

PLANNING DEPARTMENT TRANSMITTAL TO THE CITY CLERK'S OFFICE

CITY PLANNING CASE:	ENVIRONMENTAL CASE:	COUNCIL DISTRICT:
CPC-2021-10588-DB-MCUP-SPR-VHCA-1A	ENV-2021-10589-SCEA	13 – Soto-Martinez
RELATED CASE NOS.:	COUNCIL FILE NO:	PROCEDURAL REGULATIONS:
<input checked="" type="checkbox"/> N/A	<input checked="" type="checkbox"/> N/A	<input checked="" type="checkbox"/> Ch. 1 as of 1/21/24 (Not subject to Processes & Procedures Ord.) <input type="checkbox"/> Ch. 1A (Subject to Processes & Procedures Ord.)
PROJECT ADDRESS / LOCATION:		
6266 – 6290 Sunset Boulevard; 1460 – 1480 Vine Street; 6251 – 6267 Leland Way		
APPLICANT:	TELEPHONE NUMBER:	EMAIL ADDRESS:
David Powers SRG Development, L.P	949-929-4170	dpowers@sares-regis.com
APPLICANT'S REPRESENTATIVE:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Matt Dzurec Armbruster Goldsmith & Delvac LLP	310-254-9052	matt@agd-landuse.com
APPELLANT:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Supporters Alliance for Environmental Responsibility (SAFER)	510-836-4200	richard@lozeaudrury.com
APPELLANT'S REPRESENTATIVE:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Hayley Uno Lozeau Drury LLP	510-400-7950	hayley@lozeaudrury.com
PLANNER CONTACT:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Stephanie Escobar	213-978-1492	stephanie.escobar@lacity.org
ITEMS FOR CITY COUNCIL CONSIDERATION (IE. ENTITLEMENTS, LEGISLATIVE ACTIONS):		
Site Plan Review (SPR); Main Conditional Use Permit (MCUP)		
FINAL ENTITLMENTS NOT ADVANCING FOR CITY COUNCIL CONSIDERATION: (UNAPPEALED OR NON-APPEALABLE ITEMS)		
Density Bonus with Off-Menu Incentives and Waivers of Development Standards		
ITEMS APPEALED:		
Site Plan Review (SPR); Main Conditional Use Permit (MCUP)		

ATTACHMENTS:	REVISED:	ENVIRONMENTAL DOCUMENT:	REVISED:
<input checked="" type="checkbox"/> Letter of Determination	<input type="checkbox"/>	<input type="checkbox"/> Categorical Exemption (CE) (Notice of Exemption)	<input type="checkbox"/>
<input checked="" type="checkbox"/> Findings of Fact	<input type="checkbox"/>	<input type="checkbox"/> Statutory Exemption (SE) (Notice of Exemption)	<input type="checkbox"/>
<input checked="" type="checkbox"/> Staff Recommendation Report	<input type="checkbox"/>	<input type="checkbox"/> Negative Declaration (ND)	<input type="checkbox"/>
<input checked="" type="checkbox"/> Conditions of Approval	<input type="checkbox"/>	<input type="checkbox"/> Mitigated Negative Declaration (MND)	<input type="checkbox"/>
<input type="checkbox"/> T Conditions	<input type="checkbox"/>	<input type="checkbox"/> Environmental Impact Report (EIR)	<input type="checkbox"/>
<input type="checkbox"/> Proposed Ordinance	<input type="checkbox"/>	<input type="checkbox"/> Mitigation Monitoring Program (MMP)	<input type="checkbox"/>
<input type="checkbox"/> Zone Change Map and Ordinance	<input type="checkbox"/>	<input type="checkbox"/> Sustainable Communities Project Exemption (SCPE)	<input type="checkbox"/>
<input type="checkbox"/> GPA Resolution	<input type="checkbox"/>	<input checked="" type="checkbox"/> Sustainable Communities Environmental Assessment (SCEA)	<input type="checkbox"/>
<input type="checkbox"/> Land Use Map	<input type="checkbox"/>	<input type="checkbox"/> Sustainable Communities Environmental Impact Report (SCEIR)	<input type="checkbox"/>
<input checked="" type="checkbox"/> Exhibit A – Plans	<input type="checkbox"/>	<input type="checkbox"/> Appendices	<input type="checkbox"/>
<input checked="" type="checkbox"/> Mailing List (both Word and PDF)	<input type="checkbox"/>	<input type="checkbox"/> Other:	<input type="checkbox"/>
<input checked="" type="checkbox"/> Interested Parties List	<input type="checkbox"/>		
<input checked="" type="checkbox"/> Appeal	<input type="checkbox"/>		
<input type="checkbox"/> Development Agreement	<input type="checkbox"/>		
<input type="checkbox"/> Site Photographs	<input type="checkbox"/>		
<input type="checkbox"/> Other:	<input type="checkbox"/>		

NOTES / INSTRUCTIONS:

N/A

CITY COUNCIL NOTICE TIMING:	NOTICE LIST (SELECT ALL):	NOTICE PUBLICATION:
<input type="checkbox"/> 10 days <input type="checkbox"/> 15 days <input checked="" type="checkbox"/> 24 days <input type="checkbox"/> N/A / None <input type="checkbox"/> Other: [enter here if applicable]	<input type="checkbox"/> Owner <input type="checkbox"/> Applicant <input type="checkbox"/> Adjacent/Abutting <input type="checkbox"/> 100' radius <input type="checkbox"/> 300' radius <input checked="" type="checkbox"/> 500' radius <input checked="" type="checkbox"/> Neighborhood Council <input checked="" type="checkbox"/> Interested Parties	<input type="checkbox"/> 10 days <input type="checkbox"/> 15 days <input checked="" type="checkbox"/> 24 days <input type="checkbox"/> N/A / None <input type="checkbox"/> Other: [enter here if applicable]

FISCAL IMPACT STATEMENT:

Yes No
 *If determination states administrative costs are recovered through fees, indicate "Yes."

PLANNING COMMISSION:

- | | |
|---|---|
| <input checked="" type="checkbox"/> City Planning Commission (CPC)
<input type="checkbox"/> Cultural Heritage Commission (CHC)
<input type="checkbox"/> Central Area Planning Commission
<input type="checkbox"/> East LA Area Planning Commission
<input type="checkbox"/> Harbor Area Planning Commission | <input type="checkbox"/> North Valley Area Planning Commission
<input type="checkbox"/> South LA Area Planning Commission
<input type="checkbox"/> South Valley Area Planning Commission
<input type="checkbox"/> West LA Area Planning Commission |
|---|---|

PLANNING COMMISSION HEARING DATE:	COMMISSION VOTE:
December 12, 2024	5 – 0
LAST DAY TO APPEAL:	DATE APPEALED:
February 6, 2025	February 4, 2025
COUNCIL TIME TO ACT:	TIME TO ACT START:
<input type="checkbox"/> 30 days <input type="checkbox"/> 45 days <input type="checkbox"/> 60 days <input checked="" type="checkbox"/> 75 days <input type="checkbox"/> 90 days <input type="checkbox"/> 120 days <input type="checkbox"/> N/A / None <input type="checkbox"/> Other: [enter here if applicable]	<input type="checkbox"/> Appeal Filing Date <input type="checkbox"/> Received by Clerk <input checked="" type="checkbox"/> Last Day to Appeal <input type="checkbox"/> N/A / None <input type="checkbox"/> Other: [enter here if applicable]
TRANSMITTED BY:	TRANSMITTAL DATE:
Cecilia Lamas Commission Executive Assistant II	February 19, 2025



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: JANUARY 22, 2025

Case No.: CPC-2021-10588-DB-MCUP-SPR-VHCA

Council District: 13 – Soto-Martinez

CEQA: ENV-2021-10589-SCEA

Plan Area: Hollywood

Project Site: 6266 – 6290 Sunset Boulevard;
1460 – 1480 Vine Street; 6251 – 6267 Leland Way

Applicant: SRG Development, L.P.
Representative: Matt Dzurec, Armbruster Goldsmith & Delavc LLP

At its meeting of **December 12, 2024**, the Los Angeles City Planning Commission took the actions below in conjunction with the following Project:

Demolition of four commercial buildings and one vacant duplex and the construction of a new 201,134 square-foot, eight-story mixed-use building consisting of 170 new residential units with 26 units set aside for Very Low Income Households and an additional eight units set aside for Low Income Households. The proposed building will contain 16,680 square feet of commercial space on the ground floor. Additionally, the project proposed to retain the existing 19-story tower located at the corner of Vine Street and Sunset Boulevard and a two-story commercial building (Morgan Camera Shop building). The Project would provide a total 284 new parking spaces within two screened above grade parking levels and two subterranean levels and 24,997 square feet of open space.

1. **Found**, pursuant to Public Resources Code (PRC) Section 21155.2, after consideration of the whole of the administrative record, including the SB 375 Sustainable Communities Environmental Assessment, No. ENV-2021-10589-SCEA (“SCEA”), and all comments received, [after imposition of all mitigation measures, if applicable] there is no substantial evidence that the project will have a significant effect on the environment; **Found** that the City Planning Commission held a hearing on and adopted the SCEA on December 12, 2024 pursuant to PRC Section 21155.2(b); **Found** that the Project is a transit priority project pursuant to PRC Section 21155 and the Project has incorporated all feasible mitigation measures, performance standards, or criteria set forth in prior EIR(s), including SCAG’s 2016-240 RTP/SCS EIR SCH No. 2015031035; **Found** all potentially significant effects required to be identified in the initial study have been identified and analyzed in the SCEA; **Found** with respect to each significant effect on the environment required to be identified in the initial study for the SCEA, changes or alterations have been required in or incorporated into the Project that avoid or mitigate the significant effects to a level of insignificance or those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency; **Found** that the SCEA reflects the independent judgment and analysis of the City; **Found** the mitigation measures have been made enforceable conditions on the Project; and **Adopted** the SCEA and the Mitigation Monitoring Program prepared for the SCEA;

2. **Approved**, pursuant to LAMC Section 12.22 A.25, a Density Bonus Compliance Review to permit a housing development project consisting of 170 units with 20 percent affordable units set aside including 26 units set aside for Very Low income Households and eight units set aside for Low Income Households and with the following On and-Off Menu Incentives and Waivers of Development Standards:
 - a. An On-Menu Incentive to permit averaging of floor area, density, open space, and parking over the project site and permit vehicular access from a less restrictive zone to a more restrictive zone;
 - b. An Off-menu Incentive to permit an increase in Floor Area Ratio (FAR) to allow FAR of 3.88 in lieu of the otherwise permitted 2.1 FAR;
 - c. An Off-Menu Incentive to permit an increase in non-residential floor area to allow more than 10,000 square feet of non-residential floor area on the portion of the project site subject to the D Limitation in Ordinance 177584;
 - d. A Waiver of Development Standards to permit an easterly side yard setback of zero feet in lieu of the otherwise required 11 feet; and
 - e. A Waiver of Development Standards to permit a reduction in building separation of zero feet in lieu of the otherwise required 22 feet;
3. **Approved**, pursuant to LAMC Section 12.24 W.1, a Main Conditional Use Permit to allow the sale and dispensing of a full-line of alcoholic beverages for on-site consumption for restaurants and/or retail establishments totaling 16,680 square feet of ground floor area;
4. **Approved**, pursuant to LAMC Section 16.05, a Site Plan Review, for a project that results in an increase of 50 or more dwelling units and/or guest rooms;
5. **Adopted** the attached Conditions of Approval; and
6. **Adopted** the attached Findings.

The vote proceeded as follows:

Moved: Zamora
 Second: Choe
 Ayes: Lawshe, Mack, Newhouse
 Absent: Cabildo, Diaz, Klein, Saitman

Vote: 5 – 0



Cecilia Lamas, Commission Executive Assistant II
 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 Density Bonus Off-Menu Incentives and Waivers or Modifications of a Development Standards are not further appealable. The remaining entitlements are appealable to City Council within 15 days after the mailing date of this determination letter. Any appeal not filed within the 15-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, CA 90012; or 6262 Van Nuys Boulevard, Suite 251, Van Nuys, CA 91401.

FINAL APPEAL DATE: FEBRUARY 6, 2025

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: Conditions of Approval, Findings, Appeal Filing Procedures

cc: Heather Bleemers, Senior City Planner
Michelle Carter, City Planner
Stephanie Escobar, City Planning Associate

CONDITIONS OF APPROVAL

Pursuant to Sections 12.22 A.25, 12.24.W 1, and 16.05 of the Los Angeles Municipal Code, the following conditions are hereby imposed upon the use of the subject property:

A. Development Conditions

Density Bonus

1. **Site Development.** Except as modified herein, the project shall be in substantial conformance with the plans dated October 15, 2024, submitted by the Applicant, stamped "Exhibit A," and /attached to the subject case file.
2. **Residential Density.** The project shall be limited to a maximum density of 170 dwelling units.
3. **Affordable Units.**
 - a. A minimum of 34 units, that is at least 20 percent of the base dwelling units permitted in the C4-2D-SN, [Q]C4-2D-SN and R4-2D zones, shall be reserved as affordable households (26 units for Very Low income Households and eight (8) for Low Income Households), as defined by the State Density Bonus Law per Government Code Section 65915(c)(2).
 - b. **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.
4. **Housing Requirements.** Prior to issuance of a building permit, the owner shall execute a covenant to the satisfaction of the Los Angeles Housing Department (LAHD) to make at least 20 percent of the site's base density units (170 units) available to affordable Households (26 for Very Low Income Households and eight (8) for Low Income Households), for sale or rental as determined to be affordable to such Households by LAHD for a period of 55 years. In the event the applicant reduces the proposed density of the project, the number of required reserved on-site Restricted Units may be adjusted, consistent with LAMC Section 12.22 A.25, to the satisfaction of LAHD, and in consideration of the project's SB 8 Determination, dated June 3, 2021. Enforcement of the terms of said covenant shall be the responsibility of LAHD. The applicant shall present a copy of the recorded covenant to the Department of City Planning for inclusion in this file. The project shall comply with the Guidelines for the Affordable Housing Incentives Program adopted by the City Planning Commission and with any monitoring requirements established by the LAHD. Refer to the Density Bonus Legislation Background section of this determination for more information.
5. **Housing Replacement.** Prior to issuance of a building permit, the owner shall execute a covenant to the satisfaction of the Los Angeles Housing Department (LAHD), and in compliance with LAHD's June 3, 2021, SB 8 Determination Letter. Enforcement of the terms of said covenant shall be the responsibility of LAHD. 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 the Guidelines for the Affordable Housing Incentives Program adopted by the City Planning Commission and with any monitoring requirements established by the LAHD. Refer to the Density Bonus Legislation Background section of this determination for more information.

On-site Restricted Affordable Units may be used to satisfy the Housing Replacement units required pursuant to SB 8 provided such units meet the income levels, to the satisfaction of LAHD.

6. Incentives.

- a. The project shall be permitted an On-Menu Incentive to allow the averaging of FAR, density, open space and density across three zones and permit vehicular access from a less restrictive zone to a more restrictive zone.
- b. The project shall be permitted an Off-Menu Incentive to allow a maximum FAR of 3.88:1.
- c. The project shall be permitted an Off-Menu Incentive to allow more than 10,000 square feet of non-residential floor area on the portion of the project site subject to the D Limitation.

7. Waivers of Development Standards.

- a. The project shall be permitted a Waiver of Development Standard to permit an easterly side yard setback of zero feet;
- b. The project shall be permitted a Waiver of Development Standard to permit zero feet of building separation between the existing building and the new building.

Main Conditional Use

8. Authorized herein is the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with restaurants and/or retail establishments totaling 16,680 square feet of ground floor area.
9. After hour use shall be prohibited, except routine clean-up, food preparation, construction, inventory or other maintenance type activities. 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. **Main Plan Approval (MPA) Requirement.** Each individual restaurant tenant shall be subject to a Main Plan Approval (MPA) determination pursuant to Section 12-24-M of the Los Angeles Municipal Code in order to implement and utilize the Main Conditional Use authorization. The purpose of the Main Plan Approval determination is to review the mode and character of each proposed establishment in greater detail and to tailor site-specific conditions of approval for each of the premises including but not limited to hours of operation, shared seating capacity, size, security, 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. The Department of City Planning may impose more restrictive or less restrictive conditions on each individual tenant at the time of review of each Plan Approval application.
11. Notwithstanding approved "Exhibit A" and the Conditions above, this grant recognizes that there may be changes resulting from identified tenants, which may result in smaller or larger restaurants or retail shops, different locations, and/or a reduced number of restaurants than those originally proposed and identified in "Exhibit A". Such outcome is permitted provided that the other conditions noted herein, specifically those related to the

combined maximum interior floor areas, maximum interior shared seating numbers, maximum (total) number of establishments authorized under this grant, and the maximum number of establishments approved for each type of grant in the Conditions above are not exceeded. The sale and dispensing of beer and wine may be provided in lieu of a full line of alcoholic beverages at any of the establishments approved for a full line of alcoholic beverages, provided that the maximum (total) number of establishments authorized for alcoholic beverages is not exceeded, and subject to all other conditions of this grant.

12. No conditional use for dancing has been requested or approved herein. Patron dancing is prohibited.
13. Loitering is prohibited on or around these premises or the area under the control of the applicant. "No Loitering or Public Drinking" signs shall be posted in and outside of the subject facility.
14. **Complaint Log.** A telephone number and email address shall be provided for complaints or concerns from the community regarding the operation. The phone number and email address shall be posted at the following locations:
 - a. Entry, visible to pedestrians
 - b. Customer service desk.

Complaints shall be responded to within 24-hours. The applicant shall maintain a log of all calls and emails, detailing: (1) date complaint received; (2) nature of complaint, and (3) the manner in which the complaint was resolved.

15. **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.
16. Any music, sound or noise which is under control of the applicant shall not violate Sections 112.06 or 116.01 of the Los Angeles Municipal Code (Citywide Noise Ordinance). At any time, a City representative may visit the site during operating hours to measure the noise levels. If, upon inspection, it is found that the noise level exceeds those allowed by the citywide noise regulation, the owner/operator will be notified and will be required to modify or eliminate the source of the noise or retain an acoustical engineer to recommend, design and implement noise control measures within property such as, noise barriers, sound absorbers or buffer zones.
17. 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.
18. Smoking tobacco or any non-tobacco substance, including from electronic smoking devices, is prohibited in or within 10 feet of the outdoor dining areas in accordance with Los Angeles Municipal Code Section 41.50 B 2 C. This prohibition applies to all outdoor

areas of the establishment if the outdoor area is used in conjunction with food service and/or the consumption, dispensing or sale of alcoholic or non-alcoholic beverages.

19. All restaurant tenants of the premises authorized herein shall be provided with a copy of these conditions which shall also be referenced in any lease or contract, and which shall be maintained and posted on the premises and available upon request by any enforcement agency.
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. 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 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 including the conditions required herewith has been provided to the prospective owner/operator shall be submitted to the Department of City Planning 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 Department of City Planning within 30-days of the beginning day of his/her new operation of the establishment along with any proposed modifications to the existing the floor plan, seating arrangement or number of seats of the new operation.
22. At any time during the period of validity of this grant, if it is determined that the operation is not in substantial conformance with the approved floor plan, or the operation has changed in mode or character from the original approval, or if documented evidence be submitted showing a continued violation(s) of any condition(s) of this grant resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Zoning Administrator reserves the right to require that the owner or operator file a Plan Approval application together with associated fees. The purpose of the plan approval will be to review the operation of the premise and establish conditions applicable to the use as conducted by the new owner or operator, consistent with the intent of the Conditions of this grant. Upon this review, the Zoning Administrator may modify, add or delete conditions, and if warranted, reserves the right to conduct this public hearing for nuisance abatement/revocation purposes.

Site Plan Review

23. Parking.

- a. **AB 2097.** The project shall not be required to provide any minimum vehicle parking, consistent with AB 2097. The applicant may choose to provide a greater amount of vehicle parking.
- b. **Unbundling.** Required parking may be sold or rented separately from the units, with the exception of all Restricted Affordable Units which shall include any required parking in the base rent or sales price, as verified by LAHD.
- c. **Bicycle Parking.** Bicycle parking shall be provided consistent with LAMC Section 12.21 A.16.

24. Street Trees. Street trees shall be provided to the satisfaction of the Urban Forestry Division. Street trees may be used to satisfy on-site tree requirements pursuant to LAMC Article Section 12.21.G.3 (Chapter 1, Open Space Requirement for Six or More Residential Units). Per Exhibit A and 12.21.G.3, a total of 57 street trees shall be provided or maintained to the satisfaction of the Urban Forestry Division.

25. Landscaping.

- a. All open areas not used for buildings, driveways, parking areas, or walkways shall be attractively landscaped and maintained in accordance with a landscape plan and an automatic irrigation plan, prepared by a licensed Landscape Architect and to the satisfaction of the Department of City Planning.
- b. **Tree Wells.**
 - i. The minimum depth of tree wells on the rooftop or any other location where planters are used shall be as follows:
 - (1) Minimum depth for trees shall be 42 inches.
 - (2) Minimum depth for shrubs shall be 30 inches.
 - (3) Minimum depth for herbaceous plantings and ground cover shall be 18 inches.
 - (4) Minimum depth for an extensive green roof shall be 3 inches.
 - ii. The minimum amount of soil volume for tree wells on the rooftop or any other location where planters are used shall be based on the size of the tree at maturity:
 - (1) 600 cubic feet for a small tree (less than 25 feet tall at maturity).
 - (2) 900 cubic feet for a medium tree (25-40 feet tall at maturity).
 - (3) 1,200 cubic feet for a large tree (more than 40 feet tall at maturity).

26. Circulation. The applicant shall submit a parking and driveway plan to the Los Angeles Department of Transportation (LADOT) for approval.

27. Solar. The project shall comply with the Los Angeles Municipal Green Building Code, Section 99.04.211 and 99.05.211, to the satisfaction of the Department of Building and Safety.

- 28. 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.
- 29. Materials.** All building façades shall utilize a minimum of two different materials. Windows, doors, balcony railings, decorative features (such as light fixtures, planters, etc.), and perimeter walls (e.g. walls along a street that are not a part of the building) are excluded from meeting this requirement.
- 30. Mechanical Equipment.** All mechanical equipment on the roof shall be screened from view by any abutting properties. The transformer, if located in the front yard or Vine Street side yard, shall be screened with landscaping and/or materials consistent with the building façade on all exposed sides (those not adjacent to a building wall).
- 31. Lighting.** Outdoor lighting shall be designed and installed with shielding, such that the light source does not illuminate adjacent residential properties or the public right-of-way, nor the above night skies.
- 32. Graffiti.** 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.
- 33. Trash.** Trash receptacles shall be stored within a fully enclosed portion of the building at all times. Trash/recycling containers shall be locked when not in use and shall not be placed in or block access to required parking.

Environmental Condition

- 34.** The Mitigation Monitoring and Reporting Program included as Section 6 in the SCEA dated September 2024 (Case No. ENV-2021-10589-SCEA) shall be enforced through all phases of the project. The applicant shall be responsible for implementing each Mitigation Measure (MM) and shall be obligated to provide certification to the appropriate monitoring and enforcement agencies that each MM has been implemented.

B. Administrative Conditions

- 35. Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building and Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building and Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building and Safety shall be stamped by Department of City Planning staff "Final Plans". A copy of the Final Plans, supplied by the applicant, shall be retained in the subject case file.
- 36. Notations on Plans.** Plans submitted to the Department of Building and Safety, for the purpose of processing a building permit application shall include all of the Conditions of Approval attached herein as a cover sheet and shall include any modifications or notations required herein.
- 37. Building Plans.** 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.

- 38. Corrective Conditions.** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if, in the Commission's or Director's opinion, such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
- 39. Approvals, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, reviews or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning for placement in the subject file.
- 40. Code Compliance.** All area, height and use regulations of the zone classification of the subject property shall be complied with, except wherein these conditions explicitly allow otherwise.
- 41. Department of Building and Safety.** The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building and Safety Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Department of Building and Safety for Building Code compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
- 42. Department of Water and Power.** Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power (LADWP) for compliance with LADWP's Rules Governing Water and Electric Service. Any corrections and/or modifications to plans made subsequent to this determination in order to accommodate changes to the project due to the under-grounding of utility lines, that are outside of substantial compliance or that affect any part of the exterior design or appearance of the project as approved by the Director, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
- 43. Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assign. The agreement must be submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.
- 44. Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public offices, legislation or their successors, designees or amendment to any legislation.
- 45. Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.

46. Expedited Processing Section. Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.

47. 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 in paragraph (b).
- e. 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 include 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

Density Bonus/Affordable Housing Incentives Compliance Findings

1. Pursuant to Section 12.22 of the LAMC and Section 65915 of the California Government Code, the City shall approve a density bonus and requested incentive(s) unless it finds that:

a. The Incentive(s) does 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 record does not contain substantial evidence that would allow the City Planning Commission to make a finding that the requested incentives do not result in identifiable and actual cost reductions 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.

The project substantially complies with the applicable regulations, standards, and provisions of the State Density Bonus Program. The project includes 20 percent of the project's base density as Very Low Income restricted affordable units, for a total 34 affordable units including 26 Very low Income households and eight (8) units reserved for Low Income households. No substantial evidence has been entered into the record indicating that any of the requested Off-Menu Incentives do not result in identifiable and actual cost reductions to provide for the project's affordable housing costs (as defined in California Health and Safety Code Sections 50052.5 or 50053) and/or accommodate the restricted very low income unit rents.

In exchange for providing at least 15 percent of the base density for Very Low Income Households, the applicant is entitled to three (3) incentives under both Government Code Section 65915 and the LAMC. The request for averaging of floor area, density, open space, and parking, as well as, FAR increase and increase in non-residential floor area qualify as requested incentives. The remaining requests to allow for reduction in the easterly side yard setbacks and reduced building separation.

Averaging of FAR, Density, Open Space and Vehicular Access

The subject property is zoned C4-2D-SN, [Q]C4-2D-SN and R4-2D with two different FAR and density requirements as well as vehicular access limitations. Thus, pursuant to LAMC Section 12.22.A,25 the applicant is requesting an On-Menu Incentive to allow the averaging of FAR and density across two zones and permit vehicular access from a less restrictive zone to a more restrictive zone. Granting of the incentive would result in a building design and construction efficiencies that provide for or reduce affordable housing costs; it enables the developer to expand the building envelope so that additional affordable units can be constructed, and the overall space dedicated to residential uses is increased. The increased building envelope also ensures that all dwelling units are of a habitable size while providing a variety of unit types. This Incentive supports the applicant's decision to set aside a minimum 26 dwelling units for Very Low Income Households and eight (8) units for Low Income Households for 55 years.

As such, the On-Menu incentive to allow averaging of FAR and density and allow vehicular access across two zones is necessary to provide for affordable housing costs.

Floor Area Ratio

The subject property is zoned C4-2D-SN, [Q]C4-2D-SN and R4-2D. The C4-2D-SN zone limits the project's density to one (1) dwelling unit per 200 square feet of lot area with a maximum Floor Area Ratio (FAR) of 2:1 (per "D" Limitation), the [Q]C4-2D-SN zone limits the project's density to one (1) dwelling unit per 200 feet of lot area with a maximum FAR of 2.3:1 (per "D" Limitation) and the R4-2D limits the density to one (1) dwelling unit per 400 square feet of lot area with a maximum FAR of 2:1 (per "D" Limitation). Therefore, with 32,628 square feet of lot area in the [Q]C4-2D-SN zone, 22,889 square feet of lot area in the C4-2D-SN zone and 13,632 square feet of lot area in the R4-2D zone the subject property has a total base density of 347 dwelling units. Thus, pursuant to LAMC Section 12.22-A,25 the applicant is requesting an Off-Menu incentive to allow a FAR increase from and 2:3 to 3.88:1 FAR to allow 284,909 square feet in floor area.

The requested increase in FAR will allow for the construction of affordable units in addition to larger-sized dwelling units and retail space at the ground level. Granting of the incentive would result in a building design and construction efficiencies that provide for affordable housing costs; it enables the developer to expand the building envelope so that additional affordable units can be constructed, and the overall space dedicated to residential uses is increased. The increased building envelope also ensures that all dwelling units are of a habitable size while providing a variety of unit types. The increased floor area allows certain fixed development costs to be spread out over more floor area resulting in a lower per-square-foot development cost. In addition, the additional floor area allows the construction of additional market rate floor area whose rents will support the operational costs of the affordable units. This Incentive supports the applicant's decision to set aside a minimum 26 dwelling units for Very Low Income Households and eight (8) units for Low Income Households for 55 years.

Non-Residential Floor Area

The subject property is zoned C4-2D-SN, [Q]C4-2D-SN and R4-2D. The present "D" Limitation (Ordinance 177584) limits the project site to 10,000 square feet of non-residential floor area. The project proposes 16,680 square feet of commercial floor area. Thus, pursuant to LAMC Section 12.22-A,25 the applicant is requesting an Off-Menu Incentive to permit greater than 10,000 square feet of non-residential floor area for the entire site.

The requested incentive to permit greater than 10,000 square feet in non-residential floor area will allow for the construction of affordable units and retail space within a zone that allows for such uses. Granting of the incentive would result in economic benefit and associated revenue generated from additional commercial floor area would help to offset and defray the cost of providing the project's affordable housing. Therefore, the incentive results in an identifiable and actual cost reductions to provide for affordable housing costs supports the applicant's decision to set aside a minimum 26 dwelling units for Very Low Income Households and eight (8) units for Low Income Households for 55 years.

b. The waiver[s] or reduction[s] of development standards will not have the effect of physically precluding the construction of a development meeting the [affordable set-aside percentage] criteria of subdivision (b) at the densities or with the concessions or incentives permitted under [State Density Bonus Law]" (Government Code Section 65915(e)(1)

A project that provides at least 15 percent of its base density for Very Low Income Households may request other "waiver[s] or reduction[s] of development standards that will have the effect of physically precluding the construction of a development meeting the [affordable set-aside

percentage] criteria of subdivision (b) at the densities or with the concessions or incentives permitted under [State Density Bonus Law]" (Government Code Section 65915(e)(1)).

Easterly Side Yard Setbacks

Pursuant to LAMC Section 12.11-C,3 the project is required to provide 11-foot easterly side yard setbacks. The project has requested to provide a zero-foot easterly side yard. The additional 11 feet of building depth allows the project to accommodate the requested density of 170 dwelling units with 34 units set aside for affordable units and the requested floor area. Adherence to the 11-foot side yard setback would physically preclude the construction of the floor area granted in the incentives and prevent the construction of the units and floor area that currently encroach into the yard. Thus, waiver supports the applicant's decision to provide 34 units as affordable housing units with 26 reserved for Very Low Income Households and eight (8) units reserved for Low Income Households.

Building Separation

Pursuant to LAMC Section 12.21.C.2 the project is required to provide 22 feet of building separation. The project has requested reduced building separation between the existing buildings and the new building. Strict compliance with the building separation requirements would physically preclude the development by substantially reducing the footprint and floor area of the building that could otherwise be dedicated to the number, configuration, and livability of the units including the affordable housing units. Adherence to the existing building separation requirements would physically preclude the construction of the floor area granted in the incentives and prevent the construction of the units and floor area that currently encroach into the yard. Thus, waiver supports the applicant's decision to provide 34 units as affordable housing units with 26 reserved for Very Low Income Households and eight (8) units reserved for Low Income Households.

c. The Incentive(s) and/or Waivers will have a Specific Adverse Impact upon public health and safety or the physical environment or 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 general plan land use designation shall not constitute a specific adverse impact upon the public health or safety.

There is no evidence that the proposed incentives and waivers will have a specific adverse impact upon public health and safety or the physical environment, or any real property that is listed in the California Register of Historical Resources. 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 project does not involve a contributing structure in a designated Historic Preservation Overlay Zone or on the City of Los Angeles list of Historical-Cultural Monuments. Accordingly, the project will not have a significant impact on any on-site resource or any resource in the surrounding area. The property is not located on a substandard street in a Hillside area or in a Very High Fire Hazard Severity Zone, Methane Zone, or any other special hazard area; accordingly, the project will not have a specific adverse impact upon public health and safety or the physical environment. The project is required to comply with all other pertinent regulations including those governing construction, use, and maintenance, and will not create any significant direct impacts on public health and safety. Therefore, there is no substantial evidence that the proposed project, and thus the requested incentives and waivers, will have a specific adverse impact on the physical environment, on public health and safety or the physical environment, or on any Historical Resource.

d. The Incentive(s) and/or Waivers is/are contrary to State/federal law.

There is no substantial evidence in the record indicating that the requested Incentives and Waivers are contrary to any State or federal laws.

2. The project is consistent with and implements the affordable housing provisions of the Housing Element of the General Plan.

The City's Housing Element for 2021-2029 was adopted by the City Council on November 24, 2021, and is the City's blueprint for meeting housing and growth challenges. The Housing Element identifies the City's housing conditions and needs, reiterates goals, objectives, and policies that are the foundation of the City's housing and growth strategy, and provides the array of City programs to create sustainable, mixed- income neighborhoods across the City. The project supports the following goals and objectives of the Housing Element:

GOAL 1: "A City where housing production results in an ample supply of housing to create more equitable and affordable options that meet existing and projected needs"

Objective 1.2: "Facilitate the production of housing, especially projects that include Affordable Housing."

GOAL 3: "A City in which housing creates healthy, livable, sustainable, and resilient communities that improve the lives of all Angelenos."

Policy 3.1.3: "Develop and implement design standards that promote quality residential development."

Policy 3.1.7: "Promote complete neighborhoods by planning for housing that includes open space, and other amenities."

The project proposes a new mixed-use residential development with 170 housing units, with 34 units set aside for affordable units including 26 units reserved for Very Low Income Households and eight (8) units reserved for Low Income Households. Accordingly, the project fulfills the Housing Element goal of providing quality housing for all persons in the community. The project utilizes development incentives to provide a higher number of residential units than would otherwise be permitted, thereby facilitating the creation of a higher number of affordable units and addressing the need for affordable housing in the City. By providing housing in general and also affordable housing for Very Low Income households and Low Income Households, the project directly supports the goals, objectives, and policies of the Housing Element that relate to the provision of affordable housing. Therefore, the project is consistent with and implements the affordable housing provisions of the Housing Element of the General Plan.

1. The project contains the requisite number of Restricted Affordable Units, based on the number of units permitted by the maximum allowable density on the date of application.

The subject property is zoned C4-2D-SN, [Q]C4-2D-SN and R4-2D. The C4-2D-SN zone limits the project's density to one (1) dwelling unit per 200 square feet of lot area with a maximum Floor Area Ratio (FAR) of 2:1 (per "D" Limitation), the [Q]C4-2D-SN zone limits the project's density to one (1) dwelling unit per 200 feet of lot area with a maximum FAR of 2.3:1 (per "D" Limitation) and the R4-2D limits the density to one (1) dwelling unit per 400 square feet of lot area with a maximum FAR of 2:1 (per "D" Limitation). Therefore, with 32,628 square feet of lot area in the [Q]C4-2D-SN zone, 22,889 square feet of lot area in the C4-2D-SN zone and 13,632 square feet

of lot area in the R4-2D zone the subject property has a total base density of 347 dwelling units. Thus, pursuant to LAMC Section 12.22-A,25 the applicant is requesting an Off-Menu incentive to allow a FAR increase from and 2:3 to 3.88:1 FAR to allow 284,909 square feet in floor area. In exchange for reserving a portion of the units for affordable housing, the applicant is entitled to a maximum 35 percent density bonus by-right.

Table 1: Density Bonus Percentages

Very Low Income Units (Percentage of Base Density)	Maximum Density Bonus Permitted (Based on Base Density)
5 %*	20 %*
6 %*	22.5 %*
7 %*	25 %*
8 %*	27.5 %*
9 %*	30 %*
10 %*	32.5 %*
11 %*	35 %*

*Existing set-aside chart as listed in Section 12.22 A.25 of the LAMC

For the subject property, a 35 percent by-right density bonus would allow for 469 units (equal to an increase of 122 units beyond the base density of 347 units) to be constructed on the project site. As illustrated in Table 1 above, in order to qualify for the 35 percent by-right density bonus, the project would be required to set aside 11 percent of the base density, or 19 (18.7 rounded up) units, for Very Low Income Households. The project will provide 34 affordable units including 26 units for Very Low Income Households and eight (8) units for Low Income households in exchange for the requested Density Bonus. As such, the Density Bonus request results in 170 units with 34 affordable units.

2. The project meets any applicable dwelling unit replacement requirements of the California Government Code Section 65915(c)(3).

The proposed project proposes to demolish the two commercial buildings fronting Sunset Boulevard, the one-story vacant commercial building fronting on Vine Street, the one-story vacant commercial building fronting on Leland Way, and the one-story vacant duplex on Leland Way. The project would retain the existing nineteen-story tower located at the corner of Vine Street and Sunset Boulevard and the former Morgan Camera Shop building.

As such, pursuant to the Los Angeles Housing Department Determination letter ddated June 3, 2021, the Los Angeles Housing Department (LAHD) has determined that since at least 2016, the Property has been operating as multiple single-story commercial buildings, a luxury apartment building, and a residential duplex property; however, the proposed housing development will not result in the demolition of the existing apartment building or duplex, any existing protected units, or any other prohibited types of housing. Therefore, no SB 330 replacement affordable units are required.

3. The project's Restricted Affordable Units are subject to a recorded affordability restriction of 55 years from the issuance of the Certificate of Occupancy, recorded in a covenant acceptable to the Housing and Community Investment Department, and subject to fees as set forth in Section 19.14 of the LAMC.

The proposed project has been conditioned to record a covenant for affordability restriction of a period of 55 years from the issuance of the Certificate of Occupancy, to the satisfaction of the Housing and Community Investment Department, and subject to fees as set forth in Section 19.14 of the LAMC.

4. The project addresses the policies and standards contained in the City Planning Commission's Affordable Housing Incentives Guidelines.

The City Planning Commission approved the Affordable Housing Incentives Guidelines (under Case No. CPC-2005-1101-CA) on June 9, 2005. The Guidelines were subsequently approved by the City Council on February 20, 2008, as a component of the City of Los Angeles Density Bonus Ordinance. The Guidelines describe the density bonus provisions and qualifying criteria, incentives available, design standards, and the procedures through which projects may apply for a density bonus and incentives. LAHD utilizes these Guidelines in the preparation of Housing Covenants for Affordable Housing Projects. The Guidelines prescribe that the design and location of affordable units be comparable to the market rate units, the equal distribution of amenities, LAHD monitoring requirements, affordability levels, and procedures for obtaining LAHD sign-offs for building permits.

The project will result in 170 new dwelling units, with 34 units set aside as affordable units (26 for Very Low Income households and eight (8) for Low Income Households). All residents of the proposed project will have access to all common and open space amenities within the building. The restricted units will comply with affordability requirements in the Guidelines set for the by LAHD in conformance with US Department of Housing and Urban Development (HUD). Additionally, as part of the building permit process, the applicant will execute a covenant to the satisfaction of LAHD who will ensure compliance with the Guidelines. Therefore, the project will address the policies and standards contained in the Guidelines.

Main Conditional Use Findings

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

10. 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 proposes the development of a new mixed-use building comprised of 170 dwelling units, and up to 16,680 square feet of ground floor commercial space located along Sunset Boulevard and Vine Street. The proposed uses would be located within an eight-story building with a maximum building height of 98 feet. A total of 284 new vehicle parking spaces will be provided within two (2) subterranean levels and two-partial above grade levels. The project requests a Main Conditional Use Permit to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption at future restaurants and/or retail establishments totaling 16,680 square feet in floor area.

The proposed development will continue to contribute to the variety of restaurants and retail establishments with the ancillary service of selling alcoholic beverages to the surrounding community. The proposed addition in licensing privileges at this location will allow the business to develop economically and meet the needs of local residents who benefit from having said use located within walking distance of their place of employment or residence and also tenants of the subject property alike. This results in a use which is both proper and positive in its relation to adjacent uses. The sale and dispensing of alcohol for on-site consumption will allow the subject project to be competitive with other alcohol selling establishments in the Hollywood area and allow visitors to have various options for dining and retail establishments that cater to customers that would like to purchase alcohol.

The sale of alcoholic beverages for on-site consumption, in conjunction with the mixed-use development, will increase the economic vitality of the area by providing the addition of alcoholic beverages for on-site sale, dispensing and consumption for nearby residents who do not want to travel a far distance for these kinds of services. In doing so, the establishment will serve as a desirable and vibrant neighborhood serving commercial use. The project would continue to bring an active neighborhood serving use to the project site and to the greater Hollywood area. Thus, the project will both provide a valuable community service and enhance the physical environment. Furthermore, the grant to allow the sale and dispensing of alcohol for consumption on-site has been well conditioned to ensure that the use will not adversely impact neighboring residents or other sensitive uses. As such, the project will enhance the built environment in the surrounding neighborhood and will provide a service that is beneficial to the community, city, and region.

11. **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 a rectangular-shaped site comprised of four (4) parcels, totaling 75,938 square feet in lot area with an existing 19-story tower located at the corner of Vine Street and Sunset Boulevard with 64 live-work units and 9,263 square feet of ground floor retail; a one-story commercial building fronting on Sunset Boulevard occupied by a restaurant space; a two-story commercial building along Sunset Boulevard occupied by two (2) restaurant spaces; a two-story vacant commercial building (formerly Morgan Camera Shop) along Sunset Boulevard; a one-story vacant commercial building fronting on Vine Street; a one-story vacant commercial building fronting on Leland Way; and a one-story vacant duplex building on Leland Way. As part of the Project, the two (2) commercial buildings fronting Sunset Boulevard, the one-story vacant commercial building fronting on Vine Street, the one-story vacant commercial building fronting on Leland Way, and the one-story vacant duplex on Leland Way would be demolished. The project would retain the existing nineteen-story tower located at the corner of Vine Street and Sunset Boulevard and the former Morgan Camera Shop building.

The surrounding area primarily consists of multi-story commercial uses along with medium residential and parking uses. Properties to the north, across Sunset Boulevard, are zoned C4-2D-SN with a land use designation of Regional Center Commercial and developed with multi-story commercial buildings including a bank at the corner of Vine Street and Sunset Boulevard and a multi-story commercial tower located along Sunset Boulevard. Properties to the east, abutting the subject property, are zoned (Q)C4-2D-SN and C4-2D-SN with a land use designation of Regional Center Commercial and developed with a one-story commercial building and a multi-story mixed-use residential development. Properties to the south, across Leland Avenue, are zoned C4-2D-SN and R4-2D with a land use designation of Regional Center Commercial and developed with a one-story commercial building, a surface parking lot, and a three-story medium residential building. Properties to the west, across Vine Street, are zoned C4-2D-SN with a land use designation of Regional Center Commercial and developed with three to four story commercial buildings including a bank, theatre, and a seven-story parking structure.

The proposed project involves a Main Conditional Use Permit to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption at future restaurants and/or retail establishments totaling 16,680 square feet. The sale and dispensing of alcoholic beverages for on-site consumption will be ancillary to the dining and/or retail tenants which is an amenity that is common in the City of Los Angeles.

Furthermore, numerous conditions have been imposed to prevent adverse impacts to the neighborhood. Conditions address responsible management, nuisance, surveillance and training. In addition, the Alcoholic Beverage Control will impose their own set of conditions, which the applicant will also be subject to. 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 of the community.

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

The elements of the General Plan establish policies that provide for the regulatory environment in managing the City and for addressing concerns and issues. The majority of the policies derived from these Elements are in the form of Code Requirements of the Los Angeles Municipal Code (LAMC). Except for the entitlement described herein, the project does not propose to deviate from any of the requirements of the LAMC.

The Project Site has a land use designation of Regional Center Commercial, consistent with surrounding properties. The project is consistent with the Regional Center land use designation, which is intended to provide for commercial uses, including residential uses. The Hollywood Community Plan text is silent with regards to alcohol sales. In such cases, the decision-maker must interpret the intent of the plan. The sale of a full line of alcoholic beverages in conjunction with restaurants and/or retail uses would be consistent with the following objectives of the Community Plan:

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

***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 Project Site is located within the Hollywood Center, as identified by the Community Plan. The Community Plan encourages new uses, which strengthen the economic well-being and promote development of Hollywood as a major center of population, employment, retail service and entertainment. Nearby attractions include the Hollywood & Highland complex, the Hollywood Walk of Fame, TCL Chinese Theatre, Dolby Theatre, Pantages Theater, Palladium Theater, etc., promoting visitors to the area for business, entertainment events such as the Academy Awards and tourism. The Project would provide commercial uses and restaurants with alcohol to further the existing activity within the heart of Hollywood thus promoting the development of Hollywood as a major center of population, employment, retail service and entertainment, and economic well-being and public convenience through the allocation and distribution commercial lands for retail service.

The project follows an established pattern of zoning and land use that is consistent and compatible with other properties and uses in the surrounding area, which is a walkable and accessible through public transit boulevard which includes a variety of industrial and commercial uses. Thus, the project substantially conforms with the purpose, intent, and provisions of the General Plan and the Community Plan.

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

The project proposes the development of a new mixed-use building comprised of 170 dwelling units, and up to 16,680 square feet of ground floor commercial space located along Sunset Boulevard and Vine Street. The proposed uses would be located within an eight-story building with a maximum building height of 98 feet. A total of 284 new vehicle parking spaces will be provided within two (2) subterranean levels and two-partial above grade levels. The project

requests a Main Conditional Use Permit to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption at future restaurants and/or retail establishments totaling 16,680 square feet in floor area.

The subject property is located directly within the Hollywood Center, as well as adjacent to various hotel, tourist attractions and entertainment uses. Multi-family residential is also located in the vicinity of the Project Site. A variety of commercial uses are an intrinsic part of the service amenities necessary for the conservation, development, and success of a vibrant neighborhood, especially entertainment districts, such as the Hollywood Center. As the Hollywood Center is one of the entertainment destinations in the region, alcohol services are common in the vicinity, and even necessary for the entertainment uses in the area. The surrounding area is characterized by various alcohol related uses and the introduction of another such establishment would not create an adverse or unique condition. As conditioned, the sale of a full line of alcoholic beverages for on-site consumption in conjunction with the operation of new commercial establishments located on the Project Site will not adversely affect the welfare of the pertinent community. Negative impacts commonly associated with the sale of alcoholic beverages, such as criminal activity, public drunkenness, escort services, and loitering are mitigated by the imposition of conditions requiring deterrents against loitering and responsible management.

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.

In addition, the City Planning Commission has imposed numerous conditions to protect the community from adverse potential impacts. The applicant is proposing the sale and dispensing of a full line of alcoholic beverages for on-site consumption within the restaurant/retail ground floor uses of the proposed mixed-use building. All activity occurring on the subject premises will be required to adhere to the imposed conditions. Additional conditions have been included to ensure the operation provides adequate security measures, including a surveillance system, adherence to the City's Noise Ordinance, and responsible management practices. The City's conditions of approval and any conditions by the California Department of Alcoholic Beverage Control are intended to protect the public health, welfare, and safety of the community. Therefore, it is expected that the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with the proposed development will not adversely affect the welfare of the pertinent community.

- 14. 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 California Department of Alcoholic Beverage Control ("ABC") licensing criteria, eight (8) on-sale and one (1) off-sale alcoholic beverage licenses are allocated to subject Census Tract No. 1908.01. Data provided on the ABC's License Query System indicates that there are currently 16 existing on-site and four (4) existing off-site licenses within this Census Tract.

Concentration can be undue when the addition of a license will negatively impact a neighborhood. However, concentration is not undue when the approval of a license provides a public service and benefits the community. In this case, the granting of the application will not result in undue concentration as the project provides a convenient amenity for the community. The project involves an existing restaurant. In active commercial areas where there is a demand for licenses beyond the allocated number, the ABC has recognized that high-activity retail and commercial centers are supported by significant employee population, in addition to the increasing resident population base in 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. The project will enable the continued provision of a valuable neighborhood serving amenity and provide a desirable service on a major commercial corridor within the Hollywood area.

According to statistics provided by the Los Angeles Police Department's Hollywood Division Unit, within the Crime Reporting District. 666, which has jurisdiction over the subject property, a total of 140 crimes and arrests were reported in 2023, including 128 for Part I Crimes and 12 Part for II Arrests, compared to the Citywide average of 162 crimes and arrests, and compared to the High Crimes average of 194 crimes for the same reporting period. Alcohol-related Part II crimes reported by LAPD include, Narcotic Drug Laws (1), Liquor Laws (0), Public Drunkenness (0), Disturbing the Peace (0), Disorderly Conduct (0), and Driving Under the Influence (0). These numbers do not reflect the total number of arrests in the subject reporting district over the accountable year. Arrests for this calendar year may reflect crimes reported in previous years.

The above statistics indicate that the crime rate in the reporting district where the subject site is located is lower than the citywide average and no evidence submitted for the record establishing any nexus between the subject site and the area's crime rate. The project will not adversely affect public welfare because it is a desirable use and convenient amenity in an area designated for such neighborhood- and regional-serving commercial uses. Nevertheless, conditions such as those related to the STAR/LEAD/RBS Program, age verification, and security cameras, have been imposed by the Zoning Administrator in conjunction with this approval. Public safety measures to minimize nuisance and criminal activities have been incorporated into the grant to assure better oversight. Further conditions may be imposed by the California Department of Alcoholic Beverage Control as conditions on the alcohol license. Therefore, as conditioned, the use is not expected to contribute to the area's crime rate or generate any nuisance activity and will not result in an undue concentration of establishments providing alcoholic beverages.

15. 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 zoned for commercial uses and will continue to be utilized as such with the continued operation of an existing movie theater. There are sensitive uses and alcohol-serving establishments are located within a 1,000-foot radius of the site.

Consideration has been given to the distance of the subject establishment from the above-referenced sensitive use. The grant has been well-conditioned, which should protect the health, safety, and welfare of the surrounding neighbors. The potential effects of excessive noise or disruptive behavior have been considered and addressed by imposing conditions related to noise and loitering. The project is consistent with the zoning and in keeping with the existing uses adjacent to the development. This project will continue to contribute to the Hollywood neighborhood and will continue to serve the neighboring residents, local employees, and visitors

alike. Therefore, as conditioned, the project will not detrimentally affect residentially-zoned properties or any other sensitive uses in the area.

Site Plan Review Findings

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

The Los Angeles General Plan sets forth goals, objectives, and policies 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, Housing, Transportation/Mobility, Noise, and Safety. Each of these Elements establishes policies that provide for the regulatory environment in managing the City and for addressing environmental concerns and problems. The majority of the policies derived from these Elements are in the form of Code Requirements of the Los Angeles Municipal Code. 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. While the General Plan sets out a long-range vision and guide to future development, the 35 Community Plans provide the specific, neighborhood-level detail, relevant policies, and implementation strategies necessary to achieve the General Plan objectives. The project site is located in the Hollywood Community Plan area and is not subjected to any applicable specific plans.

Hollywood Community Plan

The project site is located within the Hollywood Community Plan, which is one of 35 Community Plans which together form the land use element of the General Plan. The Community Plan designates the site for Regional Center Commercial land uses with corresponding zones of C2, C4, P, PB, RAS3 and RAS4. The project site is zoned C4-2D-SN, [Q]C4-2D-SN and R4-2D (as shown in Figure 4 below) and is thus consistent with the existing land use designation. The subject property totals 75,938 square feet and has approximately 73,438 square feet of buildable area.

The proposed project is consistent with the following goals, objectives and policies of the 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."

Objective 6: "To make provision for a circulation system coordinated with land uses and densities and adequate to accommodate traffic; and to encourage the expansion and improvement of public transportation service."

The proposed project protects the surrounding residential neighborhoods from encroachment by higher density residential uses by allowing for the development of a 170-unit (including 26 units reserved for Very Low Income Households and eight (8) units for Low Income Households), mixed-use residential building within a commercially zoned property various multi story residential buildings and close proximity to commercial uses. The project increases the housing stock and satisfies the needs and desires of all economic segments of the community by maximizing the opportunity for individual housing choice with the provision of affordable units.

The **Framework Element** for the General Plan (Framework Element) was adopted by the City of Los Angeles in December 1996 and re-adopted in August 2001. The Framework Element provides guidance regarding policy issues for the entire City of Los Angeles, including the project

site. The Framework Element also sets forth a Citywide comprehensive long-range growth strategy and defines Citywide polices regarding such issues as land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services. The Framework Element includes the following goals, objectives and policies relevant to the instant request:

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 liveable city.

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

Policy 3.1.4: Accommodate new development in accordance with land use and density provisions of the General Plan Framework Long-Range Land Use Diagram.

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 3.2.1: Provide a pattern of development consisting of distinct districts, centers, boulevards, and neighborhoods that are differentiated by their functional role, scale, and character. This shall be accomplished by considering factors such as the existing concentrations of use, community-oriented activity centers that currently or potentially service adjacent neighborhoods, and existing or potential public transit corridors and stations.

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.

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

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

The proposed project will result in the development of a mixed-use residential building that will provide 170 dwelling units, including 34 units reserved for affordable units, thereby contributing toward and facilitating the City's long-term housing demands and vision for a more liveable city.

Additionally, the project site has convenient access to a variety of public transit options provided by the Los Angeles Metropolitan Transit Authority (Metro) and the Los Angeles Department of Transportation (LADOT). The project site is located approximately 0.3 miles south of the Los Angeles County Metropolitan Transportation Authority's (Metro) B Line Hollywood/Vine Station. The station serves Metro's B Line, which travels between Union Station in downtown Los Angeles and North Hollywood at 10-minute intervals throughout the day. In addition, the project site is served by bus lines along Vine Street and Sunset Boulevard that are operated by Metro and LADOT DASH services bus lines. The project site is also located adjacent to Metro Local Bus stops that service Routes 2, 302, and 210 as well as bus lines that operate in the vicinity of the Project Site include Metro Bus Lines 4, 180/181, 212, 217, 222, 302, 312, 704, and 780, as well as LADOT DASH Beach Canyon, Hollywood, and Hollywood/Wilshire bus lines.

The project site is currently occupied by commercial, residential and vacant uses. The development of the site will enable the City to conserve nearby existing stable residential neighborhoods and lower-intensity commercial districts by allowing controlled growth away from such neighborhoods and districts. Therefore, the proposed 170-unit residential building is consistent with the Distribution of Land Use goals, objectives and policies of the General Plan Framework Element.

The proposed mixed-use residential development increases the current housing stock with a mixed-use residential building that will provide 170 units as well as ground floor commercial uses that will help supply the diverse economic and physical needs of residents in the Hollywood Community Plan area. The project will also enhance the appearance of the surrounding neighborhood as it implements good urban design practices and aligns with the Citywide Design Guidelines such as landscaping that is visible from the street, commercial ground floor uses and street trees. The project's architecture will enhance the visual appearance of the community and it has been designed and conditioned to enhance the public realm with conditions regulating landscaping and street trees and provide a safe environment for pedestrians by enabling increased eyes on the street through the commercial uses proposed along the frontage of the property. The project includes two (2) driveways along Leland Way. Therefore, the project is consistent with the Hollywood Community Plan.

The **Housing Element** of the General Plan (2021-2029) is the City's blueprint for meeting housing and growth challenges. It identifies the City's housing conditions and needs, reiterates goals, objectives, and policies that are the foundation of the City's housing and growth strategy, and provides the array of programs the City has committed to implement to create sustainable, mixed-income neighborhoods across the City. The Housing Element includes the following objectives and policies relevant to the instant request:

GOAL 1: "A City where housing production results in an ample supply of housing to create more equitable and affordable options that meet existing and projected needs"

Objective 1.2: "Facilitate the production of housing, especially projects that include Affordable Housing."

GOAL 3: "A City in which housing creates healthy, livable, sustainable, and resilient communities that improve the lives of all Angelenos."

Policy 3.1.3: "Develop and implement design standards that promote quality residential development."

Policy 3.1.7: “Promote complete neighborhoods by planning for housing that includes open space, and other amenities.

The proposed project implements the Housing Element by increasing the housing supply consistent with the Community Commercial land use designation. The subject site consists commercial, residential and vacant uses. The approval of the request permits 170 units with 34 units side aside for affordable housing units. As such, the project would achieve the production of new housing opportunities, meeting the needs of the city, while ensuring a range of different housing types (studio, one- and two-bedroom rental units) that address the needs of the city’s households. Therefore, the project is consistent with the Housing Element goals, objectives and policies of the General Plan.

The **Mobility Element** of the General Plan (Mobility Plan 2035) will not be affected by the recommended action herein. Sunset Boulevard, adjoining the subject property to the north, is designated as an Avenue I with a designated Right-of-Way width of 100 feet and designated Roadway width of 70 feet. Sunset Boulevard currently has a 50-foot half right of way and no dedication would be required. Vine Street, adjoining the subject property to the east, is designated as an Avenue II with a designated Right-of-Way width of 86 feet and designated Roadway width of 56 feet. Vine Street currently has a 40-50 foot half right of way. The portion of Vine Street with a 40-foot half right of way fronts the existing tower to remain and no dedication would be required for that section of Vine Street given the existing building. Leland Way, adjoining the subject property to the south, is designated as a Local Street – Standard with a designated Right-of-Way width of 60 feet and designated Roadway width of 30 feet. Leland Way abutting the Site currently has a 20- to 30-foot half right of way. A 10-foot dedication would be provided for the portion of Leland Way with an existing 20-foot half right-of-way. The project as designed will support the development of these Networks and meets the following policy objectives of Mobility Plan 2035:

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.

The building includes parking within two (2) subterranean parking levels and two (2) partial above grade parking levels. Parking can be accessed from two (2) egress and ingress driveways located along Leland Way.

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 3.7: Improve transit access and service to major regional destinations, job centers, and inter-modal facilities.

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

Furthermore, the project site is located approximately 0.3 miles south of the Los Angeles County Metropolitan Transportation Authority’s (Metro) B Line Hollywood/Vine Station. The station serves Metro’s B Line, which travels between Union Station in downtown Los Angeles and North

Hollywood at 10-minute intervals throughout the day. In addition, the project site is served by bus lines along Vine Street and Sunset Boulevard that are operated by Metro and LADOT DASH services bus lines. The project site is located adjacent to Metro Local Bus stops that service Routes 2, 302, and 210. Additional bus lines that operate in the vicinity of the Project Site include Metro Bus Lines 4, 180/181, 212, 217, 222, 302, 312, 704, and 780, as well as LADOT DASH Beach Canyon, Hollywood, and Hollywood/Wilshire bus lines.

The proposed development will provide 284 total parking spaces, with 205 residential spaces and 79 commercial spaces. The building includes parking within two (2) subterranean parking garages, one (1) ground level parking garage and one (1) above ground parking garage for a total of four levels of parking. Parking can be accessed from two (2) egress and ingress driveways located along Leland Way. One driveway will be specifically for retail parking and the second driveway will be for residential parking only. Furthermore, the proposed project will also provide 19 short term bicycle parking spaces and 119 long term bicycle parking spaces. Bicycle parking will be provided within the two subterranean parking garages as well as on the exterior of the building along Sunset Boulevard, Vine Street and Leland Way

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

As conditioned, all electric vehicle charging spaces (EV Spaces) and electric vehicle charging stations (EVCS) shall comply with the regulations outlined in Section 99.04.106 of Article 9, Chapter IX of the LAMC to immediately accommodate electric vehicles within the parking areas.

Therefore, the project is consistent with Mobility Plan 2035 goals, objectives and policies of the General Plan.

The **Air Quality Element** of the General Plan will be implemented by the recommended action herein. The Air Quality Element sets forth the goals, objectives and policies which will guide the City in the implementation of its air quality improvement programs and strategies. The Air Quality Element recognizes that air quality strategies must be integrated into land use decisions and represent the City's effort to achieve consistency with regional Air Quality, Growth Management, Mobility and Congestion Management Plans. The Air Quality Element includes the following Goal and Objective relevant to the instant request:

Goal 5: Energy efficiency through land use and transportation planning, the use of renewable resources and less polluting fuels, and the implementation of conservation measures including passive methods such as site orientation and tree planting.

Objective 5.1: It is the objective of the City of Los Angeles to increase energy efficiency of City facilities and private developments.

As conditioned, the project shall provide a solar-ready roof in compliance with the Los Angeles Municipal Green Building Code, Section 99.04.211.1. Therefore, the project is in conformance with the goals and policies of the Air Quality Element.

Therefore, the project is in substantial conformance with the purposes, intent and provisions of the General Plan and does not conflict with any applicable regulations or standards.

- 6. 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 subject property is a rectangular-shaped site comprised of four (4) parcels, totaling 75,938 square feet in lot area with an existing 19-story tower located at the corner of Vine Street and Sunset Boulevard with 64 live-work units and 9,263 square feet of ground floor retail; a one-story commercial building fronting on Sunset Boulevard occupied by a restaurant space; a two-story commercial building along Sunset Boulevard occupied by two (2) restaurant spaces; a two-story vacant commercial building (formerly Morgan Camera Shop) along Sunset Boulevard; a one-story vacant commercial building fronting on Vine Street; a one-story vacant commercial building fronting on Leland Way; and a one story vacant duplex building on Leland Way. As part of the Project, the two (2) commercial buildings fronting Sunset Boulevard, the one-story vacant commercial building fronting on Vine Street, the one-story vacant commercial building fronting on Leland Way, and the one-story vacant duplex on Leland Way would be demolished. The Project would retain the existing nineteen-story tower located at the corner of Vine Street and Sunset Boulevard and the former Morgan Camera Shop building.

The project site is zoned C4-2D-SN, [Q]C4-2D-SN and R4-2D within the Hollywood Community Plan with a Regional center Commercial land use designation. The surrounding area primarily consists of multi-story commercial uses along with medium residential and parking uses. Properties to the north, across Sunset Boulevard, are zoned C4-2D-SN with a land use designation of Regional Center Commercial and developed with multi-story commercial buildings including a bank at the corner of Vine Street and Sunset Boulevard and a multi-story commercial tower located along Sunset Boulevard. Properties to the east, abutting the subject property, are zoned (Q)C4-2D-SN and C4-2D-SN with a land use designation of Regional Center Commercial and developed with a one-story commercial building and a multi-story mixed-use residential development. Properties to the south, across Leland Avenue, are zoned C4-2D-SN and R4-2D with a land use designation of Regional Center Commercial and developed with a one-story commercial building, a surface parking lot, and a three-story medium residential building. Properties to the west, across Vine Street, are zoned C4-2D-SN with a land use designation of Regional Center Commercial and developed with three to four story commercial buildings including a bank, theatre, and a seven-story parking structure.

The proposed project involves the demolition of four (4) commercial buildings and a vacant duplex and the construction of a new 201,134 square-foot, eight-story mixed-use building consisting of 170 new residential units with 26 units set aside for Very Low Income Households and an additional eight (8) units set aside for Low Income Households. The proposed building will contain 16,680 square feet of commercial space on the ground floor. Additionally, the project proposed to retain the existing 19-story tower located at the corner of Vine Street and Sunset Boulevard and a two-story commercial building (Morgan Camera Shop building). The project would provide a total 284 new parking spaces within two (2) screened above grade parking levels and two (2) subterranean levels and 24,997 square feet of open space.

The existing tower contains a unit mix of 56 studios and eight (8) two-bedroom units for a total of 64 units. The proposed eight-story building will consist of 28 studios, 96 one-bedroom units and 46 two-bedroom units for a total of 170 units. The existing units and the proposed units combined total 234 residential units with 34 units set aside for affordable units including 26 units set aside for Very Low Income Households and eight (8) units set aside for Low Income Households

The proposed development will provide 284 total parking spaces, with 205 residential spaces and 79 commercial spaces. The building includes parking within two (2) subterranean parking garages, one (1) ground level parking garage and one (1) above ground parking garage for a total

of four (4) levels of parking. Parking can be accessed from two (2) egress and ingress driveways located along Leland Way. One driveway will be specifically for retail parking and the second driveway will be for residential parking only. Furthermore, bicycle parking will also be provided within the two subterranean parking garages as well as on the exterior of the building along Sunset Boulevard, Vine Street and Leland Way.

Height

The project site is zoned C4-2D-SN, [Q]C4-2D-SN and R4-2D. The Height District 2 allows for unlimited height in the R4 and C4 zones. The proposed eight-story mixed-use residential building will be 98 feet in height.

The building height is compatible with the existing development in the immediate surrounding area and the zoning for the surrounding area. Therefore, in conjunction with the density bonus, conditional use, and site plan review requests, and consideration of other development in the area, the project is consistent with the surrounding area.

Bulk

The project site is zoned C4-2D-SN, [Q]C4-2D-SN and R4-2D. The C4-2D-SN Zone limits the project's density to one (1) dwelling unit per 200 square feet of lot area with a maximum Floor Area Ratio (FAR) of 2:1 (per "D" Limitation), the [Q]C4-2D-SN Zone limits the project's density to one (1) dwelling unit per 200 feet of lot area with a maximum FAR of 2.3:1 (per "D" Limitation) and the R4-2D limits the density to one (1) dwelling unit per 400 square feet of lot area with a maximum FAR of 2:1 (per "D" Limitation). Therefore, with 32,628 square feet of lot area in the [Q]C4-2D-SN zone, 22,889 square feet of lot area in the C4-2D-SN Zone and 13,632 square feet of lot area in the R4-2D Zone the subject property has a total base density of 347 dwelling units. Thus, pursuant to LAMC Section 12.22-A,²⁵ the applicant is requesting an Off-Menu incentive to allow a FAR increase from and 2:3 to 3.88:1 FAR to allow 284,909 square feet in floor area. As such, the project complies with the required FAR.

The bulk of the subject project is consistent with the existing development in the immediate surrounding area and with the underlying C4 and R4 zones. Therefore, in conjunction with the density bonus, conditional use, and site plan review requests, and consideration of other development in the area, the project is consistent with the surrounding area.

Setbacks

The project site is zoned C4-2D-SN, [Q]C4-2D-SN and R4-2D. Pursuant to LAMC Section 12.11-C,³ the project is required to provide 11-foot easterly side yard setbacks. The project has requested a waiver of development standard to provide a zero-foot easterly side yard. The additional 11 feet of building depth allows the project to accommodate the requested density of 170 dwelling units with 26 units set aside for Very Low Income Households and eight (8) units set aside for Low Income Households and the requested floor area.

The reduction in the required easterly side yard setbacks is permitted through the Density Bonus Waivers of Development Standards and the LAMC. As such, the project complies with the required setbacks.

Furthermore, the project will comply with the setback requirements for the front and rear yard setbacks which requires a zero-foot front yard set back for the C4 Zone, a 15-foot front yard for the R4 Zone and no rear yard for both zones. As such, the project is in compliance with the C4 and R4 Zones.

The setbacks of the subject project are consistent with the existing development in the immediate surrounding area and with the underlying C4 and R4 Zones. Therefore, in conjunction with the density bonus, conditional use, and site plan review requests, and consideration of other development in the area, the project is consistent with the surrounding area.

Parking

Pursuant to LAMC Section 12.22-A,25(d), Parking Option 4, there are no minimum automobile parking requirements for the proposed project as it is located within one-half mile of a Major Transit Stop and subject to Assembly Bill 2097 which allows the project to provide no minimum parking. The proposed development will provide 284 total parking spaces, with 205 residential spaces and 79 commercial spaces. The building includes parking within two (2) subterranean parking garages, one (1) ground level parking garage and one (1) above ground parking garage for a total of four (4) levels of parking. Parking can be accessed from two (2) egress and ingress driveways located along Leland Way. One driveway will be specifically for retail parking and the second driveway will be for residential parking only.

The proposed driveways will not interrupting the commercial uses, lobby amenities, and pedestrian entrances to the building along the facade of the project. Therefore, the parking will be compatible with the existing and future developments in the area.

Lighting

Lighting is required to be provided per LAMC requirements. The project proposes security lighting will be provided to illuminate the building, entrances, walkways and parking areas. As conditioned, the project is required to provide outdoor lighting with shielding, so that the light source cannot be seen from adjacent residential properties. Therefore, the lighting will be compatible with the existing and future developments in the neighborhood.

On-Site Landscaping

The proposed eight-story building will consist of 28 studios, 96 one-bedroom units and 46 two-bedroom units for a total of 170 units. The project provides a total of 24,997 square feet of open space, including indoor and outdoor amenities for residents. The project provides 7,944 square feet of private balconies, 12,515 square feet of outdoor courtyards, 4,538 square feet of amenities, approximately 17,053 square feet of common open space and 2,269 square feet of landscaped open space areas. Additionally, the project will provide a total of 57 trees throughout the project which is 14 trees more than the required 43 trees.

The project has been conditioned so that all open areas not used for buildings, driveways, parking areas, recreational facilities or walks will be landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect. The planting of any required trees and street trees will be selected and installed per the Bureau of Street Services, Urban Forestry Divisions' requirements. Therefore, the on-site landscaping will be compatible with the existing and future developments in the neighborhood.

Loading/Trash Area

The project will include on-site trash collection for both refuse and recyclable materials, in conformance with the LAMC. Compliance with these regulations will allow the project to be compatible with existing and future development. Additionally, the service area for trash collection is to be located in the parking garage at the ground level. Therefore, as proposed and conditioned, the project is compatible with existing and future development on neighboring properties.

As described above and as depicted within the plans and elevations submitted with the instant application, the project is an eight-story mixed-use residential development, with parking on-site for residents and commercial parking spaces, lighting, landscaping, trash collection, and other pertinent improvements, that is compatible with existing and future development in the surrounding area.

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

The proposed project consists of 170 new dwelling units including 28 studios, 96 one-bedroom units and 46 two-bedroom units. Therefore the project is required to provide 18,150 square feet of open space and exceeds this requirement by providing a total of 24,997 square feet of open space, including indoor and outdoor amenities for residents. The project provides 7,944 square feet of private balconies, 12,515 square feet of outdoor courtyards, 4,538 square feet of amenities, approximately 17,053 square feet of common open space and 2,269 square feet of landscaped open space areas. Additionally, the project will provide a total of 57 trees throughout the project which is 14 trees more than the required 43 trees.

As such, the project provides recreational and service amenities to improve habitability for its residents and minimize impacts on neighboring properties.

Environmental Findings

16. SCEA. The City of Los Angeles finds that the proposed project complies with the requirements of CEQA for using a SCEA as authorized pursuant to Public Resources Code Section 21155.2(b). The City of Los Angeles has determined that:

The Project is a Transit Priority Project (TPP) pursuant to PRC Section 21155:

- a. The Project is consistent with the general use designation, density, building intensity, and applicable policies specified in the project area in the current SCAG RTP/SCS.
- b. The Project contains at least 50 percent residential use, based on total building square footage, and if the project contains between 26 percent and 50 percent non-residential uses, a floor area ratio of not less than 0.75;
- c. The Project provides a minimum net density of at least 20 dwelling units per acre;
- d. The Project is within one-half mile of a major transit stop or high-quality transit corridor included in a regional transportation plan, consistent with PRC Section 21155(b). A major transit stop means a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods. A high-quality transit corridor means a corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours.

The Transit Priority Project has incorporated all feasible mitigation measures, performance standards, or criteria set forth in the following prior applicable EIRs: SCAG's 2020-2045 RTP/SCS EIR.

An initial study has been prepared and circulated in compliance with PRC Section 21155.2(b). A public hearing on the SCEA, and all comments received on the SCEA, will be considered by the City Planning Commission prior to SCEA adoption and approval of the Project.

All potentially significant or significant effects required to be identified in the initial study have been identified and analyzed.

With respect to each significant effect on the environment required to be identified in the initial study, either of the following apply:

- i. Changes or alterations have been required in or incorporated into the project that avoid or mitigate the significant effects to a level of insignificance.
- ii. Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.

17. Flood Insurance. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located outside of a flood zone.



LOS ANGELES CITY PLANNING APPEAL FILING PROCEDURES

Entitlement and CEQA appeals may be filed using either the Online Application System (OAS) or in person Drop Off at DSC (Development Services Center).

Online Application System: The OAS (<https://planning.lacity.org/oas>) allows appeals to be submitted entirely electronically online; fee payment is by credit card or e-check.

Drop off at DSC: Appeals of this determination can be submitted in person at the Metro or Van Nuys DSC locations, and payment can be made by credit card or check. City Planning has established drop-off areas at the DSCs with physical boxes where appellants can drop off appeal applications; alternatively, appeal applications can be filed with staff at DSC public counters. Appeal applications must be on the prescribed forms, and accompanied by the required fee and a copy of the determination letter. Appeal applications shall be received by the DSC public counter and paid for on or before the above date or the appeal will not be accepted.

Forms are available online at <http://planning.lacity.org/development-services/forms>. Public offices are located at:

Metro DSC

(213) 482-7077

201 N. Figueroa Street

Los Angeles, CA 90012

Van Nuys DSC

(818) 374-5050

6262 Van Nuys Boulevard

Van Nuys, CA 91401

West Los Angeles DSC

(CURRENTLY CLOSED)

(310) 231-2901

1828 Sawtelle Boulevard

West Los Angeles, CA 90025

City Planning staff may follow up with the appellant via email and/or phone if there are any questions or missing materials in the appeal submission, to ensure that the appeal package is complete and meets the applicable Los Angeles Municipal Code provisions.

An appeal application must be submitted and paid for before 4:30 PM (PST) on the final day to appeal the determination. Should the final day fall on a weekend or legal City holiday, the time for filing an appeal shall be extended to 4:30 PM (PST) on the next succeeding working day. Appeals should be filed early to ensure that DSC staff members have adequate time to review and accept the documents, and to allow appellants time to submit payment.



QR Code to Online Appeal Filing



QR Code to Forms for In-Person Filing