed within the time prescribed, may result in additional corrective conditions imposed by the Zoning Administrator.

21. Covenant and Agreement. Prior to building permit issuance, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center or the BESt (Beverage and Entertainment Streamlined Program) for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Development Services Center or BESt (Beverage and Entertainment Streamlined Program) for inclusion in the case file.

B. Entitlement Conditions – Live Entertainment and Dancing.

1. Approved herein is public dancing and live entertainment uses within the enclosed dining area of the restaurant. No live entertainment/music or dancing is permitted in the outdoor areas.
2. The establishment shall be maintained as a bona fide eating place (restaurant) with an operational kitchen, in accordance with the definition of such in the LAMC, and shall provide a full menu containing an assortment of foods normally offered in such restaurants. Food service shall be available at all time during operation hours.
3. There shall be no Adult Entertainment of any type pursuant to LAMC Section 12.70.
4. No requests for any other deviations from the LAMC have been requested or approved herein.
5. No portion of the restaurant shall be deemed to be "private", for the purpose of dispensing alcoholic beverages to selected patrons.

6. There shall be no bar or lounge area upon the licensed premises maintained solely for the purpose of sales, service or consumption of alcoholic beverages. The main purpose and use of the facility shall always be a full service restaurant.
7. A barrier separating the outdoor area from any abutting sidewalk or public right-of-way shall be of such height, design, and materials that it will preclude passersby from interacting with or obtaining any beverage or food from restaurant tables and/or patrons.
8. The restaurant shall not be leased to promoters or music groups or similar entities for nightclub or concert activity at any time. At no time will the premises host raves, a dance club, or other similar events. There shall be no admission or cover charge at any time.
9. No coin-operated electronic, video or mechanical games, or pool or billiard tables shall be maintained upon the premises at any time.
10. A camera surveillance system shall be maintained at all times to monitor the common areas of the business, high-risk areas, sidewalk areas, and entrances or exits. Recordings shall be maintained for a minimum period of 60 days.
11. All exterior portions of the site shall be adequately illuminated in the evening so as to make discernible the faces and clothing of persons utilizing the space. Lighting shall be directed onto the site without being disruptive to persons on adjacent properties.

C. Entitlement Conditions – Site Plan Review

1. **Site Development.** The use and development of the property shall be in substantial conformance with the Site Plan, Floor Plans, Unit Plans, Building Elevations, and Landscape Plans (Exhibit A, dated September 11, 2020) of the subject case file. No change to the plans will be made without prior review by the Department of City Planning, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Municipal Code or the project conditions. The project shall be constructed in a manner consistent with the following project description:
 - a. Limit the proposed development to up to 271 dwelling units, and up to 7,760 square feet of retail and restaurant uses, totaling up to 316,948 square feet of floor area.
2. **Landscaped Open Space and Amenities.** A 2,820-square foot ground floor landscaped open space shall be provided on the southwest corner of Yucca Street and Vista Del Mar Avenue, as shown in Exhibit A - Project Plans, dated September 11, 2020. The ground-floor open space shall not be gated and shall remain publicly accessible between the hours of 6 a.m. to 10 p.m.
3. **Landscaping.** Prior to the issuance of a building permit, a landscape and irrigation plan shall be submitted to the Department of City Planning for approval. The landscape plan shall be in substantial conformance with the landscape plan stamped Exhibit A, and shall additionally contain specific plant palettes, design details, and robust irrigation and maintenance programs to demonstrate the long-term viability of the bio-receptive panel podium screening system.
4. **Tree Wells.** The minimum depth of tree wells and planters on the rooftop, any above grade open space, and above a subterranean structure shall be as follows:
 - a) Minimum depth for trees shall be 42 inches

- b) Minimum depth for shrubs shall be 30 inches
- c) Minimum depth for herbaceous plantings and ground cover shall be 18 inches
- d) Minimum depth for an extensive green roof shall be three inches

The minimum amount of soil volume for tree wells shall be based on the size of the tree at maturity as follows:

- e) 220 cubic feet for a tree 15 - 19 feet tall at maturity.
- f) 400 cubic feet for a tree 20 - 24 feet tall at maturity.
- g) 620 cubic feet for a medium tree or 25 - 29 feet tall at maturity.
- h) 900 cubic feet for a large tree or 30 - 34 feet tall at maturity

Any trees that are required pursuant to LAMC Section 12.21 G and are planted on any podium or deck shall be planted in a minimum three-foot planter.

5. **Tree Maintenance.** All newly planted trees must be appropriately sized, staked and tied; provided with a watering moat; and shall be properly watered and maintained.
6. **Trash and Recycling.**
 - a. All trash collection and storage areas shall be located on-site and shall not be visible from the public right-of-way.
 - b. Trash receptacles shall be stored in a fully enclosed building or structure.
 - c. Trash/recycling containers shall be locked when not in use.
7. **Mechanical Equipment.** Any structures on the roof, such as air conditioning units and other equipment, shall be fully screened from view of any abutting properties and the public right-of-way. All screening shall be setback at least five feet from the edge of the building.
8. **Construction Signage.** There shall be no off-site commercial signage on construction fencing during construction.
9. **Prohibited Signage.** The project shall be prohibited from including off-site signs, digital signs, or any signage visible from the freeway. Signage shall be limited to on-site signage for the proposed commercial tenants, and the building identity signage on the corner of Yucca and Argyle as shown on the Exhibit A.
10. **Signage Lighting.** Per the Hollywood Signage Supplemental Use District, all illuminated signs shall be designed, located or screened so as to minimize to the greatest reasonable extent possible, direct light sources onto any exterior wall of a residential unit and into the window of any commercial building. If signs are to be externally lit, the source of the external illumination shall be shielded from public view.

D. Environmental Conditions

1. **Implementation.** The Mitigation Monitoring Program (MMP), attached as "Exhibit B" and part of the case file, shall be enforced throughout all phases of the Project. The Applicant shall be responsible for implementing each Project Design Features (PDF) and Mitigation Measure (MM) and shall be obligated to provide certification, as identified below, to the appropriate monitoring and enforcement agencies that each PDF and MM

has been implemented. The Applicant shall maintain records demonstrating compliance with each PDF and MM. Such records shall be made available to the City upon request.

2. **Construction Monitor.** During the construction phase and prior to the issuance of building permits, the Applicant shall retain an independent Construction Monitor (either via the City or through a third-party consultant), approved by the Department of City Planning, who shall be responsible for monitoring implementation of PDFs and MMs during construction activities consistent with the monitoring phase and frequency set forth in this MMP.

The Construction Monitor shall also prepare documentation of the Applicant's compliance with the PDFs and MMs during construction every 90 days in a form satisfactory to the Department of City Planning. The documentation must be signed by the Applicant and Construction Monitor and be included as part of the Applicant's Compliance Report. The Construction Monitor shall be obligated to immediately report to the Enforcement Agency any non-compliance with the MMs and PDFs within two businesses days if the Applicant does not correct the non-compliance within a reasonable time of notification to the Applicant by the monitor or if the non-compliance is repeated. Such non-compliance shall be appropriately addressed by the Enforcement Agency.

3. **Substantial Conformance and Modification.** After review and approval of the final MMP by the Lead Agency, minor changes and modifications to the MMP are permitted, but can only be made subject to City approval. The Lead Agency, in conjunction with any appropriate agencies or departments, will determine the adequacy of any proposed change or modification. This flexibility is necessary in light of the nature of the MMP and the need to protect the environment. No changes will be permitted unless the MMP continues to satisfy the requirements of CEQA, as determined by the Lead Agency

The Project shall be in substantial conformance with the PDFs and MMs contained in this MMP. The enforcing departments or agencies may determine substantial conformance with PDFs and MMs in the MMP in their reasonable discretion. If the department or agency cannot find substantial conformance, a PDF or MM may be modified or deleted as follows: the enforcing department or agency, or the decision maker for a subsequent discretionary project related approval finds that the modification or deletion complies with CEQA, including CEQA Guidelines Sections 15162 and 15164, which could include the preparation of an addendum or subsequent environmental clearance, if necessary, to analyze the impacts from the modifications to or deletion of the PDFs or MMs. Any addendum or subsequent CEQA clearance shall explain why the PDF or MM is no longer needed, not feasible, or the other basis for modifying or deleting the PDF or MM, and that the modification will not result in a new significant impact consistent with the requirements of CEQA. Under this process, the modification or deletion of a PDF or MM shall not, in and of itself, require a modification to any Project discretionary approval unless the Director of Planning also finds that the change to the PDF or MM results in a substantial change to the Project or the non-environmental conditions of approval.

4. **Tribal Cultural Resource Inadvertent Discovery.** In the event that objects or artifacts that may be tribal cultural resources are encountered during the course of any ground disturbance activities¹, all such activities shall temporarily cease on the Project Site until

¹ Ground disturbance activities shall include the following: excavating, digging, trenching, plowing, drilling, tunneling, quarrying, grading, leveling, removing peat, clearing, pounding posts, auguring, backfilling, blasting, stripping topsoil or a similar activity.

the potential tribal cultural resources are properly assessed and addressed pursuant to the process set forth below:

- Upon a discovery of a potential tribal cultural resource, the project Permittee shall immediately stop all ground disturbance activities and contact the following: (1) all California Native American tribes that have informed the City they are traditionally and culturally affiliated with the geographic area of the proposed project; (2) and the Department of City Planning at (213) 473-9723.
- If the City determines, pursuant to Public Resources Code Section 21074 (a)(2), that the object or artifact appears to be tribal cultural resource, the City shall provide any effected tribe a reasonable period of time, not less than 14 days, to conduct a site visit and make recommendations to the Project Permittee and the City regarding the monitoring of future ground disturbance activities, as well as the treatment and disposition of any discovered tribal cultural resources.
- The project Permittee shall implement the tribe's recommendations if a qualified archaeologist, retained by the City and paid for by the project Permittee, reasonably concludes that the tribe's recommendations are reasonable and feasible.
- The project Permittee shall submit a tribal cultural resource monitoring plan to the City that includes all recommendations from the City and any affected tribes that have been reviewed and determined by the qualified archaeologist to be reasonable and feasible. The project Permittee shall not be allowed to recommence ground disturbance activities until this plan is approved by the City.
- If the project Permittee does not accept a particular recommendation determined to be reasonable and feasible by the qualified archaeologist, the project Permittee may request mediation by a mediator agreed to by the Permittee and the City who has the requisite professional qualifications and experience to mediate such a dispute. The project Permittee shall pay any costs associated with the mediation.
- The project Permittee may recommence ground disturbance activities outside of a specified radius of the discovery site, so long as this radius has been reviewed by the qualified archaeologist and determined to be reasonable and appropriate.
- Copies of any subsequent prehistoric archaeological study, tribal cultural resources study or report, detailing the nature of any significant tribal cultural resources, remedial actions taken, and disposition of any significant tribal cultural resources shall be submitted to the South Central Coastal Information Center (SCCIC) at California State University, Fullerton.
- Notwithstanding the above, any information determined to be confidential in nature, by the City Attorney's office, shall be excluded from submission to the SCCIC or the general public under the applicable provisions of the California Public Records Act, California Public Resources Code, and shall comply with the City's AB 52 Confidentiality Protocols.

E. Administrative Conditions

1. **Approval, Verification and Submittals.** Copies of any approvals guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Planning Department for placement in the subject file.
2. **Code Compliance.** Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions are more restrictive.
3. **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 Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Planning Department for attachment to the file.

4. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public officials, legislation or their successors, designees or amendment to any legislation.
5. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Planning Department and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
6. **Building Plans.** Page 1 of the grants and all the conditions of approval shall be printed on the building plans submitted to the City Planning Department and the Department of Building and Safety.
7. **Project Plan Modifications.** Any corrections and/or modifications to the Project plans made subsequent to this grant that are deemed necessary by the Department of Building and Safety, Housing Department, or other Agency for Code compliance, and which involve a change in site plan, floor area, parking, building height, yards or setbacks, building separations, or lot coverage, shall require a referral of the revised plans back to the Department of City Planning for additional review and final sign-off prior to the issuance of any building permit in connection with said plans. This process may require additional review and/or action by the appropriate decision-making authority including the Director of Planning, City Planning Commission, Area Planning Commission, or Board.
8. **Indemnification and Reimbursement of Litigation Costs.** The Applicant shall do all of the following:
 - (i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
 - (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
 - (iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
 - (iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found

necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).

- (v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

FINDINGS

(As amended by the City Planning Commission on September 24, 2020)

General Plan/Charter Findings

1. General Plan Land Use Designation

The Project Site is located within the Hollywood Community Plan, adopted by the City Council on December 13, 1988. The 1.16-acre project site is located within the adopted Hollywood Community Plan area and is comprised of seven lots, commonly referred to herein as the West Parcel, Center Parcel, and East Parcel. The Community Plan designates the West Parcel and Center Parcel for Regional Center Commercial land use and the East Parcel for Multiple Family Medium Residential land use. According to the Community Plan, corresponding zones for the Regional Center Commercial designation include C2, C4, P, PB, RAS3 and RAS4. The corresponding zoning designation for Medium Residential is R3.

The West Parcel is designated for Regional Center Commercial land uses and zoned C4-2D-SN, with Height District 2 allowing unlimited building height with a maximum FAR of 6:1. The Center Parcel is also designated for Regional Center Commercial uses and zoned with a non-corresponding zone of R4-2D, which allows for multi-family residential uses, with Height District 2. For both the West and Center Parcels, the "D" indicates a Development Limitation, which provides a project shall not exceed a 2:1 FAR, unless it is found to comply with the Hollywood Redevelopment Plan, and is approved by the City Planning Commission, or the City Council on appeal. The East Parcels are designated for Medium Residential land uses and zoned [Q]R3-1XL, allowing for multi-family residential development. The [Q] condition limits residential density to a maximum of one dwelling unit for each 1,200 square feet of lot area in lieu of the 800 square feet of lot area.

2. General Plan Text

The Los Angeles General Plan sets forth goals, objectives and programs that guide both Citywide and community specific land use policies. The General Plan is comprised of a range of State mandated elements, including, but not limited to: Land Use, Transportation, Noise, Safety, Housing and Conservation. The City's Land Use Element is divided into 35 community plans that establish parameters for land use decisions within those sub-areas of the City. The Project is in compliance with the following Elements of the General Plan: Framework Element, Housing Element, Mobility Element, Health and Wellness Element and the Land Use Element – Hollywood Community Plan

Framework Element

The Framework Element was adopted by the City of Los Angeles in December 1996 and re-adopted in August 2001. It establishes the City's long-range comprehensive growth strategy and provides guidance on citywide policies, objectives, and goals regarding such issues as land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services. Below is an analysis of the Project's consistency with the objectives and policies of the Framework Element, as described below.

The General Plan Framework Element describes Regional Centers as focal points for regional commerce, identity, and activity with higher density developments whose form is differentiated from the lower-density neighborhoods of the city. Regional Centers fall under the range of 1.5:1 to 6:1 FAR and are characterized by buildings ranging from six-to 20-story buildings or higher. Their densities and functions support the development of a

comprehensive and interconnected network of public transit and services. The Project allows for the orderly arrangement of buildings on the site, flexibility in ownership and operation of the proposed commercial establishments, and allows for density height, and floor area arrangement which meets the goals of the General Plan and Hollywood Community Plan by providing mixed-use, mixed-income project, which provides new housing units, commercial space, in addition to preserving the two non-contributing structures located on Vista Del Mar Avenue.

Chapter 3: Land Use

The Land Use Chapter of the Framework Element identifies objectives and supporting policies relevant to the Project Site. Those objectives and policies seek, in part, to encourage the development of commercial and residential uses and structures that integrate housing units with commercial uses. The Project supports and will be generally consistent with the General Plan Framework Land Use Chapter as it accommodates development of residential and commercial uses in accordance with the applicable policies of the Hollywood Community Plan. Specifically, the Project would comply with the Regional Center based on the following goals, objective and policies, as set forth in the General Plan Framework Land Use Chapter:

Goal 3A: A physically balanced distribution of land uses that contributes towards and facilitates the City's long-term fiscal and economic viability, revitalization of economically depressed areas, conservation of existing residential neighborhoods, equitable distribution of public resources, conservation of natural resources, provision of adequate infrastructure and public services, reduction of traffic congestion and improvement of air quality, enhancement of recreation and open space opportunities, assurance of environmental justice and a healthful living environment, and achievement of the vision for a more livable city.

Objective 3.1: Accommodate a diversity of uses that support the needs of the City's existing and future residents, businesses, and visitors.

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.

Policy 3.2.2 Establish, through the Framework Long-Range Land Use Diagram, community plans, and other implementing tools, patterns and types of development that improve the integration of housing with commercial uses and the integration of public services and various densities of residential development within neighborhoods at appropriate locations.

Policy 3.2.3: Provide for the development of land use patterns that emphasize pedestrian/bicycle access and use in appropriate locations.

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.

Goal 3M: A City where significant historic and architectural districts are valued.

Objective 3.17: Maintain significant historic and architectural districts while allowing for the development of economically viable uses.

The Project Site is improved with one single-family residence, one duplex with a detached garage, and three, two-story apartment buildings with associated carports and paved surface parking areas. Under the proposed Modified Alternative 2, the three multi-family apartment buildings located along Yucca Avenue would be demolished and removed to allow for the redevelopment of the site, while the two existing one- and two-story single-family buildings (1765 and 1771 Vista Del Mar Avenue) would be retained. Modified Alternative 2 consists of a mixed-use development, with up to 316,948 square feet of floor area, within a new 30-story tower, referred to herein as Building 1. The proposed Building 1 would include up to 269 multi-family residential units (17 of which would be set aside for Very Low Income households) and approximately 7,760 square feet of commercial/restaurant uses. The existing residence at 1771 Vista Del Mar Avenue would remain as a single-family use and the residence at 1765 Vista Del Mar Avenue, which currently contains three residential units, will be converted back to a single-family use. Five levels of subterranean and above-ground automobile parking would be located within the podium structure of Building 1 and surface parking would be provided for the two single-family residences.

The Project provides a high-rise, mixed-use development which includes a total of 271 residential units, active commercial uses, a small park with outdoor seating and public art, and various streetscape improvements on an infill site within the Hollywood area. The proposed project would enhance the built environment through the unified development of the site and would include essential and beneficial uses through the balance of residential and commercial components, within the transit-rich area of Hollywood. The project would benefit the community by providing more housing options for the increasing population of Hollywood workers and provide employment opportunities for the area residents, which support the City's goals for housing and economic development. The preservation and rehabilitation of the two non-contributing single-family structures in the Vista Del Mar/Carlos Historic District would help to preserve neighborhood character, and the provision of a small park at the corner of Yucca Street and Vista Del Mar Avenue would serve as a gateway amenity to the district.

The Project would reduce vehicle trips and vehicle miles traveled due to the Project's pedestrian-orientated design, bicycle access and infrastructure, and proximity to rail and bus transit, commercial uses, entertainment uses, amenities, and jobs. The Project design, mix of uses, and intensity will also contribute to the intended character of the Regional Center land use, while locating new residents and jobs within an established mixed-use area. The Project will contribute to the appropriate distribution of land as described by the Land Use Chapter due to its location in a Regional Center well served by transit, proposed mix of uses consistent with the goals of the Regional Center, proposed neighborhood-serving commercial space, proposed housing for various income levels and household sizes, and retention of the two non-contributing single-family structures in the Vista Del Mar/Carlos Historic District.

Chapter 4: Housing

The Project would comply with the following goals, objective and policies, as set forth in the General Plan Framework Housing Chapter:

Goal 4A: An equitable distribution of housing opportunities by type and cost accessible to all residents of the City.

Objective 4.1: Plan the capacity for and develop incentives to encourage production of an adequate supply of housing units of various types within each City subregion to

meet the projected housing needs by income level of the future population to the year 2010.

Policy 4.1.1: Reduce overcrowded housing conditions by providing incentives to encourage development of family-size units

Objective 4.2: *Encourage the location of new multi-family housing development to occur in proximity to transit stations, along some transit corridors, and within some high activity areas with adequate transitions and buffers between higher-density developments and surrounding lower-density residential neighborhoods.*

Policy 4.2.1 Offer incentives to include housing for very low- and low-income households in mixed-use developments.

The Project provides housing for various income levels and household sizes, and retention of the two non-contributing single-family structures in the Vista Del Mar/Carlos Historic District. The Project will provide 21 studio apartments, 128 one-bedroom units, 110 two-bedroom units, and 10 three-bedroom units. Of the total 271 units, 252 are new RSO units, 17 are new covenanted affordable units, and two are the existing single-family residences on Vista Del Mar Avenue. This would help meet the critical demand for new housing in the Hollywood Community Plan area and would increase the City's stock of rent controlled units.

Citywide Design Guidelines

The Urban Design Studio has adopted a three-part design approach to evaluating projects to reflect the new Citywide Design Guidelines, which consist of Pedestrian First Design, 360-Degree Design, and Climate Adapted Design.

Pedestrian First Design:

The Project would provide a transparent ground floor, with street-facing commercial and restaurant spaces, and at-grade residential lobby entrance that provide shelter and promotes active street use by pedestrians along Yucca Street. The Project will also include outdoor dining, bicycle parking, a pick-up/drop-off zone, and a new 2,820 square foot park at the corner of Yucca Street and Vista Del Mar Avenue. The mass of the podium is broken down into smaller elements that create depth along the façade, in addition to utilizing different materials to create visual interest, and incorporating design components from the tower in order to tie the whole building together.

360-Degree Design:

The Project design implements materials, colors, fenestration, massing, and design patterns which create visual interest. All facades of both the podium and the residential tower are highly articulated with a differentiation in mass that breaks down large facades, and with a variety of materials and elements that create a strong visual interest. The podium would use a screening design consisting of multiple different elements that are either recessed or protrude from the façade, with a change of material alternating between unfinished concrete, to glass, to metal ventilation screens, while allowing for airflow through the podium levels. At the ground floor level, the commercial and residential entrances are oriented to the sidewalk, with aluminum framing around floor-to-ceiling glass commercial storefront glazing. The podium is designed with a pedestrian scale as the mass is broken down into smaller elements, which softens the façade of the building and create a warm and inviting experience for visitors and residents. The podium levels are further enhanced with an alternating rhythm of trapezoidal glass shapes that employ the same green colored glass that is used for the inset accents on the tower façade, as well as vertical green screens along the eastern façade where the new public open space amenity will be located. The

façade of the tower element will primarily use blue and green colored glass, allowing for natural lighting into the residential units, and includes multiple balconies that extend from the façade in a non-uniform pattern that gives the appearance of horizontal undulation, while providing shade and minimizing solar gain throughout the building, highlighting the Project's energy efficiency and sustainability. The various design treatments within the podium and tower would help break the façade of the building and provide unique focal points.

Climate Adapted Design:

The Project is certified ELDP, and as part of the ELDP certification requirements, the Project will be conditioned to provide an energy efficient building which reduces energy consumption by 22 percent below LEED baseline, outdoor water use 30 percent below code required baseline, indoor water use 35 percent below code required baseline, transportation efficiencies with result in a 15 percent reduction in VMT, a minimum of 105 kilowatts of solar energy generation on site, and the purchase of carbon credits with offset operation and construction.

The Project will be designed and operated to exceed the applicable requirements of the State of California Green Building Standards Code and the City of Los Angeles Green Building Code. Green building measures will include, but are not limited to the following: reduce building energy cost by a minimum of 5 percent for new construction compared to the Title 24 Building Energy Efficiency Standards (2016), at least 20 percent of the total code-required parking spaces provided for all types of parking facilities will be capable of supporting future electric vehicle supply equipment (EVSE), with at least 5 percent of the total code-required parking spaces shall be equipped with EV charging stations. The Project includes multiple balconies which will providing fresh air and ventilation.

Housing Element

The Housing Element 2013-2021 was adopted on December 3, 2013 and identifies the City's housing conditions and needs, and establishes the goals, objectives and policies that are the foundation of the City's housing and growth strategy. The proposed project would be in conformance with the objectives and policies of the Housing Element as described below.

Goal 1: A City where housing production and preservation result in an adequate supply of ownership and rental housing that is safe, healthy and affordable to people of all income levels, races, ages, and suitable for their various needs.

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

Policy 1.1.3: Facilitate new construction and preservation of a range of different housing types that address the particular needs of the city's households.

Policy 1.1.4: Expand opportunities for residential development, particularly in designated Centers, Transit Oriented Districts and along Mixed-Use Boulevards.

Objective 1.3: Forecast and plan for changing housing needs over time in relation to production and preservation needs.

Policy 1.3.5: Provide sufficient land use and density to accommodate an adequate supply of housing units by type and cost within the City to meet the projections of housing needs, according to the policies and objectives of the City's Framework Element of the General Plan.

Goal 2: *A City in which housing helps to create safe, livable and sustainable neighborhoods.*

Objective 2.1: *Promote safety and health within neighborhoods.*

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

Policy 2.2.3: *Promote and facilitate a jobs/housing balance at a citywide level.*

Objective 2.4: *Promote livable neighborhoods with a mix of housing types, quality design and scale and character that respects unique residential neighborhoods in the City.*

Policy 2.4.2: *Develop and implement design standards that promote quality residential development.*

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.*

The Project proposes mixed-income housing, with neighborhood-serving commercial space at the ground floor within the Hollywood Regional Center. As a mixed-use development, the Project provides for a balance of housing and jobs and provides activity and natural surveillance during and after commercial business hours. The ground floor commercial uses would activate the streets, while the residential units are oriented outward, providing eyes on the street during all hours of the day to create a safer environment for residents, workers, and visitors to the area. The Project provides housing for various income levels and household sizes, and retention of the two non-contributing single-family structures in the Vista Del Mar/Carlos Historic District. The Project will provide 21 studio apartments, 128 one-bedroom units, 110 two-bedroom units, and 10 three-bedroom units. Of the total 271 units, 252 are new RSO units, 17 are new covenanted affordable units, and two are the existing single-family residences on Vista Del Mar Avenue. This would help meet the critical demand for new housing in the Hollywood Community Plan area and would increase the City's stock of rent controlled units.

The Project as proposed would be consistent with the goals of the Housing Element by providing mixed income housing units in varying unit arrangements on a site well served by transit.

Mobility Element

The Mobility Element 2035 (Mobility Element), adopted in September 2016, guides development of a citywide transportation system with the goal of ensuring the efficient movement of people and goods and recognizes that primary emphasis must be placed on maximizing the efficiency of existing and proposed transportation infrastructure through advanced transportation technology, reduction of vehicle trips, and focused growth in proximity to public transit. The Mobility Plan 2035 includes goals that define the City's high-

level mobility priorities and sets forth objectives and policies to establish a citywide strategy to achieve long-term mobility and accessibility within the City of Los Angeles. The Proposed Project would be in conformance with following objectives and policies of the Mobility Element as described below.

Chapter 2: World Class Infrastructure

Policy 2.3: Recognize walking as a component of every trip and ensure high-quality pedestrian access in all site planning and public right-of-way modifications to provide a safe and comfortable walking environment.

Chapter 3: Access for All Angelenos

Policy 3.1: Recognize all modes of travel, including pedestrian, bicycle, transit, and vehicular modes - including goods movement - as integral components of the City's transportation system.

Policy 3.3: Promote Equitable land use decisions that result in fewer vehicle trips by providing greater proximity and access to jobs, destinations, and other neighborhood services.

Policy 3.5: Support "first-mile, last-mile solutions" such as multi-modal transportation services, organizations, and activities in the areas around transit stations and major bus stops (transit stops) to maximize multi-modal connectivity and access for transit riders.

Policy 3.8: Provide bicyclists with convenient, secure and well-maintained bicycle parking facilities.

The Project would provide access for all modes of travel, focusing on pedestrians and cyclists. Pedestrian entrances are prominently located at the corner of Yucca Street and Argyle Avenue, as well as locating the main building entrance lobby along Yucca Street, directly in the center of the project. The proposed Project is consistent with the goals and implementation strategies identified in the Walkability Checklist. The Project introduces new commercial uses such as restaurants to the area, which would reduce the vehicle miles travel to the site as residents and visitors would be able to walk to these commercial uses. Further, the Project site is located in a Transit Priority Area and adjacent to several bus lines and in the vicinity of the Hollywood and Vine Red Line Station (approximately 0.13 miles southwest from the project site), increasing accessibility to and from the site via walking and other transit. In addition, the project site would be adjacent to many other mixed-use buildings with similar commercial uses, as well as events and entertainment uses within the Hollywood area, encouraging walking, active transportation, and public transit usage to these other adjacent uses.

As mentioned previously, the project would also improve the streetscape surrounding the Project Site with improved sidewalks, street lighting, street trees, short-term bicycle parking, and landscaping. The project will also activate the street for pedestrians with a small park located at the northeast corner of the project site, which contains outdoor seating and landscaping. The building's orientation also contributes to a walkable environment as the entrances to the commercial uses are located directly on Yucca Street and at the corner of Argyle Avenue and Yucca Street, while the residential entrance is located on Yucca Street. There is only one driveway, which is located on Argyle Avenue. In general, the site design creates active environments by supporting a variety of pedestrian activities, and buildings are oriented and easily accessible from adjacent public streets and open spaces. These on-

and off-site project features and improvements will lend themselves to create a safe and engaging pedestrian environment, and will enrich the quality of the public realm, consistent with the objectives of the Mobility Element.

Chapter 5: Clean Environments and Healthy Communities

Objective 5.1: *Decrease VMT per capita by 5% every five years, to 20% by 2035.*

Objective 5.2: *Meet a 9% per capita GHG reduction for 2020 and a 16% per capita reduction for 2035 (Southern California Association of Governments, Regional Transportation Plan).*

Policy 5.4: *Continue to encourage the adoption of low and zero emission fuel sources, new mobility technologies, and supporting infrastructure.*

As conditioned Mitigation Measure MM-TRAF-1 requires implementation of a TDM program to reduce vehicle trips. The combined effect of the various strategies implemented as part of the TDM program will result in a reduction in Modified Alternative 2's vehicle trip generation and VMT by offering services, actions, specific facilities, etc., aimed at encouraging the use of alternative transportation modes. As shown in Table 3-6, *VMT Analysis Summary*, at page 3-59 in Chapter 3, *Revisions, Clarifications and Corrections*, of the Final EIR, with implementation of Mitigation Measure MM TRAF-1, Modified Alternative 2 would generate 7,476 daily VMT (a reduction of 984 daily VMT), which includes a home-based production daily VMT of 3,573 and a home-based work attraction daily VMT of 154. With Mitigation Measure MM TRAF-1, Modified Alternative 2 will generate an average household VMT per capita of 5.9 (1.6 less than prior to mitigation). With mitigation, Modified Alternative 2 will not exceed the household VMT per capita threshold of 6.0. Work VMT for Modified Alternative 2 is less than significant without mitigation. Thus, with Mitigation Measure MM-TRAF-1, Modified Alternative 2 meets the threshold criteria of being 15% less than the existing average household VMT per capita for the Central Area Planning Commission area.

Furthermore, as conditioned, Project Design Feature PDF-GHG-1 requires that the Project will provide or obtain GHG emission offsets as required in the Project's Environmental Leadership Development Project certification and related documentation. The Project is a certified Environmental Leadership Development Project (ELDP) and will be consistent with the State's SB 375 plans and greenhouse gas emission (GHG) targets, the City's Green Building Code, and the City's Green New Deal (Sustainable City pLAn 2019). The Project incorporates sustainable and green building design and construction to promote resource conservation, including net-zero carbon and GHG emissions, electric-vehicle charging and water conservation measures in excess of Code requirements, achieving fifteen percent greater transportation efficiency, and incorporating sustainability measures to achieve Leadership in Energy and Environmental Design (LEED) Silver certification.

The Project will be designed and operated to exceed the applicable requirements of the State of California Green Building Standards Code and the City of Los Angeles Green Building Code. Green building measures will include, but are not limited to the following: reduce building energy cost by a minimum of 5 percent for new construction compared to the Title 24 Building Energy Efficiency Standards (2016), at least 20 percent of the total code-required parking spaces provided for all types of parking facilities will be capable of supporting future electric vehicle supply equipment (EVSE), with at least 5 percent of the total code-required parking spaces shall be equipped with EV charging stations.

Health and Wellness Element

Adopted in March 2015, the Plan for a Healthy Los Angeles lays the foundation to create healthier communities for all Angelenos. As the Health and Wellness Element of the General Plan, it provides high-level policy vision, along with measurable objectives and implementation programs, to elevate health as a priority for the City's future growth and development. Through a new focus on public health from the perspective of the built environment and City services, the City of Los Angeles will strive to achieve better health and social equity through its programs, policies, plans, budgeting, and community engagement. The Project is consistent with the following:

Chapter 2: A City Built for Health

Policy 2.2: *Promote a healthy built environment by encouraging the design and rehabilitation of buildings and sites for healthy living and working conditions, including promoting enhanced pedestrian-oriented circulation, lighting, attractive and open stairs, healthy building materials and universal accessibility using existing tools, practices, and programs.*

Chapter 5: An Environment Where Life Thrives

Policy 5.1: *Reduce air pollution from stationary and mobile sources; protect human health and welfare and promote improved respiratory health.*

Policy 5.7: *Promote land use policies that reduce per capita greenhouse gas emissions, result in improved air quality and decreased air pollution, especially for children, seniors and other susceptible to respiratory diseases.*

The Project would result in the creation of new housing and commercial uses within 0.13 miles of the Hollywood/Vine Metro Station, would provide street trees, storefronts and streetwall treatments which encourage walking, outdoor dining, and bicycle parking, thereby activating the streetscape to support an inviting and pedestrian-oriented environment. In addition, the Project would reduce vehicle trips and vehicle miles traveled due to the Project's pedestrian-orientated design, bicycle access and infrastructure, and proximity to rail and bus transit, commercial uses, entertainment uses, amenities, and jobs. The Project design, mix of uses, and intensity will also contribute to the intended character of the Regional Center land use, while locating new residents and jobs within an established mixed-use area.

The Project has been certified as an ELDP, which includes a requirement for 15% greater efficiency in vehicle trips than the comparable projects and includes requirements which would mitigate vehicle trips associated with the Project. Thus, the Project's location, and pedestrian and bicyclist orientation, will promote alternative forms of travel, and support first-mile, last-mile solutions. Transit options in the vicinity of the Project would encourage residents, and visitors to use public transportation or walk, reducing air pollution and greenhouse gas emissions that would otherwise be caused by vehicle trips. As conditioned, Mitigation Measure MM-TRAF-1 requires implementation of a TDM program to reduce vehicle trips. The combined effect of the various strategies implemented as part of the TDM program will result in a reduction in the Project's vehicle trip generation and VMT by offering services, actions, specific facilities, aimed at encouraging the use of alternative transportation modes. In addition, as an ELDP, the Project would result in net-zero greenhouse gas emissions. Therefore, the Project would promote a healthy built environment, encourage healthy living and working conditions, reduce air pollution, and promote land use policies that reduce per capita greenhouse gas emissions.

Land Use Element – Hollywood Community Plan

The Project Site is located within the Hollywood Community Plan Area, which was adopted by the City Council on December 13, 1988. The 1.16-acre project site is comprised of seven lots, commonly referred to herein as the West Parcel, Center Parcel, and East Parcel. The Community Plan designates the West Parcel and Center Parcel for Regional Center Commercial land use and the East Parcel for Multiple Family Medium Residential land use. According to the Community Plan, corresponding zones for the Regional Center Commercial designation include C2, C4, P, PB, RAS3 and RAS4. The corresponding zoning designation for Medium Residential is R3.

The West Parcel is zoned C4-2D-SN, which allows for commercial and residential uses, consistent with the R5 zone. The Height District 2 allows unlimited building height with a maximum FAR of 6:1. The Center Parcel is zoned R4-2D, which is not a corresponding zone in the Regional Center Commercial General Plan land use designation. For both the West and Center Parcels, the “D” indicates a Development Limitation, which provides a project shall not exceed a 2:1 FAR, unless it is found to comply with the Hollywood Redevelopment Plan, and is approved by the City Planning Commission, or the City Council on appeal. The East Parcel is zoned [Q] R3-1XL. The R3 zone permits a density of 800 square feet of lot area per dwelling unit. Height District 1XL limits building height to 30 feet with a maximum FAR of 3:1. The Q condition limits residential density to a maximum of one dwelling unit for each 1,200 square feet of lot area.

The Project entitlements include a Zone Change and Height District Change from C4-2D-SN to (T)(Q)C2-2D-SN, from R4-2D to (T)(Q)C2-2D, and from [Q]R3-1XL to (T)(Q)R3-2D. The zone change request for the Center Parcel from R4-2D to C2-2D would make the zone consistent with the land use. The Zone and Height District as proposed are consistent with and in substantial conformance with the intent and provisions of the General Plan as reflected in the adopted Community Plan.

General Plan Text. The Hollywood Community Plan, a part of the Land Use Element of the City's General Plan, states the following objectives that are relevant to the Project:

Objective No. 1: *To further the development of Hollywood as a major center of population, employment, retail service and entertainment.*

Objective No. 3: *To make provision for the housing required to satisfy the varying needs and desires of all economic segments of the community, maximizing the opportunity for individual choice.*

Objective No. 4: *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 requested entitlements allow for the orderly arrangement of buildings on the site, flexibility in ownership and operation of the proposed commercial establishments, and allows for increased density, height, and floor area for the construction of the Project, which meets the goals of the General Plan and Hollywood Community Plan by providing mixed-use, mixed-income project, providing new housing units, commercial space, and preserving the two non-contributing structures located on Vista Del Mar Avenue.

Hollywood Redevelopment Plan Consistency

In addition to achieving the objectives of the Hollywood Community Plan, the Project would also support and be consistent with the following goals identified in the Hollywood Redevelopment Plan:

- 3. Promote a balanced community meeting the needs of the residential, commercial, industrial, arts and entertainment sectors.*
- 9. Provide housing choices and increase the supply and improve the quality of housing for all income and age groups, especially for persons with low and moderate incomes; and to provide home ownership opportunities and other housing choices which meet the needs of the resident population.*
- 10. Promote the development of sound residential neighborhoods through mechanisms such as land use, density and design standards, public improvements, property rehabilitation, sensitive in-fill housing, traffic and circulation programming, development of open spaces and other support services necessary to enable residents to live and work in Hollywood.*
- 11. Recognize, promote and support the retention, restoration and appropriate reuse of existing buildings, groupings of buildings and other physical features especially those having significant historic and/or architectural value and ensure that new development is sensitive to these features through land use and development criteria.*
- 14. Promote and encourage development of recreational and cultural facilities and open spaces necessary to support attractive residential neighborhoods and commercial centers.*

The Project would also support and be consistent with the following objectives identified in subsection 506.2.3: Regional Center Commercial Density of the Hollywood Redevelopment Plan:

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

Objective b: *To provide for new development which complements the existing buildings in areas having architecturally and/or historically significant structures.*

Objective d: *To encourage the development of appropriately designed housing to provide a balance in the community.*

The Project proposes mixed-income housing, with neighborhood-serving commercial space at the ground floor. As a mixed-use development, the Project provides for activity and natural surveillance during and after commercial business hours. The ground floor commercial uses would activate the streets, while the residential units are oriented outward, providing eyes on the street during all hours of the day to create a safer environment for residents, workers, and visitors to the area. The Project provides housing for various income levels and household sizes, and retention of the two non-contributing single-family structures in the Vista Del Mar/Carlos Historic District. The Project will provide 21 studio apartments, 128 one-bedroom units, 110 two-bedroom units, and 10 three-bedroom units. Of the total 271 units, 252 are new RSO units, 17 are new covenanted affordable units, and two are the existing single-family residences on Vista Del Mar Avenue. This would help meet

the critical demand for new housing in the Hollywood Community Plan area and would increase the City's stock of rent controlled units. Additionally, retention of the two non-contributing structures on Vista Del Mar complements the Vista Del Mar/Carlos Historic District and maintains the existing architectural and historic character of the street.

The Project would result in the creation of new housing and commercial uses within 0.13 miles of the Hollywood/Vine Metro Station, would provide street trees, storefronts and streetwall treatments which encourage walking, outdoor dining, and bicycle parking, thereby activating the streetscape to support an inviting and pedestrian-oriented environment. In addition, the Project would reduce vehicle trips and vehicle miles traveled due to the Project's pedestrian-orientated design, bicycle access and infrastructure, and proximity to rail and bus transit, commercial uses, entertainment uses, amenities, and jobs. The Project design, mix of uses, and intensity will also contribute to the intended character of the Regional Center land use, while locating new residents and jobs within an established mixed-use area.

The Project as proposed would be consistent with the goals of the Redevelopment Plan by providing mixed income housing units in varying unit arrangements on a site well served by and in close proximity to transit.

Hollywood Redevelopment Plan Compliance

501 General Controls and Limitations

The Project complies with the provisions of the redevelopment plan, as shown below. Pursuant to standard practice, the Project was also vetted by the Urban Design Studio, to verify consistency with Citywide Design Guidelines.

502 Map

The Project requests a Zone Change and Height District Change from C4-2D-SN to (T)(Q)C2-2D-SN, from R4-2D to (T)(Q)C2-2D, and from [Q]R3-1XL to (T)(Q)R3-2D. The zone change request for the Center Parcel from R4-2D to C2-2D would make the zone consistent with the land use. The Zone and Height District as proposed are consistent with and in substantial conformance with the intent and provisions of the General Plan as reflected in the adopted Community Plan. Pursuant to Section 502 of the Redevelopment Plan, and pending City Council approval, changes to the General Plan, Community Plan and any applicable Ordinances are automatically incorporated into the Redevelopment Plan. Therefore, the requested actions would be incorporated into the Plan, making the Project request and designation consistent with the Redevelopment Plan Map.

503 Design Standards

Section 503 of the Redevelopment Plan describes the purpose and intent of Designs for Development that may be adopted; however, as noted above, the only adopted design standards associated with the Redevelopment Plan pertains to the Hollywood Signage Supplemental Use District (HSSUD). There is no signage proposed as part of the Project, and any signage would be required to comply with the provisions of the HSSUD.

504 Variance, Conditional Use, Building Permits, and Other Land Development Entitlements

Section 504 of the Redevelopment Plan states that no zoning variance, conditional use permit, building permit, demolition permit or other land development entitlement shall be issued unless the application has been reviewed and determined to be in conformance with

the Redevelopment Plan and any applicable design standards. As set forth in these findings, the Project is in conformance with the Redevelopment Plan, and as the Project is not seeking signage at this time, conformance with applicable design standards is not required.

505 Residential Standards

While the Project incorporates residential units, Section 505 of the Redevelopment Plan refers to sites designated for residential use. The Project Site is designated Regional Center Commercial, and the proposed zone change would take the R4 zoned property to C2, and under Modified Alternative 2 would not develop new structures on the R3 zoned portion of the project site. Furthermore, Modified Alternative 2 would preserve the existing structures located on the R3 zoned lots, which would preserve the character and architectural style of the Vista Del Mar/Carlos Historic District.

506 Commercial Standards

The Redevelopment Plan identifies specific uses which are necessary to support the residential population of Hollywood, as well as specific uses which are traditional or indicative of Hollywood. The uses identified by the Redevelopment Plan include essential neighborhood services which support residential areas as pharmacies and food markets, while traditional uses such as restaurants, theaters and bookstores. The Project includes uses which both support nearby residential neighborhoods and residential uses within the regional center ground floor commercial space, including proposed restaurant spaces. Additionally, Section 506 includes some definitions and designations which are consistent with the Community Plan, and LAMC, and were applied consistently to the Project.

506.2 Regional Center Commercial

The Redevelopment Plan indicates intensity and concentration of uses intended for the Regional Center designation in section 506.2. The Redevelopment Plan indicates that commercial and entertainment uses should be focused around areas served by transportation facilities, as well as indicating FAR limitations of 4.5:1, with up to 6:1 FAR with additional findings, conformity with the Redevelopment Plan, and conformity with the Community Plan. As shown below and in the consistency findings for the Redevelopment Plan, the Project is consistent with these requirements, and the Regional Center designation in the Redevelopment Plan.

506.2.1 Hollywood Boulevard District

The Hollywood Redevelopment Plan identifies special districts in the plan area, including the Hollywood Boulevard District, generally properties to the north and south of Hollywood Boulevard from Gower Street to La Brea Avenue, which the Project Site is located in. The District includes six goals:

- 1. Encourage preservation, restoration and appropriate reuse of historically or architecturally significant structures;*
- 2. Assure that new development is sympathetic to and complements the existing scale of development;*
- 3. Provide pedestrian oriented retail uses along the street level;*
- 4. Encourage entertainment, theater and tourist related uses;*
- 5. Provide adequate parking for new and existing uses; and*
- 6. Reinforce and enhance the existing pedestrian environment.*

The Project includes the restoration and rehabilitation of the two non-contributing structures in the Vista Del Mar/Carlos Historic District. The new development would be complementary to the varying heights, architectural styles, and general character of the area, including the mid-rise structures in the immediate vicinity. The Project also includes ground floor commercial space along both Yucca Street and Argyle Avenue, reinforcing and complementing the existing pedestrian environment, as well as providing a new 2,820 square foot open space park at the corner of Yucca Street and Vista Del Mar Avenue. The Project will provide code required parking based on the number of units when built.

506.2.3 Regional Center Commercial Density

The Project Site is designated Regional Center Commercial by the Hollywood Community Plan; the intended focus of development in the Redevelopment Plan Area. The intent of the Plan is to focus development in areas designated Regional Center Commercial, served by adequate transportation facilities, with the goal of spurring economic development, high quality development, and support of entertainment uses. The Project Site is located 0.13 miles from the Hollywood/Vine Metro station, as well as within walking distance to multiple transit lines, including Metro bus lines, and LADOT bus lines. The Project would not alter historical development patterns in the area, and would retain and restore the two non-contributing structures in the Vista Del Mar/Carlos Historic district. Additionally, the Project would be consistent with the adjacent scale and building forms, complimenting the uses along Yucca Street and Argyle Avenue, as well as serving the residential components of the mixed-use developments in the vicinity of the Project Site. The nearest residential neighborhood, adjacent to the east of the Project site, would also be served by the commercial components of the Project. Therefore, the project demonstrates compliance with the provisions of the Redevelopment Plan for development in the Regional Center Commercial designation.

506.3 Residential Uses Within Commercial Areas

Section 506.3 of the Redevelopment Plan permits and encourages new residential uses in the Regional Center Commercial designation. The Project Site is designated Regional Center Commercial, and is located in the Hollywood Boulevard District. The Project complies with the intent and regulations of the both the Hollywood Boulevard District and Regional Center designation in the Redevelopment Plan.

Section 510 New Construction

Section 510 of the Redevelopment Plan requires all construction and development to conform to applicable State and City laws and regulations. The Project is required to conform to applicable regulations through the entitlement and permitting process. Therefore, the Project complies with Section 510 of the Redevelopment Plan.

Section 511 Preservation, Rehabilitation, and Retention of Properties

Section 511 of the Redevelopment Plan requires the preservation, rehabilitation, and retention of historic properties. The Project Site includes the two previously identified non-contributing structures in the Vista Del Mar/Carlos Historic District, which is determined eligible for listing in the National Historic Register. The Project complies with Section 511 of the Redevelopment Plan as the Project will restore and rehabilitate the two structures, and while the unified development does include a request for FAR over 4.5:1, the Project is utilizing unused floor area attributed to the R3 zoned portions of the site across the remainder of the site where the only new construction would occur. This would ensure the

protection of the two non-contributing structures. The new development would conform to the Redevelopment Plan as conditioned.

Section 513 Limitation on the Number of Buildings, Section 514 Limitation on the Number of Dwelling units

Sections 513 and 514 of the Redevelopment Plan identify the number of buildings and dwelling units anticipated to be developed within the Redevelopment Project Area. As determined by the City as lead agency, the development of the Project is consistent with Citywide growth projections and is therefore consistent with these sections.

Section 515 Limitation on Type, Size and Height of Buildings

Section 515 of the Redevelopment Plan limits the type, size, and height of buildings as regulated by State and City law. The Project's request for a Zone Change and Height District Change would be aligned with the goals of the Redevelopment Plan and Community Plan to concentrate dense development in the Regional Center Area, as well as by allowing for a 10% FAR increase through the Density Bonus Incentive program which includes a requirement for affordable units be reserved for Very Low Income occupants in exchange for the FAR incentive. No Design for Development Standards have been adopted, however, the Project complies with the Citywide Design Guidelines.

Section 516 Signs and Billboards

Section 516 of the Redevelopment Plan addresses signs and billboards. Future proposed signage will be reviewed by the City for conformance with all applicable regulations including applicable design guidelines, such as the Hollywood Signage Supplemental Use District.

Section 517 Utilities

Section 517 of the Redevelopment Plan pertains to the undergrounding of utilities, and feasibility and compliance will be verified during the permitting process.

Section 518 Circulation, Parking and Loading Facilities

Section 518 of the Redevelopment Plan pertains to circulation, parking, and loading facilities. As determined by the City as lead agency, the Project complies with applicable City regulations regarding parking and loading facilities and will not result in any impacts to the circulation system.

Section 519 Setbacks

Section 519 of the Redevelopment Plan pertains to regulations regarding parking within setbacks, and setback landscaping. The Project does not propose parking to be located in any setback areas and will provide landscaping within its setbacks.

Section 520 Incompatible Uses

Section 520 of the Redevelopment Plan pertains to incompatible uses. The City as lead agency has determined that the Project will be compatible with the surrounding areas and buildings. The requested \ Zone Change and Height District Change would allow the proposed building form, size, uses, and design to be compatible with existing and adjacent proposed developments, as well as the intent of the Hollywood Community Plan.

Entitlement Findings

3. Zone Change and Height District Change Findings

- a. Pursuant to Section 12.32.C.7 of the Los Angeles Municipal Code, the recommended zone and height district change is deemed consistent with the General Plan and is in conformity with the public necessity, convenience, general welfare and good zoning practice.**

The Zone Change and Height District Change from C4-2D-SN to (T)(Q)C2-2D-SN, from R4-2D to (T)(Q)C2-2D, and from [Q]R3-1XL to (T)(Q)R3-2D would allow for the development of a new mixed-use building that includes 269 dwelling units, of which 8 percent (17 units) of the Project Site's applicable base density would be set aside for Very Low Income Households, and 7,760 square feet of ground floor commercial/restaurant space. The three existing multi-family apartment buildings located along Yucca Avenue would be demolished and removed to allow for the redevelopment of the site, while the two existing one- and two-story single-family buildings (1765 and 1771 Vista Del Mar Avenue) would be retained. The Project consists of a mixed-use development, with up to 316,948 square feet of floor area, within a new 30-story tower, referred to herein as Building 1. The existing residence at 1771 Vista Del Mar Avenue would remain as a single-family use and the residence at 1765 Vista Del Mar Avenue, which currently contains three residential units, will be converted back to a single-family use. The Project would therefore result in a total of 271 units. Five levels of subterranean and above-ground automobile parking would be located within the podium structure of Building 1 and surface parking would be provided for the two single-family residences.

Public Necessity. The State of California, SCAG, and the City of Los Angeles have all identified a need for housing, especially affordable housing, in local and state plans, proclamations, and goals. The City has identified an acute need for a range of housing units at varied income levels. The proposed Zone and Height District Change would allow for a mixed-use, mixed-income project to be constructed on a site that is currently developed with commercial uses, in an area that is generally zoned for mixed-use development. The Project would provide 269 dwelling units within Building 1, of which 8 percent (17 units) of the Project Site's applicable base density would be set aside for Very Low Income Households, within walking distance to transit, commercial uses, amenities, entertainment uses, and a job center. Locating mixed-income housing within walking distance to high capacity transit, jobs, services, and amenities is a model of local and regional planning goals, as well as the intent of the Regional Center Land Use goals of the Framework Element, the General Plan, and the Hollywood Community Plan. The Project would contribute towards the City and region meeting its housing needs and achieving a better jobs housing balance.

The Project has been certified by the Governor's Office as ELDP, the requirements of which include net-zero GHG emissions, greater transportation efficiency compared to a typical project, LEED Silver Certification, and a requirement for 15% greater efficiency in trips than the comparable projects. Therefore, the Project's location, and pedestrian and bicycle orientation will promote alternative forms of travel, and support first-mile, last-mile solutions. Transit options in the vicinity of the Project would encourage residents, and visitors to use public transportation, bike, or walk, reducing air pollution and greenhouse gas emissions that would otherwise be caused by vehicle trips. As conditioned Mitigation Measure MM-TRAF-1 requires implementation of a TDM program to reduce vehicle trips. The combined effect of the various strategies implemented as part of the TDM program will result in a reduction in the Project's vehicle trip generation and VMT by offering services, actions, specific facilities, aimed at encouraging the use of

alternative transportation modes. Therefore, the Project would promote a healthy built environment, encourage healthy living and working conditions, reduce air pollution, and promote land use policies that reduce per capita greenhouse gas emissions. Additionally, ELDP requires an investment of \$100 Million in the California economy over ten years, supporting workers with a prevailing wage requirement for construction workers as well.

Convenience. The Zone and Height District Change would allow for a mixed-use, mixed-income project to be constructed on a site that is currently developed with commercial uses, in an area that is generally zoned for mixed-use development. The Project would provide 269 dwelling units, of which 8 percent (17 units) of the Project Site's applicable base density would be set aside for Very Low Income Households, within walking distance to transit, commercial uses, amenities, entertainment uses, and a job center. Locating mixed-income housing within walking distance to high capacity transit, jobs, services, and amenities is a model of local and regional planning goals, as well as the intent of the Regional Center Land Use goals of the Framework Element, the General Plan, and the Hollywood Community Plan.

The Project's amenities and location will offer residents alternative mobility options aiding the City in meeting its goal to reduce air pollution. As mentioned previously, the Project would improve the streetscape surrounding the Project Site with improved sidewalks, street lighting, street trees, short-term bicycle parking, and landscaping. The project will also activate the street for pedestrians with a small park located at the northeast corner of the project site, which contains outdoor seating and landscaping. The building's orientation also contributes to a walkable environment as the entrances to the commercial uses are located directly on Yucca Street and at the corner of Argyle Avenue and Yucca Street, while the residential entrance is located on Yucca Street. There is only one driveway, which is located on Argyle Avenue. In general, the site design creates an active pedestrian environment by supporting a variety of activities, and buildings are oriented to and easily accessible from adjacent public streets and open spaces. The Project's location would allow future residents to benefit from the concentration of commercial, services, entertainment, and jobs within walking distance to the site.

General Welfare. Approval of the Zone and Height District Change would allow the development of a mixed-use project consisting of residential and commercial uses. The current land use designation for the site is Regional Center Commercial, with corresponding zones of C2, C4, P, PB, RAS3 and RAS4. The Project would provide additional housing units, commercial space, and temporary construction jobs, expanding the economic base of the City and region. As part of the ELDP certification for the Project, construction workers must be paid prevailing wages, a total investment of \$100,000,000 must be made to the California economy over ten years, the Project must attain LEED Silver certification, as well as be net-zero in its GHG emissions. The provision of housing within a Regional Center, with 17 affordable units and 252 are new RSO units, in addition to ELDP components of the Project supports the general welfare of the surrounding area and the City.

The Project would include 269 dwelling units within Building 1, of which 8 percent (17 units) of the Project Site's applicable base density would be set aside for Very Low Income Households, and neighborhood serving commercial uses within 0.13 miles to the Hollywood/Vine Metro Station. The additional residential units and commercial uses within close proximity to a Metro station would promote the use of alternative modes of travel, both for residents and visitors to the site. By permitting the residential density and

amenities on site, the Project would support the City's goal of providing housing for all economic segments.

As conditioned Mitigation Measure MM-TRAF-1 requires implementation of a TDM program to reduce vehicle trips. The combined effect of the various strategies implemented as part of the TDM program will result in a reduction in the Project's vehicle trip generation and VMT by offering services, actions, and specific facilities aimed at encouraging the use of alternative transportation modes. As shown in the Final EIR, with implementation of Mitigation Measure MM TRAF-1, the Project meets the threshold criteria of being 15% less than the existing average household VMT per capita for the Central APC area.

Furthermore, as conditioned Project Design Feature PDF-GHG-1 requires that the Project will provide or obtain GHG emission offsets as required in the Project's Environmental Leadership Development Project certification and related documentation. The Project is consistent with the State's SB 375 plans and greenhouse gas emission (GHG) targets, the City's Green Building Code, and the City's Green New Deal (Sustainable City pLAn 2019). The Project incorporates sustainable and green building design and construction to promote resource conservation, including net-zero carbon and GHG emissions, electric-vehicle charging and water conservation measures in excess of Code requirements, achieving fifteen percent greater transportation efficiency, and incorporating sustainability measures to achieve Leadership in Energy and Environmental Design (LEED) Silver certification.

Good Zoning Practices. The Project entitlements include a Zone Change and Height District Change from C4-2D-SN to (T)(Q)C2-2D-SN, from R4-2D to (T)(Q)C2-2D, and from [Q]R3-1XL to (T)(Q)R3-2D. The zone change request for the Center Parcel from R4-2D to C2-2D would make the zone consistent with the land use, as the R4 is not a corresponding zone in the Regional Center land use category. The Zone and Height District as proposed are consistent with and in substantial conformance with the intent and provisions of the General Plan as reflected in the adopted Community Plan.

The West Parcel is zoned C4-2D-SN, which allows for commercial and residential uses, consistent with the R5 zone. The Height District 2 allows unlimited building height with a maximum FAR of 6:1. The Center Parcel is zoned R4-2D, which is not a corresponding zone in the Regional Center Commercial General Plan land use designation. For both the West and Center Parcels, the "D" indicates a Development Limitation, which provides a project shall not exceed a 2:1 FAR, unless it is found to comply with the Hollywood Redevelopment Plan, and is approved by the City Planning Commission, or the City Council on appeal. The East Parcel is zoned [Q] R3-1XL. The R3 zone permits a density of 800 square feet of lot area per dwelling unit. Height District 1XL limits building height to 30 feet with a maximum FAR of 3:1. The Q condition limits residential density to a maximum of one dwelling unit for each 1,200 square feet of lot area.

The Zone and Height District as proposed are consistent with and in substantial conformance with the intent and provisions of the General Plan as reflected in the adopted Community Plan.

North of the Project Site, across Yucca Street properties are zoned C4-2-SN, C4-2D-SN, and [Q]R3-1XL, and are developed with the 16-story, 225-room Kimpton Everly Hotel, and three-story residential lofts. To the north of those properties is the Hollywood Freeway. Across Vista Del Mar Avenue to the east properties are zoned [Q]R3-1XL and are developed with one- and two-story single-family residences and duplexes. South of the Project Site properties are zoned [T][Q] C4-2D-SN and R4-2D, and consist of vacant

land (former Little Country Church of Hollywood), six-story mixed-use buildings, and one- and two-story single-family residences and duplexes abutting the site (along Vista Del Mar Avenue). To the west across Argyle Avenue, property is zoned C4-2D-SN and is developed with the 16-story, 85-unit Argyle House Project, the Capitol Records building, the Pantages Theater, and other commercial uses.

The Zone Change and Height District Change would result in a project which is consistent with the uses and intent of the Regional Center, as well as a project at a similar density, height, and scale to the surrounding development. The requested entitlements allow for the orderly arrangement of buildings on the site, flexibility in ownership and operation of the proposed commercial establishments, and allows for increased density, height, and floor area for the construction of the Project, which meets the goals of the General Plan and Hollywood Community Plan by providing mixed-use, mixed-income project, providing new housing units, commercial space, and preserving the two non-contributing structures located on Vista Del Mar Avenue. As proposed, the Project provides amenities that would improve the quality of life for existing and future residents as well as the surrounding community, including amenities for residents of the Project as well as a new 2,820 square foot public park on the corner of Yucca Street and Vista Del Mar Avenue.

The Project would result in the creation of new housing and commercial uses within 0.13 miles of the Hollywood/Vine Metro Station, provide street trees, storefronts and a streetwall which encourages walking, outdoor dining, and bicycle parking, thereby activating the street with a pedestrian-oriented environment. In addition, the Project would reduce vehicle trips and vehicle miles traveled due to the Project's pedestrian-orientated design, bicycle access and infrastructure, and proximity to rail and bus transit, commercial uses, entertainment uses, amenities, and jobs. The Project design, mix of uses, and intensity will also contribute to the intended character of the Regional Center land use, while locating new residents and jobs within an established mixed-use area.

The LEED certification and EV parking Project features are also good zoning practice because they provide a convenient service amenity to the occupants or visitors who use electric vehicles and utilize electricity on site for other functions. In addition, the project's certification as an ELDP Project will ensure that the project is energy efficient and promotes alternative modes of travel such as public transit and active transportation to support California's greenhouse gas emission reduction targets. As such, the Project provides service amenities to improve habitability for future residents of the Project and to minimize impacts on neighboring properties.

Therefore, based on the above, the recommended zone and height district change is deemed consistent with the General Plan and is in conformity with the public necessity, convenience, general welfare and good zoning practice.

Per LAMC Section 12.32 G.1 and 2, the current action, as recommended, has been made contingent upon compliance with new "T" and "Q" conditions of approval imposed herein for the Proposed Project. The "T" Conditions are necessary to ensure the identified dedications, improvements, and actions are undertaken to meet the public's needs, convenience, and general welfare served by the actions required. These actions and improvements will provide the necessary infrastructure to serve the proposed community at this site. The "Q" conditions that limit the scale and scope of future development on the Site are also 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. "D" Limitations have also been imposed which limits the total floor area over the Project Site to not exceed a 6.6:1 floor area ratio (FAR), or a total of 316,948 square feet, and limits the height to 348 feet for properties along Yucca Street.

Density Bonus/Affordable Housing Incentives Compliance Findings

As permitted by LAMC Section 12.22 A.25 the applicant is requesting one incentive that will facilitate the provision of affordable housing at the site: a 10 percent increase in the allowable Floor Area Ratio (FAR). Pursuant to LAMC Section 12.22 A.25 (e)(2), in order to be eligible for any on-menu incentives, a Housing Development Project (other than an Adaptive Reuse Project) shall comply with the following criteria, which it does:

- a. *The façade of any portion of a building that abuts a street shall be articulated with a change of material or a break in plane, so that the façade is not a flat surface.*

As shown in Exhibit A, Site Plans, the podium would use a screening design consisting of multiple different elements that are either recessed or protrude from the façade, with a change of material alternating between unfinished concrete, glass, and metal ventilation screens, while allowing for airflow through the podium levels. At the ground floor level, the commercial and residential entrances are oriented to the sidewalk, with aluminum framing around floor-to-ceiling glass commercial storefront glazing. The podium is designed with a pedestrian scale as the mass is broken down into smaller elements, which softens the façade of the building and create a warm and inviting experience for visitors and residents. The podium levels are further enhanced with an alternating rhythm of trapezoidal glass shapes that employ the same green colored glass that is used for the inset accents on the tower façade, as well as vertical green screens along the eastern façade where the new public open space amenity will be located.

- b. *All buildings must be oriented to the street by providing entrances, windows architectural features and/or balconies on the front and along any street facing elevation.*

As shown in Exhibit A, Site Plans, the building is primarily oriented to Yucca Street with the pedestrian entrance and two commercial spaces. However, it also features a ground floor restaurant at the corner of Yucca Street and Argyle Avenue which will also feature outdoor seating. The project's design primarily uses glass for its facade to allow for natural lighting into the building. The project would also include private balconies for its residents along all four sides of the building. Overall, the project will provide well-designed and articulate pedestrian entrances.

- c. *The Housing Development Project shall not involve a contributing structure in a designated Historic Preservation Overlay Zone (HPOZ) and shall not involve a structure that is a City of Los Angeles designated Historic-Cultural Monument (HCM).*

The proposed project is not located within a designated Historic Preservation Overlay Zone, nor does it involve a property that is designated as a City Historic-Cultural Monument.

- d. *The Housing Development Project shall not be located on a substandard street in a Hillside Area or in a Very High Fire Hazard Severity Zone as established in Section 57.25.01 of the LAMC.*

The project is not located in a Hillside Area, nor is it located in a Very High Fire Hazard Severity Zone.

4. Pursuant to Section 12.22 A.25(c) of the LAMC and Government Code Section 65915(d), the Director shall approve a density bonus and requested incentive(s) unless the director finds that:

- a) The incentives do not result in identifiable and actual cost reductions to provide for affordable housing costs as defined in California Health and Safety Code Section 50052.5 or Section 50053 for rents for the affordable units. The waiver or reduction of development standards will not have the effect of physically precluding the construction of a development at the densities or with the concessions or incentives permitted.**

The record does not contain substantial evidence that would allow the City Planning Commission to make a finding that the requested on-menu incentive is not necessary to provide for affordable housing costs per State Law. The California Health & Safety Code Sections 50052.5 and 50053 define formulas for calculating affordable housing costs for Very Low, Low, and Moderate Income Households. Section 50052.5 addresses owner-occupied housing and Section 50053 addresses rental households. Affordable housing costs are a calculation of residential rent or ownership pricing not to exceed 25 percent gross income based on area median income thresholds dependent on affordability levels.

Based on the set-aside of 8 percent (17 units) of its 212 base units for Very Low Income households, the applicant is entitled to one incentive under both the Government Code and LAMC. The project will utilize one on-menu incentive to increase the floor area ratio of the Project Site. The requested incentive would provide cost reductions that provide for affordable housing costs because the incentive by its nature increases the scale of the project, which facilitates the creation of more affordable housing units and rentable space.

Increase in FAR: The applicant has requested an On-Menu Incentive to allow a 10 percent increase in FAR from 6:1 to approximately 6.6:1 as permitted under LAMC Section 12.22 A.25(f). LAMC Section 12.22 A.25 (f)(5) sets forth an on-menu incentive for “[a] percentage increase in the allowable Floor Area Ratio equal to the percentage of Density Bonus for which the Housing Development Project is eligible, not to exceed 35%...” In exchange for providing 8 percent of base units as VLI units, the Project is entitled to a 27.5 percent density bonus. In accordance with the density bonus, the project is entitled to an increase in FAR of up to 27.5 percent. Notwithstanding, the Applicant requests a 10 percent increase in permitted FAR, resulting in a maximum FAR of 6.6:1.

The increase in permitted floor area of the project will allow the Project a larger building envelope so that the proposed residential units are of sufficient size, configuration, and quality, and will result in building design and construction efficiencies that facilitate affordable housing costs. Compliance with the requirements of Height District 2 limiting the FAR to 6:1 would require the removal of a significant amount of floor area that could otherwise be dedicated to the number, configuration and livability of affordable housing units; and would similarly reduce the building footprint within which the Project could be built, the arrangement of amenities provided for the residential units proposed, and configuration of amenities that will be accessible to all of the residents within the affordable housing development. The increase in overall space that is dedicated to residential uses facilitates the creation of more residential units and enables the applicant to reserve more residential units for lower

income levels. Therefore, the incentive supports the applicant's decision to set aside 17 dwelling units for Very Low Income Households. In addition, this request is included in the list of On-Menu Incentives in the LAMC, which were pre-evaluated at the time the Density Bonus Ordinance was adopted to include types of relief that minimize restrictions on the size of the project. As such, the Department of City Planning will always arrive at the conclusion that the density bonus On-Menu Incentives provide actual and identifiable cost reductions that provide for affordable housing costs because the incentives, by their nature, increase the building envelope so that the additional units can be constructed and the overall space dedicated to residential uses is increased.

- b) The Incentive will have specific adverse impact upon public health and safety or the physical environment, or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse Impact without rendering the development unaffordable to Very Low, Low and Moderate Income households. Inconsistency with the zoning ordinance or the general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety.**

As required by Section 12.22 A.25(e)(2), the Project meets the eligibility criterion that is required for projects requesting on-menu incentives in that the Project: i) provides facade articulation through the use of varying materials and architectural differentiation between the ground floor and upper stories of the building; ii) provides street orientation by including active street frontages with pedestrian features; iii) does not involve a contributing structure in a designated Historic Preservation Overlay Zone, or a structure listed on the National Register of Historic Places; and iv) is not located on a substandard street in a Hillside Area or Very High Fire Hazard Severity Zone, as recorded in the City's Zoning Information and Map Access System.

There is no evidence in the record that the proposed density bonus incentive(s) will have a specific adverse impact. A "specific adverse impact" is defined as, "a significant, quantifiable, direct and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete" (LAMC Section 12.22 A.25(b)). The findings to deny an incentive under Density Bonus Law are not equivalent to the findings for determining the existence of a significant unavoidable impact under CEQA. There is no substantial evidence that the incentive for the Project will have a specific adverse impact on the physical environment, or on public health and safety, or on any property listed in the California Register of Historical Resources. Based on all of the above, there is no basis to deny the requested incentive.

Master Conditional Use (On-Site Alcohol Sales) and Conditional Use (Live Entertainment/Dancing) Findings

- 5. The project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city or region.**

The Project consists of a mixed-use development, with up to 316,948 square feet of floor area, within a new 30-story mixed-use building that includes 269 dwelling units, of which 8 percent (17 units) of the Project Site's applicable base density would be set aside for Very Low Income Households, and 7,760 square feet of ground floor commercial/restaurant space. In addition, two existing residential structures on Vista Del Mar Avenue will be

retained. The Master Conditional Use Permit would allow for the sale and dispensing of alcohol for on-site consumption and a Condition Use Permit would allow for live entertainment and dancing at three establishments within the commercial uses of the project site. One establishment will be located on the ground floor at the corner of Argyle Avenue and Yucca Street and two other establishments will be located on the second floor along the north side of the project fronting Yucca Street.

The surrounding built environment is substantially developed and urban in character. The project site is located within a part of the active regional center of Hollywood, which has a mix of commercial, studio/production, office, entertainment, and residential uses and is served by a network of regional transportation facilities. The Project Site is bounded by Yucca Street, the 16-story Kimpton Everly Hotel and 3-story residential lofts to the north; North Vista Del Mar Avenue and 1- and 2-story single-family residences and duplexes to the east; vacant land (former Little Country Church of Hollywood) and 1- and 2-story single-family residences and duplexes followed by a 5-story mixed-use residential and commercial development to the south; and Argyle Avenue and commercial and residential uses to the west, including the 18-story Argyle House Project (multi-family residential and commercial uses) at the southwest corner of Yucca Street and Argyle Avenue.

The General Plan Framework Land Use Chapter designates part of the project site as a Regional Center and as such is a focal point of regional commerce, identity, and activity. Hollywood Community Plan designates the West Parcel and Center Parcel of the project site as Regional Center Commercial and the East Parcels as Multiple Family Medium Residential. The lots designated Medium Residential are located to the east adjacent to the proposed 30-story mixed-use building and will contain single-family dwellings with no commercial uses. The Regional Center Commercial designation is typical of other commercially zoned properties along Argyle Avenue, Vine Street, Hollywood Boulevard, and Sunset Boulevard, which contain numerous establishments with on-site alcohol sales, live entertainment, and dancing. The Project's restaurants, which will allow for live entertainment and dancing, will complement the existing commercial, retail, residential, and entertainment uses in the area and will support the growing demand for commercial restaurants in the vicinity.

The availability of alcoholic beverages for on-site consumption, live entertainment, and dancing within the proposed mixed-used development's commercial areas will improve the viability and desirability of the business and serve as an amenity to residents. The proposed restaurant uses are a desirable amenity that is typical of many mixed-use developments and would provide a beneficial service to the immediate community as well as to patrons of the commercial establishments. As such, the project will enhance the built environment in the surrounding neighborhood and will perform a function and provide a service that is beneficial to the surrounding community.

6. 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 subject property is located in the Hollywood Community Plan area and is bounded by Yucca Street, the Kimpton Everly Hotel, and three-story residential lofts to the north; North Vista Del Mar Avenue and one- and two-story single-family residences and duplexes to the east; vacant land (former Little Country Church of Hollywood) and one- and two-story single-family residences and duplexes followed by a five-story mixed-use residential and commercial development to the south; and Argyle Avenue and commercial and residential uses to the west, including the 18-story Argyle House Project (multi-family residential and commercial uses) at the southwest corner of Yucca Street and Argyle Avenue. As previously described, the surrounding built environment is substantially developed and urban in

character. The project site is located within a part of the active Regional Center designation of Hollywood, which has a mix of commercial, studio/production, office, entertainment, and residential uses and is served by a network of regional transportation facilities. The project site is located within close proximity to Vine Street, Hollywood Boulevard, and Sunset Boulevard which contain an intensity of commercial establishments and dense development.

One establishment will be located on the ground floor at the corner of Argyle Avenue and Yucca Street and two other establishments will be located on the second floor along the north side of the project fronting Yucca Street, and are within close proximity to other commercial uses. The uses would continue to add to the multiple commercial establishments in the area as well as support the residential uses in close proximity to the site. The proposed hours of operation are from 7 A.M. to 12 A.M. daily. The proposed hours of operation are typical of establishments of this type and are reasonable to expect in a mixed-use development in an area designated for Regional Commercial uses. The establishments will have trained staff and security. Alcohol sales, live entertainment, and dancing would be compatible with and continue to add to the diversification of commercial activities, which further supports the growing residential population in the Hollywood visitors and visitors to the neighborhood.

No evidence was presented at the hearing or in writing that the alcohol-sales, live entertainment, and dancing will be materially detrimental to the immediate neighborhood. The operation of these establishments would not be detrimental to nearby schools, churches, recreation areas, or residential dwelling units, since the establishments will be carefully controlled and monitored. Other commercial uses in the area provide similar functions.

All establishments serving alcohol will be carefully controlled and monitored through the imposition conditions related to site maintenance, loitering, specialized training programs for employees, and consultation with LAPD. As a condition of this grant, each individual venue seeking to utilize a permit to sell alcoholic beverages for on-site or off-site consumption as a part of this Master Conditional Use must apply for a Plan Approval. The Plan Approval process will allow the Department of City Planning to tailor conditions to each individual Applicant and establishment, and create measures which will minimize any impact that might be generated by each individual establishment seeking to sell alcoholic beverage. The project has also been designed in a manner to enhance the public realm and improve the aesthetics and safety of the surrounding area.

Thus, as conditioned, 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.

7. *The project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable specific plan.*

The Land Use Element of the City's General Plan divides the city into 35 Community Plans. The subject property is located within the Hollywood Community Plan and is comprised of seven lots, commonly referred to herein as the West Parcel, Center Parcel, and East Parcel. The Community Plan designates the West Parcel and Center Parcel for Regional Center Commercial land use and the East Parcel for Multiple Family Medium Residential land use. According to the Community Plan, corresponding zones for the Regional Center Commercial designation include C2, C4, P, PB, RAS3 and RAS4. The corresponding zoning designation for Medium Residential is R3.

North of the Project Site, across Yucca Street properties are zoned C4-2-SN, C4-2D-SN, and [Q]R3-1XL, and are developed with the 16-story, 225-room Kimpton Everly Hotel, and three-story residential lofts. To the north of those properties is the Hollywood Freeway. Across Vista Del Mar Avenue to the east properties are zoned [Q]R3-1XL and are developed with one- and two-story single-family residences and duplexes. South of the Project Site properties are zoned [T][Q] C4-2D-SN and R4-2D, and consist of vacant land (former Little Country Church of Hollywood), six-story mixed-use buildings, and one- and two-story single-family residences and duplexes abutting the site (along Vista Del Mar Avenue). To the west across Argyle Avenue, property is zoned C4-2D-SN and is developed with the 16-story, 85-unit Argyle House Project, the Capitol Records building, the Pantages Theater, and other commercial uses.

The Project would be consistent with applicable objectives and policies of the General Plan Framework Element Land Use Chapter to provide a diversity of uses in accordance with the Regional Center Designation (Objective 3.1). The Project would concentrate mixed-use development along a corridor within 0.13 miles of the Hollywood/Vine Metro B-Line (Red Line), other public transit, and within walking distance of a broad range of uses so as to reduce vehicle trips (Objective 3.2). The Project would provide a broad range of uses within a Regional Center (Objective 3.10). Setbacks consistent with the approved zoning of the project site would be maintained for consistency with the surrounding area. In accordance with Objective 3.16, the Project would enhance pedestrian activity by providing streetscape amenities including potential areas for outdoor seating, parkway planters, bicycle parking, and ground level restaurant uses along Yucca Street and Argyle Avenue.

With respect to the Hollywood Community Plan, the Project would be consistent with the objectives of furthering the development of Hollywood as a major center of population, employment, and retail services. The Project would be consistent with the Plan's objectives related to developing additional commercial uses in appropriate locations; providing adequate public services, utilities, and open space to meet anticipated demands; coordinating land use with transportation planning; and preserving open space and views.

The Community Plan does not contain policies that specifically address requests for the sale of alcoholic beverages or live entertainment and dancing; however, the sale of alcohol and live entertainment and dancing is inherent in the operation of similar commercial uses within the vicinity of the Site. The project's request for the on-site sale of a full line alcoholic beverages and live entertainment and dancing is consistent with the commercial land use designation of the Community Plan, including:

Objective 4a: 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 proposed project is consistent and compatible with the various objectives and policies of the Hollywood Community Plan, as it would support the neighborhood with restaurant services beneficial for area residents, workers, and visitors, and activate the streets with more pedestrians from its ground-floor and second-story commercial uses while bringing improvements to the surrounding district. The commercial uses will create an active environment for residents by increasing the walkability of the streets. The project's commercial uses will directly front Argyle Avenue and Yucca Street, and will activate the streets with pedestrian activity, creating an environment that would be safe, clean, attractive and lively.

The request to serve alcoholic beverages and feature live entertainment and dancing at the proposed establishments will be consistent with the objectives and policies of the General

Plan and Hollywood Community Plan through the creation of a mix of commercial and residential uses that will attract a variety of users, promoting the area as a key economic community center. Further, alcohol service incidental to food sales is a common amenity in many sit-down restaurants in the neighborhood and live entertainment and dancing will contribute to the nightlife activity in the area. As mentioned, due to the project's close proximity to other commercial uses in Hollywood, the project's commercial uses would complement the other mixed-uses in the area and provide additional commercial options for visitors and residents within a walkable distance.

Therefore, the project substantially conforms to the purpose, intent and provisions of the General Plan and Hollywood Community Plan.

8. *The proposed use will not adversely affect the welfare of the pertinent community.*

The approval of the conditional use will not adversely affect the welfare of the community. The project site is located within a part of the active Regional Center of Hollywood, which has a mix of commercial, studio/production, office, entertainment, and residential uses and is served by a network of regional transportation facilities. Hollywood is considered a major entertainment destination in the region and it is not uncommon to have restaurants with alcohol sales which serves a supportive function to the urban nightlife. Additionally, the surrounding neighborhood contains similar mixed-use buildings that provide commercial uses which serve alcohol on-site, therefore the introduction of another such establishment would not create an adverse or unique condition. The Project's new establishments will help to enhance the availability of dining and entertainment options to residents on-site as well as those in the neighborhood.

In addition, conditions have been imposed to ensure that the use is integrated into the community as well as to protect community members from adverse potential impacts. Other conditions related to litter, graffiti, loitering, and a requirement to consult with LAPD before attaining a license will safeguard the residential community. Employees must also undergo STAR (Standardized Training for Alcohol Retailers) training, provided by the Los Angeles Police Department. Both the Conditions of Approval and the requirements of the State Alcoholic Beverage Control agency are intended to protect the public health, welfare and safety of the community. Furthermore, as part of the Plan Approval process, each individual venue will have additional conditions imposed and tailored towards the specific use. Such impositions of conditions will make the use a more compatible and accountable neighbor to the surrounding uses, as conditions are intended to integrate the use into the community as well as protect community members from potential adverse impacts associated with alcohol sales. Therefore, the proposed alcohol sales will not be materially detrimental to the character of the development in the neighborhood.

9. *The granting of the application will not result in an undue concentration of premises for the sale or dispensing for consideration of alcoholic beverages, including beer and wine, in the area of the City involved, giving consideration to applicable State laws and to the California Department of Alcoholic Beverage Control's guidelines for undue concentration; and also giving consideration to the number and proximity of these establishments within a one thousand foot radius of the site, the crime rate in the area (especially those crimes involving public drunkenness, the illegal sale or use of narcotics, drugs or alcohol, disturbing the peace and disorderly conduct), and whether revocation or nuisance proceedings have been initiated for any use in the area.*

According to the State of California Department of Alcoholic Beverage Control (ABC) licensing criteria, three (3) on-sale and one (1) off-sale license are allocated to subject

Census Tract No. 1910.00. There are currently 63 total licenses in this Census Tract (57 on-site and 6 off-site). Of the 57 establishments with on-site licenses, 11 have Type 41 License for the on-sale of beer and wine for bona fide public eating place, 21 have a Type 47 License for the on-sale general for bona-fide public eating places, four (4) have a Type 48 License for the on-sale of beer, wine, and distilled spirits for consumption at a bar and night club, zero (0) has a Type 57 License for the on-sale consumption of beer, wine, and distilled spirits at organizations that are not qualified for club licenses, 11 have a Type 58 License for caterers to provide alcohol beverages off-site, two (2) have a Type 66 License for hotels and motels to allow for the sale of packaged distilled spirits in guestrooms, four (4) have a Type 68 License for the sale and service of beer, wine, and distilled spirits from portable bars, and four (4) have a Type 77 License allows certain licensees to sell beer, wine and distilled spirits for consumption on property adjacent to the licensed premises that is owned or under the control of the licensee for events. Of the six (6) establishments with off-site licenses, one (1) establishment has a Type 20 License for the off-sale of beer and wine and the other three (5) establishments have a Type 21 License for the off-sale of general.

According to statistics provided by the Los Angeles Police Department, within Crime Reporting District No. 637, which has jurisdiction over the subject property, a total of 322 crimes and arrests were reported in 2019 (150 Part I Crimes and 172 Part II Arrests), compared to the citywide total average of 173 offenses for the same reporting period. Of the 322 total crimes and arrests reported for the census tract, twenty-one (21) arrests were made for narcotic drug laws, five (5) arrests was made for liquor laws, three (3) arrests were made for being under the influence of alcohol, no arrests were made for disturbing the peace, six (6) arrests were made for disorderly conduct, and thirteen (13) arrests were made for driving under the influence, reported by LAPD. Based on the above figures, approximately 12 percent (12) of the total (172) arrests were related to alcohol offenses.

Undue concentration can occur when the addition of a license will negatively impact a neighborhood. Concentration is not undue when the approval of a license does not negatively impact an area, but rather such a license benefits the public welfare and convenience. The number of active licenses for both on-site and off-site sales within the census tract is above the number allocated by ABC guidelines. The site is also located in a district where the crime rate is moderately higher than the citywide average. The statistics cover an entire district and no evidence was submitted establishing any link between the subject site and the area's crime rate, and no complaints were submitted for the record concerning any criminal or nuisance activity associated with the subject site. The incorporation of conditions relative to the operation of the establishment will address and minimize any possible adverse impact on the welfare of the surrounding area. Negative impacts commonly associated with the sale of alcoholic beverages, such as criminal activity, public drunkenness, and loitering are mitigated by the imposition of conditions requiring surveillance, responsible management and deterrents against loitering as required by this grant and the subsequent master plan approvals. The sale and dispensing of a full line of alcoholic beverages will be incidental to restaurant use, serving building residents and their guests, as well as the surrounding neighborhood and is not anticipated to adversely affect crime rates, given the nature of the use and number of establishments.

In these active commercial areas where there is a demand for licenses beyond the allocated number, the approval of the license for the project area will benefit the public welfare and serves as a convenience, due to the increase in the residential population base in the area from the project. The project involves the granting of an application to sell and dispense alcoholic beverages in conjunction with a new mixed-use development will not adversely affect community welfare restaurants spaces are a desirable use within a mixed-use building in an area designated for such uses. The ability to serve alcohol on-site will provide a beneficial service to the residents and visitors in the Hollywood area. The new mixed-use development will provide a convenience to residents, workers, and visitors to the Hollywood

area and as conditioned, will not negatively impact the area. The ABC has discretion to approve an application if there is evidence that normal operations will not be contrary to public welfare and will not interfere with the quiet enjoyment of property by residents.

Therefore, the granting of the application will not result in an undue concentration of alcohol-serving establishments.

10. *The proposed use will not detrimentally affect nearby residentially zoned communities in the area of the City involved, after giving consideration to the distance of the proposed use from residential buildings, churches, schools, hospitals, public playgrounds and other similar uses, and other establishments dispensing, for sale or other consideration, alcoholic beverages, including beer and wine.*

The project site is bounded by Yucca Street, the Kimpton Everly Hotel, and three-story residential lofts to the north; North Vista Del Mar Avenue and one- and two-story single-family residences and duplexes to the east; vacant land (former Little Country Church of Hollywood) and one- and two-story single-family residences and duplexes followed by a five-story mixed-use residential and commercial development to the south; and Argyle Avenue and commercial and residential uses to the west, including the 18-story Argyle House Project (multi-family residential and commercial uses) at the southwest corner of Yucca Street and Argyle Avenue. The project site vicinity is highly urbanized and generally built-out and is part of the Regional Center of Hollywood containing a mix of commercial, studio/production, office, entertainment, and residential uses. The Project Site is located in an area identified by the City as a Transit Priority Area and is served by a network of regional transportation facilities.

The mixed-use project would concentrate the commercial and alcohol-sale components of the project on the north and northwest portions of the site, adjacent to Argyle Avenue and Yucca Street. Following are surrounding sensitive uses within a 1,000-foot radius of the site:

- Residentially zoned area directly to the north and east of the site.
- St. Stephen's Episcopal Church
- First Presbyterian Church of Hollywood
- Selma Avenue Pocket Park

Consideration has been given to the distance of the subject establishment from the above-referenced sensitive uses. The project will provide adequate security measures to discourage loitering, theft, vandalism and other nuisances as imposed through the project condition. All sales employees will receive training in responsible alcohol sales; age verification devices and prompts will be part of the Point-of-Sale system to assist cashiers in prevention of sales to minors.

Furthermore, the proposed use will not detrimentally affect nearby residential properties and other sensitive uses. The surrounding area is an urban environment that contains similar mixed-use buildings with residents in close proximity to restaurants and other establishments that serve alcohol. While the sale of alcoholic beverages is important to the restaurants that will be located within the Project, it will be incidental to primary operations and, as such, no detrimental effects should be expected from the proposed project. Potential effects of excessive noise or disruptive behavior is addressed by the imposition of Conditions of Approval, including but not limited to restrictions on loitering, sales or consumption off of the premises, after hour events and a requirement for employee training related to alcohol sales. Conditions related to noise reduction typically include restrictions on amplified sound, restrictions on loitering, hours of operations restrictions, and alcohol sale

restrictions which limit the sale of alcohol to an ancillary part of the restaurant, retail, or grocery use in lieu of uses such as pool halls or lounges. The Project is consistent with the requested zoning for the site, and in keeping with the existing uses adjacent to the development. The surrounding area is primarily zoned C4, with a General Plan land use designation of Regional Center Commercial. Surrounding developments to the north, west, and south are generally improved with mixed-use developments, with ground floor commercial uses. The proposed neighborhood serving commercial uses on-site would contribute to the neighborhood and serve the residents, local employees, and visitors. Therefore, as conditioned, the Project would protect the health, safety and welfare of the surrounding neighbors, and will not detrimentally affect residentially zoned properties or any other sensitive uses in the area.

Site Plan Review Findings

11. The project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and any applicable specific plan.

Framework Element. The General Plan Framework sets forth a citywide comprehensive long-range growth strategy and defines citywide policies regarding such issues as land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services. The Framework Element designates the subject property as a Regional Center, which are described as focal points for regional commerce, identity, and activity with higher density developments whose form is differentiated from the lower-density neighborhoods of the city. Regional Centers fall under the range of 1.5:1 to 6:1 FAR and are characterized by buildings ranging from six-to 20-story buildings or higher. Their densities and functions support the development of a comprehensive and interconnected network of public transit and services. The Project allows for the orderly arrangement of buildings on the site, flexibility in ownership and operation of the proposed commercial establishments, and allows for density height, and floor area arrangement which meets the goals of the General Plan and Hollywood Community Plan by providing mixed-use, mixed-income project, which provides new housing units, commercial space, in addition to preserving the two non-contributing structures located on Vista Del Mar Avenue..

The Project Site is improved with one single-family residence, one duplex with a detached garage, and three, two-story apartment buildings with associated carports and paved surface parking areas. Under the proposed Modified Alternative 2, the three multi-family apartment buildings located along Yucca Avenue would be demolished and removed to allow for the redevelopment of the site, while the two existing one- and two-story single-family buildings (1765 and 1771 Vista Del Mar Avenue) would be retained. Modified Alternative 2 consists of a mixed-use development, with up to 316,948 square feet of floor area, within a new 30-story tower, referred to herein as Building 1. The proposed Building 1 would include up to 269 multi-family residential units (17 of which would be set aside for Very Low Income households) and approximately 7,760 square feet of commercial/restaurant uses. The existing residence at 1771 Vista Del Mar Avenue would remain as a single-family use and the residence at 1765 Vista Del Mar Avenue, which currently contains three residential units, will be converted back to a single-family use. Five levels of subterranean and above-ground automobile parking would be located within the podium structure of Building 1 and surface parking would be provided for the two single-family residences.

The Project supports and will be generally consistent with the General Plan Framework Land Use Chapter as it accommodates development of residential and commercial uses in accordance with the applicable policies of the Hollywood Community Plan. Specifically, the

Project would comply with the Regional Center based on the following goals, objective and policies, as set forth in the General Plan Framework Land Use Chapter:

Goal 3A: *A physically balanced distribution of land uses that contributes towards and facilitates the City's long-term fiscal and economic viability, revitalization of economically depressed areas, conservation of existing residential neighborhoods, equitable distribution of public resources, conservation of natural resources, provision of adequate infrastructure and public services, reduction of traffic congestion and improvement of air quality, enhancement of recreation and open space opportunities, assurance of environmental justice and a healthful living environment, and achievement of the vision for a more livable city.*

Objective 3.1: *Accommodate a diversity of uses that support the needs of the City's existing and future residents, businesses, and visitors.*

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.*

Policy 3.2.2 *Establish, through the Framework Long-Range Land Use Diagram, community plans, and other implementing tools, patterns and types of development that improve the integration of housing with commercial uses and the integration of public services and various densities of residential development within neighborhoods at appropriate locations.*

Policy 3.2.3: *Provide for the development of land use patterns that emphasize pedestrian/bicycle access and use in appropriate locations.*

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.*

Goal 3M: *A City where significant historic and architectural districts are valued.*

Objective 3.17: *Maintain significant historic and architectural districts while allowing for the development of economically viable uses.*

The Project Site is improved with one single-family residence, one duplex with a detached garage, and three, two-story apartment buildings with associated carports and paved surface parking areas. Under the proposed Modified Alternative 2, the three multi-family apartment buildings located along Yucca Avenue would be demolished and removed to allow for the redevelopment of the site, while the two existing one- and two-story single-family buildings (1765 and 1771 Vista Del Mar Avenue) would be retained. Modified Alternative 2 consists of a mixed-use development, with up to 316,948 square feet of floor area, within a new 30-story tower, referred to herein as Building 1. The proposed Building 1 would include up to 269 multi-family residential units (17 of which would be set aside for Very Low Income households) and approximately 7,760 square feet of commercial/restaurant uses. The existing residence at 1771 Vista Del Mar Avenue would remain as a single-family use and the residence at 1765 Vista Del Mar Avenue, which currently contains three residential units, will be converted back to a single-family use. Five levels of subterranean and above-ground automobile parking would be located within the podium structure of Building 1 and surface parking would be provided for the two single-family residences.

The Project provides a high-rise, mixed-use development which includes a total of 271 residential units, active commercial uses, a small park with outdoor seating and public art, and various streetscape improvements on an infill site within the Hollywood area. The proposed project would enhance the built environment through the unified development of the site and would include essential and beneficial uses through the balance of residential and commercial components, within the transit-rich area of Hollywood. The project would benefit the community by providing more housing options for the increasing population of Hollywood workers and provide employment opportunities for the area residents, which support the City's goals for housing and economic development. The preservation and rehabilitation of the two non-contributing single-family structures in the Vista Del Mar/Carlos Historic District would help to preserve neighborhood character, and the provision of a small park at the corner of Yucca Street and Vista Del Mar Avenue would serve as a gateway amenity to the district.

The Project would reduce vehicle trips and vehicle miles traveled due to the Project's pedestrian-orientated design, bicycle access and infrastructure, and proximity to rail and bus transit, commercial uses, entertainment uses, amenities, and jobs. The Project design, mix of uses, and intensity will also contribute to the intended character of the Regional Center land use, while locating new residents and jobs within an established mixed-use area. The Project will contribute to the appropriate distribution of land as described by the Land Use Chapter due to its location in a Regional Center well served by transit, proposed mix of uses consistent with the goals of the Regional Center, proposed neighborhood-serving commercial space, proposed housing for various income levels and household sizes, and retention of the two non-contributing single-family structures in the Vista Del Mar/Carlos Historic District.

Housing Element. The project also meets the policies set forth regarding housing in the land use chapter of the Framework Element and the Housing Element.

Goal 1: A City where housing production and preservation result in an adequate supply of ownership and rental housing that is safe, healthy and affordable to people of all income levels, races, ages, and suitable for their various needs.

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

Policy 1.1.3: Facilitate new construction and preservation of a range of different housing types that address the particular needs of the city's households.

Policy 1.1.4: Expand opportunities for residential development, particularly in designated Centers, Transit Oriented Districts and along Mixed-Use Boulevards.

Objective 1.3: Forecast and plan for changing housing needs over time in relation to production and preservation needs.

Policy 1.3.5: Provide sufficient land use and density to accommodate an adequate supply of housing units by type and cost within the City to meet the projections of housing needs, according to the policies and objectives of the City's Framework Element of the General Plan.

Goal 2: A City in which housing helps to create safe, livable and sustainable neighborhoods.

Objective 2.1: Promote safety and health within neighborhoods.

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

Policy 2.2.3: *Promote and facilitate a jobs/housing balance at a citywide level.*

Objective 2.4: *Promote livable neighborhoods with a mix of housing types, quality design and scale and character that respects unique residential neighborhoods in the City.*

Policy 2.4.2: *Develop and implement design standards that promote quality residential development.*

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.*

Under Modified Alternative 2, the three multi-family apartment buildings located along Yucca Avenue would be demolished and removed to allow for the redevelopment of the site, while the two existing one- and two-story single-family buildings (1765 and 1771 Vista Del Mar Avenue) would be retained. Modified Alternative 2 consists of a mixed-use development, with up to 316,948 square feet of floor area, within a new 30-story tower, referred to herein as Building 1. The proposed Building 1 would include up to 269 multi-family residential units, 17 of which would be set aside for Very Low Income households, and approximately 7,760 square feet of commercial/restaurant uses. The existing residence at 1771 Vista Del Mar Avenue would remain as a single-family use and the residence at 1765 Vista Del Mar Avenue, which currently contains three residential units, will be converted back to a single-family use. Five levels of subterranean and above-ground automobile parking would be located within the podium structure of Building 1 and surface parking would be provided for the two single-family residences.

The Project proposes mixed-income housing, with neighborhood-serving commercial space at the ground floor. As a mixed-use development, the Project provides for activity and natural surveillance during and after commercial business hours. The ground floor commercial uses would activate the streets, while the residential units are oriented outward, providing eyes on the street during all hours of the day to create a safer environment for residents, workers, and visitors to the area. The Project provides housing for various income levels and household sizes, and retention of the two non-contributing single-family structures in the Vista Del Mar/Carlos Historic District. The Project will provide 21 studio apartments, 128 one-bedroom units, 110 two-bedroom units, and 10 three-bedroom units. Of the total 271 units, 252 are new RSO units, 17 are new covenanted affordable units, and two are the existing single-family residences on Vista Del Mar Avenue. This would help meet the critical demand for new housing in the Hollywood Community Plan area and would increase the City's stock of rent controlled units. The project will further a key Housing Element goal of reducing the City's existing housing shortage, as well as its jobs-housing imbalance, by developing the site with 271 residential units

The Project as proposed would be consistent with the goals of the housing element by providing mixed income housing units in varying unit arrangements on a site well served by transit.

The project supports Objective 2.3, Policy 2.3.1, and Policy 2.3.4 as the project is certified Environmental Leadership Development Project (ELDP). As an ELDP Project, the Project will achieve LEED Silver certification, maximize transit friendly features (resulting in a minimum 15 percent greater transportation efficiency), and be 'Net-Zero' in GHG emissions. The project will incorporate Project Design Features that include energy conservation measures such as a construction waste management plan, installation of energy efficient appliances, and a water reduction strategy to reduce water consumption. Further, the Project site is located in a Transit Priority Area and adjacent to several bus lines and in the vicinity of the Hollywood and Vine Red Line Station (approximately 0.13 miles southwest from the project site), increasing accessibility to and from the site via walking and other transit. In addition, the project site would be adjacent to many other mixed-use buildings with similar commercial uses, as well as events and entertainment uses within the Hollywood area, encouraging walking, active transportation, and public transit usage to these other adjacent uses.

Plan for a Healthy Los Angeles. The project also meets the policies set forth in the General Plan's Health and Wellness Element.

Policy 5.1: Reduce air pollution from stationary and mobile sources; protect human health and welfare and promote improved respiratory health.

Policy 5.7: Promote land use policies that reduce per capita greenhouse gas emissions, result in improved air quality and decreased air pollution, especially for children, seniors, and others susceptible to respiratory diseases.

Air Quality Element. The project also meets the policies set forth in the General Plan's Air Quality Element.

Policy 4.2.3: Ensure that new development is compatible with pedestrians, bicycles, transit, and alternative fuel vehicles.

Policy 5.1.2: Effect a reduction in energy consumption and shift to non-polluting sources of energy in its buildings and operations

The Project would result in the creation of new housing and commercial uses within 0.13 miles of the Hollywood/Vine Metro Station, would provide street trees, storefronts and streetwall treatments which encourage walking, outdoor dining, and bicycle parking, thereby activating the streetscape to support an inviting and pedestrian-oriented environment. In addition, the Project would reduce vehicle trips and vehicle miles traveled due to the Project's pedestrian-orientated design, bicycle access and infrastructure, and proximity to rail and bus transit, commercial uses, entertainment uses, amenities, and jobs. The Project design, mix of uses, and intensity will also contribute to the intended character of the Regional Center land use, while locating new residents and jobs within an established mixed-use area.

Policy 5.1 and 5.7 of the Plan for a Healthy LA, the Health and Wellness Element, and Policy 4.2.3 of the Air Quality Element are policy initiatives related to the reduction of air pollution and greenhouse gases. As mentioned above, the project has been certified as an ELDP project and is required to achieve LEED Silver certification, maximize transit friendly features and be 'Net-Zero' in greenhouse gas emissions. As conditioned, the Project will

provide at least 20 percent of the total code-required parking spaces provided for all types of parking facilities will be capable of supporting future electric vehicle supply equipment (EVSE), with at least 5 percent of the total code-required parking spaces shall be equipped with EV charging stations.

Furthermore, as conditioned Project Design Feature PDF-GHG-1 requires that the Project will provide or obtain GHG emission offsets as required in the Project's Environmental Leadership Development Project certification and related documentation. The Project is a certified Environmental Leadership Development Project (ELDP) and will be consistent with the State's SB 375 plans and greenhouse gas emission (GHG) targets, the City's Green Building Code, and the City's Green New Deal (Sustainable City pLAn 2019). The Project incorporates sustainable and green building design and construction to promote resource conservation, including net-zero carbon and GHG emissions, electric-vehicle charging and water conservation measures in excess of Code requirements, achieving fifteen percent greater transportation efficiency, and incorporating sustainability measures to achieve Leadership in Energy and Environmental Design (LEED) Silver certification.

The LEED certification and EV project features are also good zoning practices because they provide a convenient service amenity to the occupants or visitors who use electric vehicles and utilize electricity on site for other functions. In addition, the project's certification as an ELDP Project will ensure that the project is energy efficient and promotes alternative modes of travel such as public transit and active transportation to support California's greenhouse gas emission reduction targets. Taken together, the conditions would provide for the public welfare and public necessity by reducing the level of pollution or greenhouse gas emissions to the benefit of the neighborhood and the City. As conditioned, the Project will be consistent with the aforementioned policies, as well as Policy 5.1.2 of the Air Quality Element, by ensuring that future developments are compatible with alternative fuel vehicles and shift to non-polluting sources of energy.

Mobility Plan 2035. The project also meets the policies set forth in the General Plan's Mobility Element.

***Policy 3.1:** Recognize all modes of travel, including pedestrian, bicycle, transit, and vehicular modes - including goods movement - as integral components of the City's transportation system.*

***Policy 3.3:** Promote Equitable land use decisions that result in fewer vehicle trips by providing greater proximity and access to jobs, destinations, and other neighborhood services.*

***Policy 3.5:** Support "first-mile, last-mile solutions" such as multi-modal transportation services, organizations, and activities in the areas around transit stations and major bus stops (transit stops) to maximize multi-modal connectivity and access for transit riders.*

***Policy 3.8:** Provide bicyclists with convenient, secure and well-maintained bicycle parking facilities.*

The Project would provide access for all modes of travel, focusing on pedestrians and cyclists. Pedestrian entrances are prominently located at the corner of Yucca Street and Argyle Avenue, as well as locating the main building entrance lobby along Yucca Street, directly in the center of the project. The proposed Project is consistent with the goals and implementation strategies identified in the Walkability Checklist. The Project introduces new commercial uses such as restaurants to the area, which would reduce the vehicle miles

travel to the site as residents and visitors would be able to walk to these commercial uses. Further, the Project site is located in a Transit Priority Area and adjacent to several bus lines and in the vicinity of the Hollywood and Vine Red Line Station (approximately 0.13 miles southwest from the project site), increasing accessibility to and from the site via walking and other transit. In addition, the project site would be adjacent to many other mixed-use buildings with similar commercial uses, as well as events and entertainment uses within the Hollywood area, encouraging walking, active transportation, and public transit usage to these other adjacent uses.

As mentioned previously, the project would also improve the streetscape surrounding the Project Site with improved sidewalks, street lighting, street trees, short-term bicycle parking, and landscaping. The project will also activate the street for pedestrians with a small park located at the northeast corner of the project site, which contains outdoor seating and landscaping. The building's orientation also contributes to a walkable environment as the entrances to the commercial uses are located directly on Yucca Street and at the corner of Argyle Avenue and Yucca Street, while the residential entrance is located on Yucca Street. There is only one driveway, which is located on Argyle Avenue. In general, the site design creates active environments by supporting a variety of pedestrian activities, and buildings are oriented and easily accessible from adjacent public streets and open spaces. These on- and off-site project features and improvements will lend themselves to create a safe and engaging pedestrian environment, and will enrich the quality of the public realm, consistent with the objectives of the Mobility Element.

As conditioned Mitigation Measure MM-TRAF-1 requires implementation of a TDM program to reduce vehicle trips. The combined effect of the various strategies implemented as part of the TDM program will result in a reduction in Modified Alternative 2's vehicle trip generation and VMT by offering services, actions, specific facilities, etc., aimed at encouraging the use of alternative transportation modes. As shown in Table 3-6, *VMT Analysis Summary*, at page 3-59 in Chapter 3, *Revisions, Clarifications and Corrections*, of the Final EIR, with implementation of Mitigation Measure MM TRAF-1, Modified Alternative 2 would generate 7,476 daily VMT (a reduction of 984 daily VMT), which includes a home-based production daily VMT of 3,573 and a home-based work attraction daily VMT of 154. With Mitigation Measure MM TRAF-1, Modified Alternative 2 will generate an average household VMT per capita of 5.9 (1.6 less than prior to mitigation). With mitigation, Modified Alternative 2 will not exceed the household VMT per capita threshold of 6.0. Work VMT for Modified Alternative 2 is less than significant without mitigation. Thus, with Mitigation Measure MM-TRAF-1, Modified Alternative 2 meets the threshold criteria of being 15% less than the existing average household VMT per capita for the Central APC area.

Land Use Element – Hollywood Community Plan

The Project Site is located within the Hollywood Community Plan Area, which was adopted by the City Council on December 13, 1988. The 1.16-acre project site is located within the adopted Hollywood Community Plan area and is comprised of seven lots, commonly referred to herein as the West Parcel, Center Parcel, and East Parcel. The Community Plan designates the West Parcel and Center Parcel for Regional Center Commercial land use and the East Parcel for Multiple Family Medium Residential land use. According to the Community Plan, corresponding zones for the Regional Center Commercial designation include C2, C4, P, PB, RAS3 and RAS4. The corresponding zoning designation for Medium Residential is R3.

The West Parcel is zoned C4-2D-SN, which allows for commercial and residential uses, consistent with the R5 zone. The Height District 2 allows unlimited building height with a maximum FAR of 6:1. The Center Parcel is zoned R4-2D, which is not a corresponding zone

in the Regional Center Commercial General Plan land use designation. For both the West and Center Parcels, the “D” indicates a Development Limitation, which provides a project shall not exceed a 2:1 FAR, unless it is found to comply with the Hollywood Redevelopment Plan, and is approved by the City Planning Commission, or the City Council on appeal. The East Parcel is zoned [Q] R3-1XL. The R3 zone permits a density of 800 square feet of lot area per dwelling unit. Height District 1XL limits building height to 30 feet with a maximum FAR of 3:1. The Q condition limits residential density to a maximum of one dwelling unit for each 1,200 square feet of lot area.

The Project entitlements include a Zone Change and Height District Change from C4-2D-SN to (T)(Q)C2-2D-SN, from R4-2D to (T)(Q)C2-2D, and from [Q]R3-1XL to (T)(Q)R3-2D. The zone change request for the Center Parcel from R4-2D to C2-2D would make the zone consistent with the land use. The Zone and Height District as proposed are consistent with and in substantial conformance with the intent and provisions of the General Plan as reflected in the adopted Community Plan.

General Plan Text. The Hollywood Community Plan, a part of the Land Use Element of the City’s General Plan, states the following objectives that are relevant to the Project:

Objective No. 1: *To further the development of Hollywood as a major center of population, employment, retail service and entertainment.*

Objective No. 3: *To make provision for the housing required to satisfy the varying needs and desires of all economic segments of the community, maximizing the opportunity for individual choice.*

Objective No. 4: *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.*

Under the Modified Alternative 2, the three multi-family apartment buildings located along Yucca Avenue would be demolished and removed to allow for the redevelopment of the site, while the two existing one- and two-story single-family buildings (1765 and 1771 Vista Del Mar Avenue) would be retained. Modified Alternative 2 consists of a mixed-use development, with up to 316,948 square feet of floor area, within a new 30-story tower, referred to herein as Building 1. The proposed Building 1 would include up to 269 multi-family residential units, 17 of which would be set aside for Very Low Income households, and approximately 7,760 square feet of commercial/restaurant uses. The existing residence at 1771 Vista Del Mar Avenue would remain as a single-family use and the residence at 1765 Vista Del Mar Avenue, which currently contains three residential units, will be converted back to a single-family use. Five levels of subterranean and above-ground automobile parking would be located within the podium structure of Building 1 and surface parking would be provided for the two single-family residences.

The requested entitlements allow for the orderly arrangement of buildings on the site, flexibility in ownership and operation of the proposed commercial establishments, and allows for increased density, height, and floor area for the construction of the Project, which meets the goals of the General Plan and Hollywood Community Plan by providing mixed-use, mixed-income project, providing new housing units, commercial space, and preserving the two non-contributing structures located on Vista Del Mar Avenue.

Hollywood Redevelopment Plan Consistency

In addition to achieving the objectives of the Hollywood Community Plan, the Project would also support and be consistent with the following goals identified in the Hollywood Redevelopment Plan:

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

9. Provide housing choices and increase the supply and improve the quality of housing for all income and age groups, especially for persons with low and moderate incomes; and to provide home ownership opportunities and other housing choices which meet the needs of the resident population.

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

11. Recognize, promote and support the retention, restoration and appropriate reuse of existing buildings, groupings of buildings and other physical features especially those having significant historic and/or architectural value and ensure that new development is sensitive to these features through land use and development criteria.

14. Promote and encourage development of recreational and cultural facilities and open spaces necessary to support attractive residential neighborhoods and commercial centers.

the Project would also support and be consistent with the following objectives identified in subsection 506.2.3: Regional Center Commercial Density of the Hollywood Redevelopment Plan:

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

Objective b: *To provide for new development which complements the existing buildings in areas having architecturally and/or historically significant structures.*

Objective d: *To encourage the development of appropriately designed housing to provide a balance in the community.*

Under Modified Alternative 2, the three multi-family apartment buildings located along Yucca Avenue would be demolished and removed to allow for the redevelopment of the site, while the two existing one- and two-story single-family buildings (1765 and 1771 Vista Del Mar Avenue) would be retained. Modified Alternative 2 consists of a mixed-use development, with up to 316,948 square feet of floor area, within a new 30-story tower, referred to herein as Building 1. The proposed Building 1 would include up to 269 multi-family residential units, 17 of which would be set aside for Very Low Income households, and approximately 7,760 square feet of commercial/restaurant uses. The existing residence at 1771 Vista Del Mar Avenue would remain as a single-family use and the residence at 1765 Vista Del Mar Avenue, which currently contains three residential units, will be converted back to a single-family use. Five levels of subterranean and above-ground automobile parking would be located within the podium structure of Building 1 and surface parking would be provided for the two single-family residences.

The Project proposes mixed-income housing, with neighborhood-serving commercial space at the ground floor. As a mixed-use development, the Project provides for activity and natural surveillance during and after commercial business hours. The ground floor commercial uses would activate the streets, while the residential units are oriented outward, providing eyes on the street during all hours of the day to create a safer environment for residents, workers, and visitors to the area. The Project provides housing for various income levels and household sizes, and retention of the two non-contributing single-family structures in the Vista Del Mar/Carlos Historic District. The Project will provide 21 studio apartments, 128 one-bedroom units, 110 two-bedroom units, and 10 three-bedroom units. Of the total 271 units, 252 are new RSO units, 17 are new covenanted affordable units, and two are the existing single-family residences on Vista Del Mar Avenue. This would help meet the critical demand for new housing in the Hollywood Community Plan area and would increase the City's stock of rent controlled units.

The Project would result in the creation of new housing and commercial uses within 0.13 miles of the Hollywood/Vine Metro Station, would provide street trees, storefronts and streetwall treatments which encourage walking, outdoor dining, and bicycle parking, thereby activating the streetscape to support an inviting and pedestrian-oriented environment. In addition, the Project would reduce vehicle trips and vehicle miles traveled due to the Project's pedestrian-orientated design, bicycle access and infrastructure, and proximity to rail and bus transit, commercial uses, entertainment uses, amenities, and jobs. The Project design, mix of uses, and intensity will also contribute to the intended character of the Regional Center land use, while locating new residents and jobs within an established mixed-use area.

The Project as proposed would be consistent with the goals of the Redevelopment Plan by providing mixed income housing units in varying unit arrangements on a site well served by and in close proximity to transit.

Hollywood Redevelopment Plan Compliance

501 General Controls and Limitations

The Project complies with the provisions of the redevelopment plan, as shown below. Pursuant to standard practice, the Project was also vetted by the Urban Design Studio, to verify consistency with Citywide Design Guidelines.

502 Map

The Project requests a Zone Change and Height District Change from C4-2D-SN to (T)(Q)C2-2D-SN, from R4-2D to (T)(Q)C2-2D, and from [Q]R3-1XL to (T)(Q)R3-2D. The zone change request for the Center Parcel from R4-2D to C2-2D would make the zone consistent with the land use. The Zone and Height District as proposed are consistent with and in substantial conformance with the intent and provisions of the General Plan as reflected in the adopted Community Plan. Pursuant to Section 502 of the Redevelopment Plan, and pending City Council approval, changes to the General Plan, Community Plan and any applicable Ordinances are automatically incorporated into the Redevelopment Plan. Therefore, the requested actions would be incorporated into the Plan, making the Project request and designation consistent with the Redevelopment Plan Map.

503 Design Standards

Section 503 of the Redevelopment Plan describes the purpose and intent of Designs for Development that may be adopted; however, as noted above, the only adopted design standards associated with the Redevelopment Plan pertains to the Hollywood Signage Supplemental Use District (HSSUD). There is no signage proposed as part of the Project, and any signage would be required to comply with the provisions of the HSSUD.

504 Variance, Conditional Use, Building Permits, and Other Land Development Entitlements

Section 504 of the Redevelopment Plan states that no zoning variance, conditional use permit, building permit, demolition permit or other land development entitlement shall be issued unless the application has been reviewed and determined to be in conformance with the Redevelopment Plan and any applicable design standards. As set forth in these findings, the Project is in conformance with the Redevelopment Plan, and as the Project is not seeking signage at this time, conformance with applicable design standards is not required.

505 Residential Standards

While the Project incorporates residential units, Section 505 of the Redevelopment Plan refers to sites designated for residential use. The Project Site is designated Regional Center Commercial, and the proposed zone change would take the R4 zoned property to C2, and under Modified Alternative 2 would not develop new structures on the R3 zoned portion of the project site. Furthermore, Modified Alternative 2 would preserve the existing structures located on the R3 zoned lots, which would preserve the character and architectural style of the Vista Del Mar/Carlos Historic District.

506 Commercial Standards

The Redevelopment Plan identifies specific uses which are necessary to support the residential population of Hollywood, as well as specific uses which are traditional or indicative of Hollywood. The uses identified by the Redevelopment Plan include essential neighborhood services which support residential areas as pharmacies and food markets, while traditional uses such as restaurants, theaters and bookstores. The Project includes uses which both support nearby residential neighborhoods and residential uses within the regional center ground floor commercial space, including proposed restaurant spaces. Additionally, Section 506 includes some definitions and designations which are consistent with the Community Plan, and LAMC, and were applied consistently to the Project.

506.2 Regional Center Commercial

The Redevelopment Plan indicates intensity and concentration of uses intended for the Regional Center designation in section 506.2. The Redevelopment Plan indicates that commercial and entertainment uses should be focused around areas served by transportation facilities, as well as indicating FAR limitations of 4.5:1, with up to 6:1 FAR with additional findings, conformity with the Redevelopment Plan, and conformity with the Community Plan. As shown below and in the consistency findings for the Redevelopment Plan, the Project is consistent with these requirements, and the Regional Center designation in the Redevelopment Plan.

506.2.1 Hollywood Boulevard District

The Hollywood Redevelopment Plan identifies special districts in the plan area, including the Hollywood Boulevard District, generally properties to the north and south of Hollywood

Boulevard from Gower Street to La Brea Avenue, which the Project Site is located in. The District includes six goals:

5. *Encourage preservation, restoration and appropriate reuse of historically or architecturally significant structures;*
6. *Assure that new development is sympathetic to and complements the existing scale of development;*
7. *Provide pedestrian oriented retail uses along the street level;*
8. *Encourage entertainment, theater and tourist related uses;*
7. *Provide adequate parking for new and existing uses; and*
8. *Reinforce and enhance the existing pedestrian environment.*

The Project includes the restoration and rehabilitation of the two non-contributing structures in the Vista Del Mar/Carlos Historic District. The new development would be complementary to the varying heights, architectural styles, and general character of the area, including the mid-rise structures in the immediate vicinity. The Project also includes ground floor commercial space along both Yucca Street and Argyle Avenue, reinforcing and complementing the existing pedestrian environment, as well as providing a new 2,820 square foot open space park at the corner of Yucca Street and Vista Del Mar Avenue. The Project will provide code required parking based on the number of units when built.

506.2.3 Regional Center Commercial Density

The Project Site is designated Regional Center Commercial by the Hollywood Community Plan; the intended focus of development in the Redevelopment Plan Area. The intent of the Plan is to focus development in areas designated Regional Center Commercial, served by adequate transportation facilities, with the goal of spurring economic development, high quality development, and support of entertainment uses. The Project Site is located 0.13 miles from the Hollywood/Vine Metro station, as well as within walking distance to multiple transit lines, including Metro bus lines, and LADOT bus lines. The Project would not alter historical development patterns in the area, and would retain and restore the two non-contributing structures in the Vista Del Mar/Carlos Historic district. Additionally, the Project would be consistent with the adjacent scale and building forms, complimenting the uses along Yucca Street and Argyle Avenue, as well as serving the residential components of the mixed-use developments in the vicinity of the Project Site. The nearest residential neighborhood, adjacent to the east of the Project site, would also be served by the commercial components of the Project. Therefore, the project demonstrates compliance with the provisions of the Redevelopment Plan for development in the Regional Center Commercial designation.

506.3 Residential Uses Within Commercial Areas

Section 506.3 of the Redevelopment Plan permits and encourages new residential uses in the Regional Center Commercial designation. The Project Site is designated Regional Center Commercial, and is located in the Hollywood Boulevard District. The Project complies with the intent and regulations of the both the Hollywood Boulevard District and Regional Center designation in the Redevelopment Plan.

Section 510 New Construction

Section 510 of the Redevelopment Plan requires all construction and development to conform to applicable State and City laws and regulations. The Project is required to

conform to applicable regulations through the entitlement and permitting process. Therefore, the Project complies with Section 510 of the Redevelopment Plan.

Section 511 Preservation, Rehabilitation, and Retention of Properties

Section 511 of the Redevelopment Plan requires the preservation, rehabilitation, and retention of historic properties. The Project Site includes the two previously identified non-contributing structures in the Vista Del Mar/Carlos Historic District, which is determined eligible for listing in the National Historic Register. The Project complies with Section 511 of the Redevelopment Plan as the Project will restore and rehabilitate the two structures, and while the unified development does include a request for FAR over 4.5:1, the Project is utilizing unused floor area attributed to the R3 zoned portions of the site across the remainder of the site where the only new construction would occur. This would ensure the protection of the two non-contributing structures. The new development would conform to the Redevelopment Plan as conditioned.

Section 513 Limitation on the Number of Buildings, Section 514 Limitation on the Number of Dwelling units

Sections 513 and 514 of the Redevelopment Plan identify the number of buildings and dwelling units anticipated to be developed within the Redevelopment Project Area. As determined by the City as lead agency, the development of the Project is consistent with Citywide growth projections and is therefore consistent with these sections.

Section 515 Limitation on Type, Size and Height of Buildings

Section 515 of the Redevelopment Plan limits the type, size, and height of buildings as regulated by State and City law. The Project's request for a Zone Change and Height District Change would be aligned with the goals of the Redevelopment Plan and Community Plan to concentrate dense development in the Regional Center Area, as well as by allowing for a 10% FAR increase through the Density Bonus Incentive program which includes a requirement for affordable units be reserved for Very Low Income occupants in exchange for the FAR incentive. No Design for Development Standards have been adopted, however, the Project complies with the Citywide Design Guidelines.

Section 516 Signs and Billboards

Section 516 of the Redevelopment Plan addresses signs and billboards. Future proposed signage will be reviewed by the City for conformance with all applicable regulations including applicable design guidelines, such as the Hollywood Signage Supplemental Use District.

Section 517 Utilities

Section 517 of the Redevelopment Plan pertains to the undergrounding of utilities, and feasibility and compliance will be verified during the permitting process.

Section 518 Circulation, Parking and Loading Facilities

Section 518 of the Redevelopment Plan pertains to circulation, parking, and loading facilities. As determined by the City as lead agency, the Project complies with applicable City regulations regarding parking and loading facilities and will not result in any impacts to the circulation system.

Section 519 Setbacks

Section 519 of the Redevelopment Plan pertains to regulations regarding parking within setbacks, and setback landscaping. The Project does not propose parking to be located in any setback areas and will provide landscaping within its setbacks.

Section 520 Incompatible Uses

Section 520 of the Redevelopment Plan pertains to incompatible uses. The City as lead agency has determined that the Project will be compatible with the surrounding areas and buildings. The requested \ Zone Change and Height District Change would allow the proposed building form, size, uses, and design to be compatible with existing and adjacent proposed developments, as well as the intent of the Hollywood Community Plan.

- 12. 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 Project Site is located within the Hollywood Community Plan, adopted by the City Council on December 13, 1988. The 1.16-acre project site is comprised of seven lots, commonly referred to herein as the West Parcel, Center Parcel, and East Parcel. The Community Plan designates the West Parcel and Center Parcel for Regional Center Commercial land use and the East Parcel for Multiple Family Medium Residential land use. According to the Community Plan, corresponding zones for the Regional Center Commercial designation include C2, C4, P, PB, RAS3 and RAS4. The corresponding zoning designation for Medium Residential is R3.

The West Parcel is zoned C4-2D-SN, which allows for commercial and residential uses, consistent with the R5 zone. The Height District 2 allows unlimited building height with a maximum FAR of 6:1. The Center Parcel is zoned R4-2D, which is not a corresponding zone in the Regional Center Commercial General Plan land use designation. For both the West and Center Parcels, the "D" indicates a Development Limitation, which provides a project shall not exceed a 2:1 FAR, unless it is found to comply with the Hollywood Redevelopment Plan, and is approved by the City Planning Commission, or the City Council on appeal. The East Parcel is zoned [Q] R3-1XL. The R3 zone permits a density of 800 square feet of lot area per dwelling unit. Height District 1XL limits building height to 30 feet with a maximum FAR of 3:1. The Q condition limits residential density to a maximum of one dwelling unit for each 1,200 square feet of lot area.

The Project Site is improved with one single-family residence, one duplex with a detached garage, and three, two-story apartment buildings with associated carports and paved surface parking areas. Under Modified Alternative 2, the three multi-family apartment buildings located along Yucca Avenue would be demolished and removed to allow for the redevelopment of the site, while the two existing one- and two-story single-family buildings (1765 and 1771 Vista Del Mar Avenue) would be retained. Modified Alternative 2 consists of a mixed-use development, with up to 316,948 square feet of floor area, within a new 30-story tower, referred to herein as Building 1. The proposed Building 1 would include up to 269 multi-family residential units (17 of which would be set aside for Very Low Income households) and approximately 7,760 square feet of commercial/restaurant uses. The existing residence at 1771 Vista Del Mar Avenue would remain as a single-family use and the residence at 1765 Vista Del Mar Avenue, which currently contains three residential units, will be converted back to a single-family use. Five levels of subterranean and above-ground

automobile parking would be located within the podium structure of Building 1 and surface parking would be provided for the two single-family residences.

The project site is bounded by Yucca Street, the Kimpton Everly Hotel, and three-story residential lofts to the north; North Vista Del Mar Avenue and one- and two-story single-family residences and duplexes to the east; vacant land (former Little Country Church of Hollywood) and one- and two-story single-family residences and duplexes followed by a five-story mixed-use residential and commercial development to the south; and Argyle Avenue and commercial and residential uses to the west, including the 18-story Argyle House Project (multi-family residential and commercial uses) at the southwest corner of Yucca Street and Argyle Avenue. The project site vicinity is highly urbanized and generally built-out and is part of the Regional Center of Hollywood containing a mix of commercial, studio/production, office, entertainment, and residential uses. The Project Site is located in an area identified by the City as a Transit Priority Area and is served by a network of regional transportation facilities.

The Project site's proximity to a major transit stop and its Regional Center Commercial designation allows for the project's residential uses and supportive retail and restaurant commercial uses for the neighborhood. The Project's ground-floor commercial uses would incorporate transparent and active storefront design on the public streets and provide an opportunity for outdoor dining, and other amenities to create a pedestrian oriented environment, while encouraging transit usage. The following project elements were designed in a manner which is compatible with both existing and future developments in the area:

- A. Building Design. The mixed-use building's design would be consistent with the design policies set forth in the Citywide Design Guidelines. The building elevations utilize a variety of architectural features, building materials and changes in depth to break up massing and create a consistent architectural theme for the development. The podium would use a screening design consisting of multiple different elements that are either recessed or protrude from the façade, with a change of material alternating between unfinished concrete, to glass, to metal ventilation screens, while allowing for airflow through the podium levels. At the ground floor level, the commercial and residential entrances are oriented to the sidewalk, with aluminum framing around floor-to-ceiling glass commercial storefront glazing. The podium also features vertical panels of blue glass, matching the color of glass on the tower, which serve to screen the parking. Other elements from the tower design are employed on the podium through matching the unfinished concrete look of the underside of the balconies, and by creating a large recessed faux balcony element on the corner of Yucca Street and Argyle Avenue. The façade of the tower element will primarily use glass to allow for natural lighting into the residential units, and includes multiple balconies that extend from the façade in a non-uniform pattern that gives the appearance of undulation, while providing shade and minimizing solar gain throughout the building, highlighting the Project's energy efficiency and sustainability. The Project provides an open space amenity deck on the 6th level of the podium which features outdoor seating and a pool for residents. And additional open space rooftop deck is located at the 30th level. The various design treatments within the podium and tower would help break the façade of the building and provide unique focal points. Overall, the Project's contemporary architecture complements and enhances the surrounding developments.
- B. Height/Bulk. The project would reach a maximum building height of 30-stories or 348 feet to the top of the parapet. The proposed height of the building is consistent with recent and proposed development in the immediate area. Around the immediate vicinity of the Project Site are the 18-story Argyle House mixed-use project directly across

Argyle Avenue to the west, the 16-story Kimpton Everly Hotel directly across Yucca Street to the north, and the proposed Hollywood Center project to the west which features two towers which are proposed to be 36 and 47 stories (or under Alternative 8, two 49 and 18 story towers). Overall, the height and bulk of the project would be comparable to that of the high-rise mixed-use developments in the immediate vicinity and contribute to the City's skyline. The podium is designed with a pedestrian scale as the mass is broken down into smaller elements, which softens the façade of the building and create a warm and inviting experience for visitors and residents. The podium levels are further enhanced with an alternating rhythm of trapezoidal glass shapes that employ the same green colored glass that is used for the inset accents on the tower façade, as well as vertical green screens along the eastern façade where the new public open space amenity will be located.

Additionally, Modified Alternative 2 would retain and rehabilitate the two non-contributing structures on Vista Del Mar Avenue which are located in the Vista Del Mar/Carlos Historic District. By maintaining these two-story structures, this would preserve the character of the district and the height of other similar structures on site. Modified Alternative 2 would also convert an existing surface parking lot on the corner of Yucca Street and Vista Del Mar Avenue to a 2,820 square foot open space park which would act as a gateway element to the district as well as preserving the development pattern along Vista Del Mar Avenue.

- C. Setbacks. The project will comply with the requirements of the Municipal Code and the sidewalk, setback, and streetscape guidelines of the Citywide Design Guidelines. Ground floor treatments also include active commercial and restaurant uses, prominent entryways, a 2,820 square foot landscaped park at the corner of Yucca Street and Vista Del Mar Avenue, and pedestrian-scaled architecture. The project will provide adequate separation distances between all buildings adjacent to the site.
- D. Off-Street Parking. The project will provide residential and commercial parking spaces on-site in accordance with the requirements of the Municipal Code. The parking garage is accessed via a single driveway along Argyle Avenue and includes a total of 414 spaces within one fully subterranean level, one partial subterranean/partial at-grade level, and four podium levels. The Project will also provide a pick-up/drop-off zone in front of the building's main pedestrian entrance on Yucca Street. Short-term spaces are located at the ground floor along Yucca Street, while the first and second floors of the podium will contain 164 short-term and long-term bicycle parking spaces. In addition, the project would include infrastructure for electric vehicle charging stations to facilitate the use of electric vehicles.
- E. Loading. Any loading or noise-generating back-of-house uses are located away from the primary frontage of Yucca Street and instead is provided via a loading area located in the parking garage. Mechanical equipment and utilities are also appropriately screened within the building and on the building's roof without detracting from the usability and active street presence of the development.
- F. Lighting. Implementation of the project will introduce new light sources within the project site, including interior building lighting, exterior security lighting, exterior architectural lighting, and sign lighting. Project lighting would incorporate low-level exterior lights on the building and along pathways for security and wayfinding purposes. In addition, low-level lighting to accent signage, architectural features, and landscaping elements would be incorporated throughout the site to provide for efficient, effective, and aesthetically lighting solutions that minimize light trespass from the site. Outdoor lighting sources will

be shielded away from adjacent uses to minimize impacts. The Project's balconies also provide shade and minimize solar gain throughout the building.

- G. Landscaping. Open space and landscaping for the project is concentrated in three areas: a 2,820 square foot pocket park on the ground floor at the corner of Yucca Street and Vista Del Mar Avenue, a 14,720 square foot amenity deck on the 6th level podium, and a 6,260 square foot rooftop amenity deck. The podium's open space includes open areas, landscaping in planters, outdoor seating areas, and an outdoor pool. Landscaping would also be installed around the perimeter of the building and throughout all the open space levels of the building, utilizing native shrubs, perennials, and canopy trees. The perimeter streetscape character would accommodate pedestrians through shade canopy trees, landscaping planters, street furniture, and outdoor seating and public art at the park on the eastern edge of the Project site.
- H. Trash Collection. The project is conditioned to enclose all tenant trash containers from view and has incorporated trash collection features into building designs. Trash receptacles will also be provided throughout the open areas of the project. The project will include a recycling area or room for the collection of glass, cans, paper and plastic recyclable materials. Trash and recycling facilities will be kept secure from unauthorized entry.

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

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

The project will result in the creation of new residential and commercial uses on a site that is currently developed with five partially vacant one-story commercial buildings while minimizing impacts on neighboring properties. The project would provide open space amenities throughout the project site. At the ground floor level, the 2,820 square foot pocket park at the southwest corner of Yucca Street and Vista Del Mar Avenue would provide public open space with outdoor seating, landscaping, and public art. At the 6th level of the podium, the common open space includes open areas, landscaping in planters, outdoor seating areas, and an outdoor pool. Also, on the 6th level are a 1,980 square foot indoor lounge and a 2,170 square foot indoor gym for residents. The rooftop open space would also include landscaping, outdoor seating, a water feature, and a 1,700 square foot indoor amenity space. Additionally, the project would provide private residential open space areas within balconies for many of the residential units.

As an ELDP project, the project would be required to provide sustainable features and service amenities for its residents and visitors such as achieving LEED Silver certification, maximizing transit friendly features (resulting in a minimum 15 percent greater transportation efficiency), and being 'Net-Zero' in GHG emissions. As conditioned, the Project will provide at least 20 percent of the total code-required parking spaces provided for all types of parking facilities will be capable of supporting future electric vehicle supply equipment (EVSE), with at least 5 percent of the total code-required parking spaces shall be equipped with EV charging stations. The electric vehicle charging spaces and other sustainability features as an ELDP project will improve habitability for residents and neighboring properties by

reducing the level of greenhouse gas emissions and fuel consumption from the project site, through encouraging the use of low or zero emission vehicles and public transit.

The project's ground floor commercial retail and restaurant uses would complement the variety of commercial uses from other mixed-use developments around the area, as well as provide visitors and residents more dining and shopping options. The project's commercial uses would also provide employment opportunities for the residents in the surrounding area. Additionally, since the project site is within close distance to many restaurants, retail stores, and entertainment venues, residents would be able to walk, use active transportation, or public transit to these different amenities, which promotes the sustainability goals of the City and as an ELDP project.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS

The City of Los Angeles (the "City"), as Lead Agency, has evaluated the environmental impacts of the 6220 Yucca Project by preparing an environmental impact report (EIR) (Case Number ENV-2014-4706-EIR, SCH No. 2015111073). The EIR was prepared in compliance with the California Environmental Quality Act of 1970, Public Resources Code Section 21000 et seq. (CEQA) and the California Code of Regulations Title 14, Division 6, Chapter 3 (the "CEQA Guidelines").

The 6220 Yucca Project EIR, consisting of the Draft EIR and Final EIR, is intended to serve as an informational document for public agency decision-makers and the general public regarding the objectives and impacts of the 6220 Yucca Project (Project), located at 1756, 1760 North Argyle Avenue; 6210-6224 West Yucca Street; and 1765, 1771, 1777, and 1779 North Vista Del Mar Avenue, Los Angeles, CA 90028 (Site or Project Site). The Project as analyzed in the EIR, involves the construction and operation of 210 multi-family residential units (all of which would be governed by the City of Los Angeles' Rent Stabilization Ordinance), 136 hotel rooms and approximately 12,570 square feet of commercial/restaurant uses in two new buildings on the Project Site. All but 13 of the Project's residential units are located in the Project's Building 1, which is a 20-story tower located across the west and center parcels of the Project Site.

The EIR analyzed the project originally proposed by the applicant (referred to as "Original Project"), as well as multiple alternatives, including Alternative 2, *Primarily Residential Mixed-Use Alternative*. In response to comments from the public made on the Draft EIR, and pursuant to guidance offered by the City of Los Angeles (the "City"). The EIR also analyzed Modified Alternative 2. Modified Alternative 2 is similar to Alternative 2 in the Draft EIR, which proposed 271 residential units with 5,120 square feet of commercial within two structures. It eliminates the hotel component of the Project. Building heights would range from three- to 20 stories with a maximum FAR of 6.6:1. Modified Alternative 2 involves the construction and operation of a single 30-story residential tower with 269 residential units (17 of which would be set aside for Very Low Income households, and the remainder of which would be governed by the City's Rent Stabilization Ordinance), approximately 7,760 square feet of ground floor retail and restaurant space, and, the preservation of the two existing houses on N. Vista Del Mar Avenue that would have been demolished under both the Project and Alternative 2.

The Draft EIR was circulated for a 47-day public comment period beginning on April 23, 2020 and ending on June 8, 2020. A Notice of Completion and Availability (NOC/NOA) was distributed on April 23, 2020 to all property owners within 500 feet of the Project Site and interested parties, which informed them of where they could view the document and how to comment. The Draft EIR was available to the public at the City of Los Angeles, Department of City Planning, and could be accessed and reviewed by members of the public by appointment with the Planning Department. Additionally, due to the circumstances created by the COVID-19 pandemic, copies of the Draft EIR were made available to the public on CD-ROM or in hard copy upon request to the Department of City Planning at the contact information listed on the

NOC/NOA. A copy of the document was also posted online at <https://planning.lacity.org>. Notices were filed with the County Clerk on April 22, 2020, but due to delays caused by the COVID-19 pandemic, were not physically posted until May 26, 2020. However, the posting of notices in this instance was excused as a result of the COVID-19 pandemic pursuant to the Governor's Executive Order No. N-54-40.

The Final EIR was then distributed on August 7, 2020. The Advisory Agency certified the EIR on August 24, 2020 ("Certified EIR") in conjunction with the approval of Modified Alternative 2 (VTT-73718), which was subsequently appealed to the City Planning Commission. At its September 24, 2020 meeting, the City Planning Commission voted to deny the appeals and sustain the actions of the Advisory Agency in certifying the EIR. In connection with the certification of the EIR, the City Planning Commission adopted CEQA findings and a mitigation monitoring program. The City Planning Commission adopted the mitigation monitoring program in the EIR as a condition of approval. All mitigation measures in the previously adopted Mitigation Monitoring Program are also imposed on the project through Conditions of Approval of the associated tract map and of CPC-2014-4705-ZC-HD-DB-MCUP-CU-SPR, to mitigate or avoid significant effects of the proposed Project on the environment and to ensure compliance during implementation of Modified Alternative 2.

NO SUPPLEMENTAL OR SUBSEQUENT REVIEW IS REQUIRED

CEQA and the State CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3, Sections 15000-15387) allow the City to rely on the previously certified EIR unless a Subsequent or Supplemental EIR is required. Specifically, CEQA Guidelines Sections 15162 and 15163 require preparation of a Subsequent or Supplemental EIR when an EIR has been previously certified or a negative declaration has previously been adopted and one or more of the following circumstances exist:

- 1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- 2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- 3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
 - A. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - B. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - C. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure

or alternative.

None of the above changes or factors has arisen since the approval of Modified Alternative 2. There are no substantial changes to Modified Alternative 2, and it is substantially the same as the approved project. No substantial changes have been identified to the surrounding circumstances, and no new information of substantial importance has been identified since the approval of Modified Alternative 2. There is no evidence of new or more severe significant impacts, and no new mitigation measures are required for the project.

Accordingly, there is no basis for changing any of the impact conclusions referenced in the certified EIR's CEQA Findings. Similarly, there is no basis for changing any of the mitigation measures referenced in the certified EIR's CEQA Findings, all of which have been implemented as part of the conditions of approval. There is no basis for finding that mitigation measures or alternatives previously rejected as infeasible are instead feasible. There is also no reason to change the determination that the overriding considerations referenced in the certified EIR's CEQA Findings, and each of them considered independently, continue to override the significant and unavoidable impacts of Modified Alternative 2.

Therefore, as Modified Alternative 2 was assessed in the previously certified EIR, and pursuant to CEQA Guidelines Section 15162, no supplement or subsequent EIR or subsequent mitigated negative declaration is required, as the whole of the administrative record demonstrates that no major revisions to the EIR are necessary due to the involvement of new significant environmental effects or a substantial increase in the severity of a previously identified significant effect resulting from changes to the project, changes to circumstances, or the existence of new information. In addition, no addendum is required, as no changes or additions to the EIR are necessary pursuant to CEQA Guidelines Section 15164.

RECORD OF PROCEEDINGS

The record of proceedings for the decision includes the Record of Proceedings for the original CEQA Findings, including all items included in the case files, as well as all written and oral information submitted at the hearings on this matter. The documents and other materials that constitute the record of proceedings on which the City of Los Angeles' CEQA Findings are based are located at the Department of City Planning, 221 N. Figueroa Street, Suite 1350, Los Angeles, CA 90021. This information is provided in compliance with CEQA Section 21081.6(a)(2).

In addition, copies of the Draft EIR and Final EIR, as well as the administrative record, are available on the Department of City Planning's website at <https://planning.lacity.org/development-services/eir> (to locate the documents, search for the environmental case number). Due to government facility closures as a result of the COVID-19 crisis, the Draft and Final EIR documents could not be made available at a public library. However, consistent with state emergency orders, the public was notified of an ability to call or email the City for alternative modes to access the documents or to schedule an appointment to review the documents at the City of Los Angeles, Department of City Planning, 221 North Figueroa Street, Suite 1350, Los Angeles, CA 90012, during office hours Monday - Friday, 9:00 a.m. - 4:00 p.m.

COVID-19 UPDATE

Interim Appeal Filing Procedures

March 27, 2020



Consistent with Mayor Eric Garcetti's "Safer At Home" directives to help slow the spread of COVID-19, the Department of City Planning is implementing new procedures for the filing of appeals for non-applicants that eliminate or minimize in-person interaction. There are two options for filing appeals, which are effective immediately and described below.

OPTION 1: EMAIL PLUS US MAIL

This is a two-step process including pre-clearance by email of the appeal application followed by application and payment submittal via US Mail.

STEP 1:

Email planning.figcounter@lacity.org with the subject line: **"Request to File Appeal."** In the email body provide:

- The case number
- Appellant contact information (name, email, telephone number)

Include as individual attachments to the email:

- Copy of Signed Appeal Application
- Justification
- Letter of Determination

City Planning staff will contact the appellant to confirm whether the appeal is complete and meets the applicable provisions of the Los Angeles Municipal Code (LAMC). The appellant will then be instructed to move forward with Step 2.

STEP 2:

Send appeal application via US Mail, postmarked no later than the last day of the appeal period. The package shall include:

- Original Appeal Application (wet signatures),
- Copy of email correspondence with City Planning staff (from Step 1)
- Appeal fee, check payable to the City of Los Angeles (\$109.47 for an aggrieved party, not the Project Applicant.)

Mail the appeal application to:

Department City Planning - Metro DSC
201 N. Figueroa St., 4th Floor
Los Angeles, CA 90012

City Planning staff will email and mail the appellant with a receipt for payment. Note: only the original application, email, and check need to be sent via US Mail. This ensures a standard envelope with standard postage is sufficient, and no trip to the Post Office is necessary. Steps 1 and 2 must both be completed. An email alone is not sufficient to satisfy appeal requirements.

OPTION 2: DROP OFF AT DSC

An appellant may continue to submit an appeal application and payment at any of the three Development Services Center (DSC) locations. City Planning established drop off areas at the DSCs with physical boxes where appellants can drop off appeal applications and payment. **Drop off areas are monitored in secure locations outside the three DSCs (Metro/Downtown, Van Nuys, and West Los Angeles) and are available during regular business hours.**

City Planning staff will follow up with the appellant via email and phone to:

- Confirm that the appeal package is complete and meets the applicable provisions of the LAMC
- Provide a receipt for payment