

**PLANNING DEPARTMENT TRANSMITTAL
TO THE CITY CLERK'S OFFICE**

CITY PLANNING CASE:	ENVIRONMENTAL DOCUMENT:	COUNCIL DISTRICT:
CPC-2019-7320-VZC-HD-CU-SPR-RDP	ENV-2019-7321-MND	2 – Krekorian
PROJECT ADDRESS:		
5444-5458 North Vineland Avenue, 5437-5451 North Cleon Avenue		
APPLICANT	TELEPHONE NUMBER:	EMAIL ADDRESS:
Kelly McKone, 1784 Capital Holdings, LLC 8777 North Gainey Center Drive Scottsdale, AZ 85258	626-813-5375	kmckone@1784holdings.com
<input type="checkbox"/> New/Changed		
APPLICANT'S REPRESENTATIVE	TELEPHONE NUMBER:	EMAIL ADDRESS:
Shane Swerdlow, Craig Lawson & Co, LLC 3221 West Hutchison Avenue Los Angeles, CA 90034	(310-838-2400	shane@craiglawson.com
APPELLANT	TELEPHONE NUMBER:	EMAIL ADDRESS:
N/A	N/A	N/A
APPELLANT'S REPRESENTATIVE	TELEPHONE NUMBER:	EMAIL ADDRESS:
N/A	N/A	N/A
PLANNER CONTACT INFORMATION:	TELEPHONE NUMBER:	EMAIL ADDRESS:
JoJo Pewsawang, City Planner	(213) 978-1214	jojo.Pewsawang@lacity.org
ENTITLEMENTS FOR CITY COUNCIL CONSIDERATION		
Vesting Zone Change (VZC); Height District (HD); Mitigated Negative Declaration (MND)		

FINAL ENTITLEMENTS NOT ADVANCING:

Conditional Use (CU); Site Plan Review (SPR); Redevelopment Plan Project Compliance (RDP)

ITEMS APPEALED:

N/A

ATTACHMENTS:**REVISED:****ENVIRONMENTAL CLEARANCE:****REVISED:**

- Letter of Determination
- Findings of Fact
- Staff Recommendation Report
- Conditions of Approval
- Ordinance
- Zone Change Map
- GPA Resolution
- Land Use Map
- Exhibit A - Site Plan
- Mailing List
- Land Use
- Other

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- Categorical Exemption
- Negative Declaration
- Mitigated Negative Declaration
- Environmental Impact Report
- Mitigation Monitoring Program
- Other

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NOTES / INSTRUCTION(S):

N/A

FISCAL IMPACT STATEMENT: Yes No

*If determination states administrative costs are recovered through fees, indicate "Yes".

PLANNING COMMISSION:

- City Planning Commission (CPC)
- Cultural Heritage Commission (CHC)
- Central Area Planning Commission
- East LA Area Planning Commission
- Harbor Area Planning Commission

- North Valley Area Planning Commission
- South LA Area Planning Commission
- South Valley Area Planning Commission
- West LA Area Planning Commission

PLANNING COMMISSION HEARING DATE:	COMMISSION VOTE:
January 14, 2021	8 – 0
LAST DAY TO APPEAL:	APPEALED:
February 22, 2021	No
TRANSMITTED BY:	TRANSMITTAL DATE:
Cecilia Lamas Commission Executive Assistant	February 23, 2021



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: FEB 02 2021

Case No. CPC-2019-7320-VZC-HD-CU-SPR-RDP

Council District: 2 – Krekorian

CEQA: ENV-2019-7321-MND

Plan Area: North Hollywood – Valley Village Community Plan

Project Site: 5444 – 5458 North Vineland Avenue;
5437 – 5451 North Cleon Avenue

Applicant: Kelly McKone, 1784 Capital Holdings, LLC
Representative: Shane Swerdlow, Craig Lawson & Co., LLC

At its meeting of **January 14, 2021**, the Los Angeles City Planning Commission took the actions below in conjunction with the approval of the following project:

Demolition of an existing 4,300 square foot one-story building and surface parking lot (used for storage of vehicles) and the construction, use, and maintenance of a 138,035 square foot mixed use building with 124,371 square feet of self-storage uses and 13,664 square feet of office suites serving visual and performing artists. The office suites will be operated as an artist and maker space and will include programming such as gallery openings. The building is 45 feet in height with four stories and one basement level. The Project will have a total Floor Area Ratio (FAR) of 2:1. Up to 63 vehicle parking spaces are provided in a surface parking lot and 16 long term and 16 short term bicycle parking spaces are also provided.

1. **Found**, pursuant to CEQA Guidelines Section 15074(b), after consideration of the whole of the administrative record, including the Mitigated Negative Declaration, No. ENV-2019-7321-MND (“Mitigated Negative Declaration”), and all comments received, with the imposition of mitigation measures, there is no substantial evidence that the project will have a significant effect on the environment; **Found** the Mitigated Negative Declaration reflects the independent judgment and analysis of the City; **Found** the mitigation measures have been made enforceable conditions on the Project; and **Adopted** the Mitigated Negative Declaration and the Mitigation Monitoring Program prepared for the Mitigated Negative Declaration;
2. **Approved and Recommended**, that the City Council **adopt**, pursuant to Sections 12.32 F and 12.32 Q of the Los Angeles Municipal Code (LAMC), a Vesting Zone Change from MR2-1VL to (T)(Q)M2-2D subject to the attached (T) and (Q) Conditions of Approval and a Height District Change from 1VL to 2D subject to the D Limitations in the Conditions of Approval;
3. **Approved**, pursuant to LAMC Section 12.24 W.50, a Conditional Use for a self-storage use for the storage of household goods in the M2 Zone, within 500 feet of an R Zone;
 - a. **Approved**, pursuant to LAMC Section 12.24 F, a Determination in conjunction with a Conditional Use to permit a maximum height of 45 feet for storage buildings for households goods in lieu of the otherwise permitted maximum of 37 feet; and
 - b. **Approved**, pursuant to LAMC Section 12.24 S, a Determination in conjunction with a Conditional Use to permit a parking reduction not to exceed 20 percent of the requirements otherwise required;
4. **Approved**, pursuant to LAMC Section 16.05, a Site Plan Review for a development project which creates or results in an increase of 50,000 square feet or more of non-residential floor area;

5. **Approved**, pursuant to LAMC Section 11.5.4 D.5, a Project Compliance Review for conformance to the provisions of the North Hollywood Redevelopment Plan.
6. **Adopted** the attached Conditions of Approval; and
7. **Adopted** the attached Findings.

The vote proceeded as follows:

Moved: Mack
Second: Choe
Ayes: Ambroz, Leung, López-Ledesma, Millman, Perlman, Relan

Vote: 8 – 0

Cecilia Lamas (Electronic Signature due to COVID-19)
Cecilia Lamas, Commission Executive Assistant
Los Angeles City Planning Commission

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

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

FINAL APPEAL DATE: FEB 22 2021

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

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

Attachments: Zone Change Ordinance, Map, Conditions of Approval, Findings, Resolution, Interim Appeal Filing Procedures, Appeal Facts Sheet

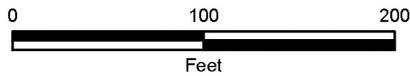
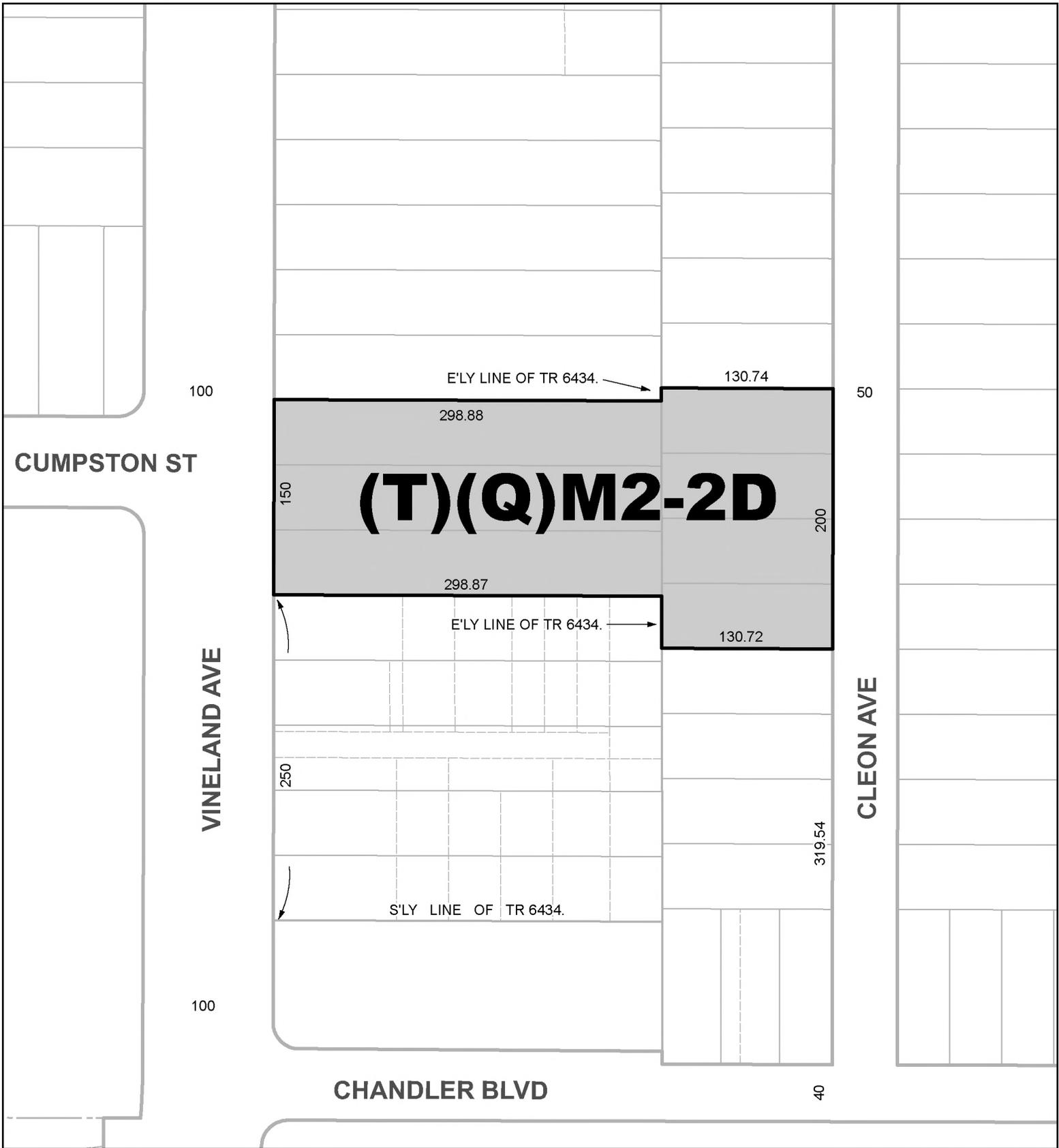
c: Heather Bleemers, Senior City Planner
Jojo Pewsawang, City Planner

ORDINANCE NO. _____

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

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

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



CPC-2019-7320-VZC-HD-CU-SPR-RDP

AAI/Cf

012221

City of Los Angeles



(Q) QUALIFIED CONDITIONS OF APPROVAL

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

1. **Site Plan.** Except as modified herein, the project shall be in substantial conformance with the plans and materials stamped "Exhibit A" and dated December 21, 2020, and attached to the subject case file. No change to the plans will be made without prior review by the Department of City Planning, and written approval by the Director of Planning, with each change being identified and justified in writing. Minor deviations may be allowed in order to comply with provisions of the Municipal Code, the subject conditions, and the intent of the subject permit authorization.
2. **Floor Area.** Development at the site is limited to 138,035 square feet with a maximum of 124,371 square feet for self-storage facility (storage building for household goods) and a minimum of 13,664 square feet for offices for artist uses.

“D” DEVELOPMENT LIMITATIONS

Pursuant to Section 12.32 G of the Municipal Code, the following limitations are hereby imposed upon the use of the subject property, as shown on the attached Zoning Map, subject to the “D” Development Limitations.

1. **Height.** The project may have a maximum height of 45 feet. The measured height of the building may exclude roof structures and equipment, pursuant to LAMC Section 12.21.1, and to the satisfaction of the Los Angeles Department of Building and Safety.
2. **Floor Area Ratio.** The project shall be limited to maximum Floor Area Ratio of 2 to 1.

CONDITIONS FOR EFFECTUATING (T) TENTATIVE CLASSIFICATION REMOVAL

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

Dedications and Improvements. Prior to the issuance of any building permits, the following public improvements and dedications for streets and other rights of way adjoining the subject property shall be guaranteed to the satisfaction of the Bureau of Engineering, Department of Transportation, Fire Department (and other responsible City, regional and federal government agencies, as may be necessary). Dedications and improvements herein contained in these conditions which are in excess of street improvements contained in either the Mobility Element 2035 or any future Community Plan amendment or revision may be reduced to meet those plans with the concurrence of the Department of Transportation and the Bureau of Engineering.

Responsibilities/Guarantees.

1. As part of early consultation, plan review, and/or project permit review, the applicant/developer shall contact the responsible agencies to ensure that any necessary dedications and improvements are specifically acknowledged by the applicant/developer.
2. **Bureau of Engineering.** Prior to issuance of sign offs for final site plan approval and/or project permits by the Department of City Planning, the applicant/developer shall provide written verification to the Department of City Planning from the responsible agency acknowledging the agency's consultation with the applicant/developer. The required dedications and improvements may necessitate redesign of the project. Any changes to project design required by a public agency shall be documented in writing and submitted for review by the Department of City Planning.

a. Dedication Required:

Vineland Avenue (Boulevard II) – A 5-foot wide strip of land along the property frontage to complete a 55-foot half right-of-way in accordance with Boulevard II of Mobility Plan 2035.

Cleon Avenue (Local Street) – A 5-foot wide strip of land along the property frontage to complete a 30-foot half right-of-way in accordance with Local Street standards of Mobility Plan 2035.

b. Improvements Required:

Vineland Avenue – Remove the existing concrete sidewalk and construct a full-width concrete sidewalk along the property frontage. Repair all existing concrete curb and gutter. Close all unused driveways full-height concrete curb, gutter and sidewalk. All new proposed driveways shall be constructed per BOE's and LADOT's approval and shall comply with ADA requirements.

Cleon Avenue – Construct suitable surfacing to join the existing roadway to provide an 18-foot wide half roadway, including asphalt pavement, integral concrete curb, 2-foot gutter and a 5-foot concrete sidewalk within a 12-foot border satisfactory to the City

Engineer. All new proposed driveways shall be constructed per BOE's and LADOT's approval and shall comply with ADA requirements.

- c. Provide proper site and street drainages for all streets being improved.
 - d. Mainline sewers exist in Vineland Avenue and Cleon Avenue with house with house connection laterals serving the property. Extension of the 6-inch house connection laterals to the new property line may be required. All Sewerage Facilities Charges and Bonded Sewer Fees are to be paid prior to obtaining a building permit.
 - e. Submit a parking area and driveway plans to the Valley District Office of the Bureau of Engineering and the Department of Transportation for review and approval.
3. **Urban Forestry – Street Trees.** Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Urban Forestry Division of the Bureau of Street Services. Parkway tree removals shall be replanted at a 2: 1 ratio. All street tree plantings shall be brought up to current standards. When the City has previously been paid for tree plantings, the sub divider or contractor shall notify the Urban Forestry Division at: (213) 847-3077 upon completion of construction to expedite tree planting.
4. **Street Lighting.**
- a. Prior to the recordation of the final map or issuance of the Certificate of Occupancy, street lighting improvement plans shall be submitted for review and the owner shall provide a good faith effort via a ballot process for the formation or annexation of the property within the boundary of the development into a Street Lighting Maintenance Assessment District.
 - b. Construct new streetlights: two (2) on Cleon Ave. If street widening per BOE improvement conditions, relocate and upgrade streetlight: one (1) on Vineland Ave.

CONDITIONS OF APPROVAL

Pursuant to Section 12.24-W,1, 12.24-W,27, and 16.05 of the Los Angeles Municipal Code, the following conditions are hereby imposed upon the use of the subject property.

Entitlement Conditions

1. **Use.** Authorized herein is mixed use building with a maximum of 124,371 square feet of self-storage facility (storage building for household goods) and a minimum of 13,664 square feet of offices for artist uses.
2. **Site Plan.** The use and development of the subject property shall be in substantial conformance with the site plan, and elevations labeled Exhibit "A" attached to the subject case file. The location, type, and size of signage is not a part of this approval. Minor deviations may be allowed in order to comply with provisions of the Municipal Code and the conditions of approval.
3. **Hours of Operation.**
 - a. The self-storage rental office may operate Monday through Saturday, 8:00 AM to 6:00 PM and Sunday, 9:00 AM to 4:00 PM. Hours of secure access for self-storage customers hours are limited to Sunday through Saturday, 5:00 AM to 10:00 PM.
 - b. The office space for artist use may operate 24 hours daily, with secured access.
4. **Automobile Parking.**
 - a. Parking shall be provided in accordance with LAMC Section 12.24-A,4. Up to a 20 percent reduction in required automobile parking is permitted.
 - b. **Electric Vehicle Parking.** All electric vehicle charging spaces (EV Spaces) and electric vehicle charging stations (EVCS) shall comply with the regulations outlined in Section 99.05.106 of Article 9, Chapter IX of the LAMC.
 - c. **Bicycle Parking.** Bicycle parking shall be provided in accordance with the provisions of LAMC Section 12.21-A,4 and 12.21-A,16.
5. **Design.**
 - a. **Pedestrian entrances.** The project shall provide a multiple building entrances as shown in Exhibit A. The Vineland Avenue frontage shall include an entrance to the artist uses and the southern frontage shall include an entrance to the self-storage rental office.
 - b. **Massing.** Changes in the façade plane, building massing, setbacks, and upper floor step backs shall be provided as shown in Exhibit A.
 - c. **Windows.** The Vineland Avenue façade shall include transparent glazing such that the artist uses along this frontage are visible from the public right of way. Windows and transparent glazing shall be included on all building facades as shown in Exhibit A.

- d. **Front yard open space and plaza area.** The project shall provide a paved and landscaped pedestrian area within the western front yard and near the southwest corner of the building as shown in Exhibit A.
 - e. **Pedestrian Lighting.** The project shall provide pedestrian scale lighting to illuminate the east, west, and south areas of the building. Lighting shall be shielded to prevent illumination of nearby buildings.
 - f. **Integral Awning.** The project shall provide an integral awning along the second floor street frontage as shown in Exhibit A.
6. **Landscaping.** The project shall comply with the provided Landscape Plan included in Exhibit A.
 7. **Sustainability.**
 - a. **Solar.** The project shall provide a minimum of 12,873 square feet of solar panels on the roof of the self-storage building and comply with the Los Angeles Municipal Green Building Code, Section 99.05.211, to the satisfaction of the Department of Building and Safety.
 8. **Utilities.** The transformer, trash area, and stormwater infiltration infrastructure shall be shielded from public view. Transformer location is subject to approval by the Department of Water and Power; the transformer shall be fully screened from view from the street with elements such as landscaping.
 9. **Roof Structures.** Any structures on the roof, such as air conditioning units and other equipment, shall be fully screened from view from any abutting properties.
 10. **Department of Transportation.**
 - a. A minimum 20-foot reservoir space is required between any security gate or parking space and the property line, or to the satisfaction of DOT.
 - b. A minimum width of $w=24$ feet at the driveway apron curb cut is required for all two-way driveways, or to the satisfaction of DOT.
 - c. A parking area and driveway plan should be submitted to the Citywide Planning Coordination Section of the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 6262 Van Nuys Blvd., Room 320, Van Nuys, CA 91401.

Environmental Conditions

11. **Archeological Monitoring (MM).** To reduce the impact of ground-disturbing activities on any potentially present cultural resources, an archaeological monitor that meets the Secretary of Interior's professional qualification standards shall monitor asphalt removal, above ground structure removal, and ground-disturbing activities from surface to bedrock. The purpose of having an archaeologist on site is to assess if any significant cultural resources are encountered during ground-disturbing activities. If such features are identified, then the "discovery" protocol will be followed.

The archaeological monitor shall collect any diagnostic historic material uncovered through grading within a disturbed context, and can halt construction within 50-feet of a potentially significant cultural resource if necessary. Artifacts collected from a disturbed context or that do not warrant additional assessment can be collected without the need to halt grading. Discovery situations that do not lead to further assessment, survey, evaluation, or data recovery can be described in the monitor's daily Monitoring Report. However, if foundations, privies, or other older historic features are encountered, the "discovery" protocol shall be followed.

A final Monitoring Report will be produced that discusses all monitoring activities and all artifacts recovered and features identified through monitoring the demolition and ground-disturbing activities on the Project Site. Discovery situations that do not lead to further assessment, survey, evaluation, or data recovery can be described in the final Monitoring Report.

All artifacts recovered that are important, with diagnostic or location information that may be of importance to California and Los Angeles City history, will be cleaned, analyzed, and described within the Monitoring Report. All materials determined important shall be curated at an appropriate depository or returned to the Applicant or Project Proponent for public display. If important materials are found during monitoring, a Curation Plan may be required for review by the Lead Agency prior to the publication of the Monitoring Report. The costs of the Monitoring Report, Curation Plan, and any processing, analysis, and curation of all artifacts shall be the responsibility of the applicant, within the cost parameters outlined under the California Environmental Quality Act.

12. **Archeological Discovery Protocol (MM).** The following "discovery" protocol shall be followed if potentially significant intact deposits are encountered within an undisturbed context during ground-disturbing activities. If older historic (or prehistoric) features, artifact concentrations, or larger significant artifacts are encountered during demolition or ground-disturbing activities within native soils or original context, then all work in that area shall be halted or diverted away from the discovery to a distance of 50-feet until a qualified senior archaeologist can evaluate the nature and/or significance of the find(s). If the senior archaeologist (not the field monitor) confirms that the discovery is potentially significant, then the Lead Agency will be contacted and informed of the discovery.

Construction will not resume in the locality of the discovery until consultation between the senior archaeologist, the Applicant or Project Proponent's Project Manager, the Lead Agency, and all other concerned parties, takes place and reaches a conclusion approved by the Lead Agency. If a significant cultural resource is discovered during earth-moving, complete avoidance of the find is preferred. However, if the discovery cannot be avoided, further survey work, evaluation tasks, or data recovery of the significant resource may be required by the Lead Agency. The Lead Agency may also require changes to site monitoring, based on the discovery.

All costs for the additional monitoring, discovery assessment, discovery evaluation, or data recovery shall be the responsibility of the applicant, within the cost parameters outlined under the California Environmental Quality Act. All individual reports, including the final Monitoring Report, will be submitted to the South Central Coastal Information Center at the conclusion of the Project.

13. **Inadvertent Discovery of Human Remains (MM).** The inadvertent discovery of human remains is always a possibility during ground disturbances; State of California Health and Safety Code Section 7050.5 addresses these findings. This code section states that in the event human remains are uncovered, no further disturbance shall occur until the County

Coroner has determined the origin and disposition of the remains pursuant to California Public Resources Code Section 5097.98. The Coroner must be notified of the find immediately, together with the City and the property owner.

If the human remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendant (MLD). The MLD shall complete the inspection of the site within 48 hours of notification and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials and an appropriate re-interment site.

14. **Paleontological Monitoring (MM).** To reduce the impact of ground-disturbing activities on any potentially present paleontological resources, a qualified paleontological monitor shall monitor ground-disturbing activities that directly impact bedrock. The paleontological monitor shall collect any fossil material uncovered through grading that is found within a disturbed context, and shall halt construction within 50-feet of a potentially significant fossil resource as necessary. Fossils collected from a disturbed context, or fossils that do not warrant additional assessment, can be collected without the need to halt grading.

If fossils are encountered that cannot be removed during grading and that the monitor believes need further assessment, then the following “discovery” protocol shall be followed. Discovery situations that do not lead to further assessment, survey, evaluation, or data recovery may be described in the monitor’s daily log and final Monitoring Report.

Discovery Protocol: All fossils recovered that may be of importance to California paleontology shall be cleaned, analyzed, and described within a final Monitoring Report. All materials shall be curated at the Natural History Museum of Los Angeles County or placed on public display by the owner. If important fossils are found during monitoring, the monitor shall prepare a Curation Plan for review by the Lead Agency prior to the publication of the Monitoring Report. The costs of the Monitoring Report, Curation Plan, and the processing, analysis, and curation of all fossils will be the responsibility of the Applicant.

15. **Data Gap Investigation (MM).** To mitigate the release of lead and arsenic in the shallow soils on the Project Site, the Applicant shall retain a qualified consultant to investigate, delineate, and properly remediate soils to the written satisfaction of the Site Mitigation Unit of the Los Angeles County Fire Department prior to issuance of any permit for demolition, grading, or construction.
16. **Vapor Intrusion Mitigation System (MM).** To mitigate potential vapor intrusion from tetrachloroethene (PCE) in soil vapor and methane at the Project Site, the Applicant shall install a Vapor Intrusion Mitigation System (VIMS) beneath the foundation of the proposed building. The Applicant shall submit design documents for the VIMS to the written satisfaction of the Site Mitigation Unit of the Los Angeles County Fire Department and the Department of Building and Safety prior to issuance of any permit for demolition, grading, or construction. The VIMS shall be designed in conformance with standard engineering principles and practices.

The Applicant shall retain a qualified engineer to independently analyze methane hazards as defined in Ordinance No. 175,790 and Section 91.7102 of the Los Angeles Municipal Code. As necessary depending on site conditions, the engineer shall investigate and design a methane mitigation system in compliance with the Methane Mitigation Standards for the appropriate Site Design Level to prevent or retard potential methane gas seepage into the building. The Applicant shall implement the engineer’s design recommendations for review and approval by the Site Mitigation Unit of the Los Angeles County Fire Department, City of

Los Angeles Department of Building and Safety, and City of Los Angeles Fire Department.

17. **Increased Vibration Levels (Construction Activities) (MM).** To reduce the impact of groundborne vibration and noise annoyance potential from a bulldozer operating less than 15 feet from the recording studio nearest the southern Project Site boundary, the Applicant shall implement one or more of the following options:
 - Provide a minimum 15-foot setback of bulldozer activity from the recording studio adjacent to the southern Project Site boundary,
 - Substitute equipment with lower groundborne vibration generation potential. This measure would reduce vibration at the adjacent recording studio to a level that would not exceed the human annoyance criterion for high sensitivity land uses,
 - Give prior notification to the recording studio to avoid or minimize the interference of Project construction on existing business operations. This measure would reduce activity interference at the recording studio by allowing for the rescheduling of vibration-intensive construction activities (i.e. bulldozer operation within 15-feet of the building) or recording, thereby reducing or eliminating co-occurrence of the sensitive activity with the potential exceedance of vibration criteria.
 - If the 15-foot bulldozer setback is not technically feasible, vibrations should be monitored and recorded with seismographs during bulldozer activity within the 15 foot buffer to detect the magnitude of vibration and oscillation experienced by adjacent structures. If the vibration levels at the recording studio exceed 65 VdB (equivalent to approximately 0.007 PPV in/sec), the construction contractor shall modify the procedure to reduce the values to acceptable levels.
18. **Transportation Demand Management (TDM) Strategies (MM).** To reduce the transportation impact of the Project, the Applicant or Project Proponent shall implement the following Transportation Demand Management (TDM) strategies:
 - Transit – The Applicant or Project Proponent shall proactively offer 40 percent of employees a transit subsidy of \$2.98 per passenger per day at least once annually for a minimum of five years. The transit subsidy amount and employee allocation may be modified based on the number of parking spaces provided to the satisfaction of the Department of Transportation.
 - Education and Encouragement – On an ongoing basis, the Applicant or Project Proponent shall provide all employees with marketing and promotional tools to educate and inform drivers about site-specific transportation options and the effects of their travel choices.
19. **Inadvertent Discovery of Tribal Cultural Resources (MM).** Prior to commencing any ground disturbance activities at the Project Site, the Applicant, or its successor, shall retain archeological monitors and tribal monitors that are qualified to identify subsurface tribal cultural resources. Ground disturbance activities shall include excavating, digging, trenching, plowing, drilling, tunneling, quarrying, grading, leveling, removing peat, clearing, driving posts, auguring, backfilling, blasting, stripping topsoil or a similar activity at the project site. Any qualified tribal monitor(s) shall be approved by the Gabrieleno Band of Mission Indians - Kizh Nation. Any qualified archeological monitor(s) shall be approved by the Department of City Planning, Office of Historic Resources (“OHR”). The qualified archeological and tribal monitors shall observe all ground disturbance activities on the project site at all times the ground disturbance activities are taking place. If ground disturbance activities are simultaneously occurring at multiple locations on the project site, an archeological and tribal monitor shall be assigned to each location where the ground disturbance activities are occurring. The on-site monitoring shall end when the ground

disturbing activities are completed, or when the archaeological and tribal monitor both indicate that the site has a low potential for impacting tribal cultural resources. Prior to commencing any ground disturbance activities, the archaeological monitor in consultation with the tribal monitor, shall provide Worker Environmental Awareness Program (WEAP) training to construction crews involved in ground disturbance activities that provides information on regulatory requirements for the protection of tribal cultural resources. As part of the WEAP training, construction crews shall be briefed on proper procedures to follow should a crew member discover tribal cultural resources during ground disturbance activities. In addition, workers will be shown examples of the types of resources that would require notification of the archaeological monitor and tribal monitor. The Applicant shall maintain on the Project Site, for City inspection, documentation establishing the training was completed for all members of the construction crew involved in ground disturbance activities. In the event that any subsurface objects or artifacts that may be tribal cultural resources are encountered during the course of any ground disturbance activities, all such activities shall temporarily cease within the area of discovery, the radius of which shall be determined by a qualified archeologist, in consultation with a qualified tribal monitor, until the potential tribal cultural resources are properly assessed and addressed pursuant to the process set forth below:

1. Upon a discovery of a potential tribal cultural resource, the Applicant, or its successor, shall immediately stop all ground disturbance activities and contact the following: (1) all California Native American tribes that have informed the City they are traditionally and culturally affiliated with the geographic area of the proposed project; (2) and OHR.
2. If OHR determines, pursuant to Public Resources Code Section 21074 (a)(2), that the object or artifact appears to be a tribal cultural resource in its discretion and supported by substantial evidence, the City shall provide any affected tribe a reasonable period of time, not less than 14 days, to conduct a site visit and make recommendations to the Applicant, or its successor, and the City regarding the monitoring of future ground disturbance activities, as well as the treatment and disposition of any discovered tribal cultural resources.
3. The Applicant, or its successor, shall implement the tribe's recommendations if a qualified archaeologist retained by the City and paid for by the Applicant, or its successor, in consultation with the tribal monitor, reasonably conclude that the tribe's recommendations are reasonable and feasible.
4. In addition to any recommendations from the applicable tribe(s), a qualified archeologist shall develop a list of actions that shall be taken to avoid or minimize impacts to the identified tribal cultural resources substantially consistent with best practices identified by the Native American Heritage Commission and in compliance with any applicable federal, state or local law, rule or regulation.
5. If the Applicant, or its successor, does not accept a particular recommendation determined to be reasonable and feasible by the qualified archaeologist or qualified tribal monitor, the Applicant, or its successor, may request mediation by a mediator agreed to by the Applicant, or its successor, and the City. The mediator must have the requisite professional qualifications and experience to mediate such a dispute. The City shall make the determination as to whether the mediator is at least minimally qualified to mediate the dispute. After making a reasonable effort to mediate this particular dispute, the City may (1) require the recommendation be implemented as originally proposed by the archaeologist or tribal monitor; (2) require the recommendation, as modified by the City, be implemented as it is at least as equally effective to mitigate a potentially significant impact; (3) require a substitute recommendation be implemented that is at least as equally effective to mitigate a potentially significant impact to a tribal cultural resource; or (4) not require the recommendation be implemented because it is not necessary to mitigate an

- significant impacts to tribal cultural resources. The Applicant, or its successor, shall pay all costs and fees associated with the mediation.
6. The Applicant, or its successor, may recommence ground disturbance activities outside of a specified radius of the discovery site, so long as this radius has been reviewed by both the qualified archaeologist and qualified tribal monitor and determined to be reasonable and appropriate.
 7. The Applicant, or its successor, may recommence ground disturbance activities inside of the specified radius of the discovery site only after it has complied with all of the recommendations developed and approved pursuant to the process set forth in paragraphs 2 through 5 above.
 8. Copies of any subsequent prehistoric archaeological study, tribal cultural resources study or report, detailing the nature of any significant tribal cultural resources, remedial actions taken, and disposition of any significant tribal cultural resources shall be submitted to the South Central Coastal Information Center (SCCIC) at California State University, Fullerton and to the Native American Heritage Commission for inclusion in its Sacred Lands File.
 9. Notwithstanding paragraph 8 above, any information that the Department of City Planning, in consultation with the City Attorney's Office, determines to be confidential in nature shall be excluded from submission to the SCCIC or provided to the public under the applicable provisions of the California Public Records Act, California Public Resources Code, section 6254(r), and handled in compliance with the City's AB 52 Confidentiality Protocols.
20. **Construction Traffic Management Program (PDF).** A Construction Traffic Management Program, including but not limited to, lane closure or modification information, hauling, staging, and temporary access and parking plans, as necessary, shall be prepared by the Project construction contractor and submitted to the City for review and approval. The Construction Traffic Management Program shall convey the specific actions of the construction process, with focus on the activities that may potentially affect off-site rights-of-way. The Construction Traffic Management Program shall be based on the nature and timing of the specific construction activities and other projects in the vicinity of the Project Site, and shall include, but not be limited to, the following elements, as appropriate:
- Construction vehicle and equipment parking or staging on surrounding public streets shall be minimized to the extent feasible.
 - Temporary vehicular traffic controls (such as signage and/or flag persons) during construction activities adjacent to public rights-of-way to improve traffic flow on public roadways shall be implemented.
 - Safety precautions for pedestrians and bicyclists, through such measures as signage and protection barriers, shall be implemented, as appropriate.
 - Construction-related activities (such as deliveries and/or hauling) shall be scheduled to occur outside the commuter peak hours.
 - To avoid structural damage related to construction period vibration, loaded trucks shall be prohibited from operating within 15 feet of off-site structures.

Administrative Conditions

21. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning for placement in the subject file.
22. **Code Compliance.** Area, height and use regulations of the zone classification of the

subject property shall be complied with, except where herein conditions are more restrictive.

23. **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.
24. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public officials, legislation or their successors, designees or amendment to any legislation.
25. **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.
26. **Building Plans.** Page 1 of the grants and all the conditions of approval shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety.
27. **Corrective Conditions.** The authorized use shall be conducted at all time with due regards to 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.
28. **Expediting Processing Section.** Prior to the clearance of any conditions, the applicant shall show that all fees have been paid to the Department of City Planning Expedited Processing Section.
29. **Indemnification and Reimbursement of Litigation Costs.**

Applicant shall do all of the following:

- a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages and/or settlement costs.
- c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The

initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).

- d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement (b).
- e. If the City determines it necessary to protect the City's interests, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

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

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

For purposes of this condition, the following definitions apply:

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

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

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

FINDINGS

General Plan/Charter Findings (Charter 556)

1. General Plan.

- a. **General Plan Land Use Designation.** The subject property is located within the North Hollywood - Valley Village Community Plan area which was updated by the City Council on May 14, 1996 and designates the subject property for Light Manufacturing land uses corresponding to the MR2 and M2. Zones. The site is currently zoned MR2-1VL. The requested Vesting Zone Change and Height District Change from MR2-1VL and to M2-2D is warranted as the M2 Zone corresponds to the range of zones of the land use designation. The proposed mixed-use building with self-storage and artist suites is a commercial use that is permitted in the proposed (T)(Q)M2-2D Zone (requiring a Conditional Use for the self-storage use within 500 feet of an R Zone). Additionally, The North Hollywood - Valley Village Community Plan General Plan Footnote No. 4 limits building heights in industrial areas to 45 feet. The project, with the Vesting Zone Change and High District change, would still be subject to this footnote regarding height. Therefore, the project is in substantial conformance with the General Plan Land Use Designation.

- b. **Land Use Element.** The proposed project complies with applicable provisions of the Los Angeles Municipal Code and the North Hollywood - Valley Village Community Plan. There are twelve elements of the General Plan. 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 Land Use Element of the City's General Plan is divided into 35 Community Plans. The subject property is located within the North Hollywood - Valley Village Community Plan, which designates the site for Light Manufacturing land uses corresponding to the MR2 and M2. Zones. The proposed M2 zone is consistent with the land use designation. Additionally, The North Hollywood - Valley Village Community Plan General Plan Footnote No. 4 limits building heights in industrial areas to 45 feet. The project, with the Vesting Zone Change and High District change from 1VL to 2D, would still be subject to this footnote regarding maximum height. Therefore, the proposed height district is consistent with the General Plan footnote.

The proposed project is consistent with the following policies of the Community Plan:

Objectives of the Plan:

To promote economic wellbeing and public convenience through:

- a. *Designating land for industrial development that can be used without detriment to adjacent uses of other types and imposing restrictions on the types of and intensities of industrial uses necessary to this purpose.*

The proposed self-storage and visual artist offices will add economically viable uses in an industrial area without adding additional nuisances commonly associated with industrial uses such as noise or pollutants. The site is located across the street from a

public high school and will not create nuisance uses that would be determinantal to the health or wellbeing of the high school students and staff.

Additionally, the new development and proposed improvements to the public right-of-way will substantially upgrade the aesthetic and functional qualities of the site. The project will improve the pedestrian experience along Vineland Avenue by adding an active use, landscaping, a small plaza, and providing pedestrian amenities such as lighting. Cleon Avenue will also receive public improvements, including a widened roadway, new concrete gutter and sidewalk, and new streetlights. The building and the public improvements will substantially upgrade the aesthetic and functional qualities of the site and will promote economic well-being and public convenience in the community.

Industrial land use policies:

Industrial lands are located on a citywide basis without regard to the boundaries in individual communities or districts, under the general principle that such employment should be available within a reasonable commuting distance from residential locations. Industrial lands should be accessible to railways, public utilities and transportation.

Off-street parking for general industrial lands shall be provided as required by the Los Angeles Municipal Code. Off-street parking areas shall be located in the peripheries of industrial sites to serve as buffers and shall be separated from adjacent private and public uses by a wall and/or landscaped setback.

Within limited and light industrial areas, the height of industrial buildings shall be restricted to 45 feet.

The Vesting Zone Change will promote a strong and competitive industrial and commercial sector by allowing for the development of new artist office spaces which will provide for new visual and performing artist studio space, supporting artist employment opportunities in North Hollywood, within proximity to the NoHo Arts District. The new artist uses are accessible by the local community and by transit as the site is located proximate to residential uses and is within ½ mile of North Hollywood Metro Station. Additionally, the project will add a new neighborhood serving self-storage use, a use that will provide a new public convenience accessible to nearby residences and other business within the local industrial area. Parking is located on the peripheries of the site, landscaping is provided within the parking area, and the building is within the 45-foot height limit. Therefore, the project is consistent with and furthers the achievement of the Community Plan's policies.

- b. **Framework Element.** The Framework Element of the General Plan 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 policies 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 livable city.

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

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 and Table 3-1 (Land Use Standards and Typical Development Characteristics).

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.

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 project will contribute toward and facilitate the City's long-term fiscal and economic viability by constructing a new mixed-use project that includes self-storage and artist studios. The Vesting Zone Change from MR2-1VL to M2-2D will allow the project to facilitate the development of new uses that will bring new and needed services to the North Hollywood community.

The project is located proximate to the Metro North Hollywood Station, which offers connections to the regional transit network. Proximity to these transit options may help

reduce vehicular trips to and from the project, vehicle miles travelled, and reduce air pollution. Further, the site's location within an existing industrial district within a Light Manufacturing Land Use designation allows the city to conserve nearby stable residential neighborhoods and lower-intensity commercial and industrial districts. Such attributes support the requested zone change from MR2-1VL to M2-2.

Goal 3J: Industrial growth that provides job opportunities for the City's residents and maintains the City's fiscal viability.

Objective 3.14: Provide land and supporting services for the retention of existing and attraction of new industries.

Policy 3.14.1: Accommodate the development of industrial uses in areas designated as "Industrial-Light," "Industrial-Heavy," and "Industrial-Transit" in accordance with Tables 3-1 and 3-9. The range and intensities of uses permitted in any area shall be determined by the community plans.

The project will allow for growth and provide new job opportunities through the development of a mixed-use project with self-storage and artist studio uses. According to the applicant, the project is expected to generate approximately 150 jobs at the site. The project would attract new industries to the site; including the Artists & Makers Studios, which has existing locations in Maryland and Arizona. The company offers studios for rent, extensive classroom/workshop spaces, and resources to professional artists. As such, the project will maintain the character of the existing Light Manufacturing district by with the construction of a mixed-use development that includes self-storage and artist studio uses in a compatible manner. The project adheres to floor area and height limitations of the requested zone. The introduction of new storage and artist studio uses will provide an additional amenity that will serve the local neighborhood and the region. The project will include a high degree of transparency along Vineland Avenue, accessible storefront retail/office space, pedestrian amenities including lighting, improved sidewalks, and will maintain the general character of the existing industrial district.

- c. **Mobility Element.** The Mobility Element of the General Plan (Mobility Plan 2035) is likely to be unaffected by the recommended action herein as the proposed project will be making the required dedications and improvements on the public right-of-way adjacent to the project site.

Vineland Avenue, which serves as the Project's western boundary, is a designated Boulevard II, with a dedicated right-of-way width of approximately 100 feet at this location. Vineland Avenue is required to have a 110-foot total right-of-way dedication. The project is conditioned to dedicate 5-foot wide strip of land along the property frontage to complete a 55-foot half right-of-way in accordance with Boulevard II of Mobility Plan 2035. Vineland Avenue is currently improved with paved roadway, curb, sidewalk and gutter. The project is conditioned to remove the existing concrete sidewalk and construct a full-width concrete sidewalk along the property frontage, repair all existing concrete curb and gutter, and close all unused driveways and replace with full-height concrete curb, gutter and sidewalk.

Cleon Avenue, which serves as the Project's eastern boundary, is a designated Standard Local Street, with a dedicated right-of-way width of approximately 50 feet at this location. Cleon Avenue is required to have a 60-foot total public right-of-way dedication. The project is conditioned to dedicate a 5-foot wide strip of land along the

property frontage to complete a 30-foot half right-of-way in accordance with Local Street standards of Mobility Plan 2035. Cleon Avenue is improved with paved roadway and the project is conditioned to reconstruct and improve the roadway including asphalt pavement, integral concrete curb, 2-foot gutter and a 5-foot concrete sidewalk within a 12-foot border.

Conditions for improvements recommended by the Bureau of Engineering (BOE) have been imposed under the (T) Tentative Classification. The improvement requirements would continue to advance Mobility 2035's policies in recognizing walking as a component of every trip to ensure high-quality pedestrian access. New street trees will be planted along the project's street frontage and unused curb cuts will be closed. The project as designed and conditioned will meet the following goals and 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.
- 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 3.8. Provide bicyclists with convenient, secure and well-maintained bicycle parking facilities.

The project is designed with an active ground floor use along the Vineland Avenue frontage. The art gallery and artists offices are designed with transparent windows and a main entrance that opens into a pedestrian oriented front plaza area that connects to the sidewalk. Other pedestrian design features include an integral awning at the second floor which relates the building to the pedestrian scale, street trees, and front yard landscaping. The project also includes short term and secure long-term and bicycle parking. Along Cleon Avenue, the project will provide a new 30-foot half roadway with fully improved concrete sidewalk, gutter, sidewalk, and street lights. The new improvements will thereby increase the amount of available public street parking along the property's street frontage. Therefore, the project is consistent with the Mobility Plan.

Vesting Zone Change Findings; High District Findings; "T", "Q" Classification Findings

2. **Pursuant to Section 12.32-C of the Municipal Code, the zone change and height district change is in conformance with the public necessity, convenience, general welfare and good zoning practice.**
 - a. **Public Necessity:** Approval of the Vesting Zone Change removes the existing restrictive MR2 zone and allows the site to be redeveloped as a development that is consistent with the goals and objectives of the General Plan Framework Element and the North Hollywood-Valley Village Community Plan as outlined above. The project site is located in the Los Angeles State Enterprise Zone and is improved with a commercial building and a surface parking lot used for vehicle storage. The project will demolish the existing structure and surface parking lot and construct a new 138,035 square-foot mixed-use project that includes self-storage and artist uses. The project will establish new viable commercial services at the site and expand the availability of self-storage services for the North Hollywood-Valley Village community. The project also adds additional office suites that will be utilized for artist and makers studio space.

Thus, the proposed project optimizes the use of the subject property, introduces new employment opportunities and will generate increased tax revenues from a site that is designated for light manufacturing, thus providing a public necessity.

- b. Convenience: The project will result in new development on property that is zoned for manufacturing uses that is located near the rapidly developing NoHo Arts District and provide new self-storage units that are intended to serve the areas rapidly increasing residential developments and office suites that are geared towards serving the community's artists. The artist studios will provide a dynamic new venue for artist programming within proximity to the NoHo Arts District. Public convenience will be served by the addition of viable commercial development at the site that will add needed commercial uses and services.
- c. General Welfare: Granting the M2-2 Vesting Zone Change allows for the development of the site into self-storage and artist serving uses. The project will enhance the urban environment by encouraging compatible mixed-use activity on a light manufacturing site that is proximate to regional transportation investments including the Metro B and G Lines. Given the project's proximity to numerous existing and proposed multi-family residential developments, job centers and transit services, the project will provide desirable commercial uses to serve the community, thereby advancing general welfare.
- d. Good Zoning Practices: The project site is presently zoned MR2-1VL and is located within the Light Manufacturing land use designation, which includes the corresponding zones of M2, MR2, and P. Approval of the Zone Change to M2-2 is consistent with the land use designation, in keeping with good zoning practice. The Zone Change will also accommodate the proposed self-storage and office suites uses and is consistent with the type and scale of development encouraged by the General Plan Framework Element and the North Hollywood-Valley Village Community Plan. The additional floor area is appropriate as the site is located within 0.5 miles of the Metro North Hollywood Station, which provides access to the region's mass transit network. The site is also proximate to the NoHo Arts District, which includes a high concentration of multi-family development and commercial uses.
- e. "T" and "Q" Classification Findings. Pursuant to LAMC Sections 12.32-G,1 and G,2(a), The current action, as recommended, has been made contingent upon compliance with new "T" and "Q" conditions of approval, and project specific conditions of approval imposed herein. Such limitations are necessary to ensure the identified improvements and construction notices are issued to meet the public's needs, convenience and general welfare served by the required actions. The conditions that limit the operations, scale and scope of development, are also necessary to protect the best interests of and to assure a development more compatible with surrounding properties and the overall pattern of development in the community, to secure an appropriate development in harmony with the General Plan, and to prevent or mitigate the potential adverse environmental effects of the subject recommended action.

For the reasons stated above, the vesting zone and height district change request is beneficial in terms of the public necessity, convenience, general welfare, and good zoning practice, and is consistent with the General Plan.

Conditional Use Findings

3. **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 will enhance the built environment by introducing a compatible mixed-use development containing 124,371 square feet of self-storage facility and 13,664 square feet of office suites for visual and performing artists. The project would provide a new storage use and artist-oriented office suites adjacent to the North Hollywood Arts District, a rapidly developing residential and jobs center. The artist-oriented office suites will be operated by the Artists and Makers Studios – an established operator of similar venues in Maryland and Arizona. The studios are intended to provide a supportive and vibrant environment for artists to realize their creative goals.

Self-Storage Use

As new multi-family housing developments continue to be built Citywide, the demand for storage facilities has increased, especially in the project vicinity (North Hollywood Arts District). The applicant is requesting a conditional use to permit a new self-storage use within 500 feet of a residential zone. The closest residential uses are located to the west of East Valley High School. According to the applicant's representative's testimony at the December 9, 2020 Public Hearing, the existing storage facilities in the area do not meet the current and increased demands for small individual storage units. The representative stated that there are nearly 5,000 new units either newly constructed, under construction, or entitled to be constructed within the NoHo Arts District area. Self-storage uses are necessary to serve many individuals who have downsized into smaller units or may have lost housing all together but want to maintain their belongings in safe and secure spaces. As such, the project would provide a needed service in the area by adding to the supply of individual storage units within proximity to existing and future residential developments in the nearby NoHo Arts District.

Height

The proposed 2 height district has no height limit and limits FAR at the site to no more than 2 to 1. While Height District 2 otherwise has no height limit, the M2 Zone limits self-storage uses to 37 feet in height and the Community Plan Footnote No. 4 limits development in industrial areas to 45 feet in height. As such, in conjunction with the conditional use, the applicant is requesting a determination to permit a height of 45 feet in lieu of the 37 feet otherwise permitted by the M2 Zone. The additional height allows for higher floor plates thereby allowing for more vertical storage and the storage of taller items. In addition, the project includes 13,664 square feet of office suites dedicated to artist-oriented uses. The additional height will also permit taller floor plates to accommodate artist studio office suites that can accommodate additional galleries and workshops, thereby providing a service that is beneficial to the community.

Parking

The applicant has requested a determination to reduce required parking by as much as 20 percent in conjunction with their conditional use request. The project will provide 63 vehicle parking spaces in lieu of the 77 spaces otherwise required. The reduction is warranted as the site is located proximate to major transit investments and replaces required vehicle parking with bicycle parking spaces. The project will provide 32 bicycle parking spaces in the form of 16 short term and 16 long term parking spaces. The project site is located just 500 feet north of the Chandler Boulevard bike path that offers direct

connections to the North Hollywood Station and the Orange Line bike path. The project is located within 0.5 miles of the Metro North Hollywood station, which offers regional transit connections to Downtown LA and the West Valley.

In conclusion, the project with its climate controlled storage, artist oriented office suites, new landscaping, and roadway improvements will enhance the built environment in the surrounding neighborhood and the climate controlled self-storage and artist studio uses will provide services that are essential or beneficial to the community, city, or region.

4. **The project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.**

The project will result in the construction of a four-story, 45-foot in height, 138,035 square-foot building consisting of 124,371 square feet of self-storage facility and 13,664 square feet of office suites for visual and performing artist. The proposed building has been designed to be compatible with neighboring properties and thus will enhance the surrounding neighborhood. The project's Vineland Avenue frontage includes a high degree of transparency, prominent entry plaza, and architectural awnings and details that provides the development with a prominent presence on Vineland Avenue. The entry plaza provides a strong pedestrian connection between the site and the public right of way. The project incorporates landscaping and off-street parking facilities along the edges of the development to help create a buffer between adjacent uses.

Self-Storage Use

The applicant is requesting a conditional use to permit a storage use within 500 feet of an R Zone or residential uses. The nearest R Zone is developed with the East Valley High School and the nearest residential uses are located to the east of the school. As such, the operations of the proposed storage and artist studio project will have no negative impact on nearby residential uses. The residential uses are buffered by existing improvements and distance from the subject site.

The surrounding area is highly urbanized and is characterized by a mix of commercial, industrial, and institutional uses. Surrounding properties are developed with buildings that range in height from one to four stories. The properties directly abutting the site to the north, south, and east are zoned MR2-1VL with Land Use Designations of Light Industrial and are developed with one-story buildings operated by commercial and industrial business including a gym, an industrial supplier selling welding equipment and gasses, a coffee roastery, a prop maker, a cabinet maker, and a musical instrument rental company. The western abutting property (across Vineland Avenue), is zoned PF-1VL and CM-1VL with a Land Use designations of Public Facilities and Commercial Manufacturing and is developed with the East Valley High School campus which includes buildings up to four stories in height.

Height

The proposed mixed-use building is four stories and 45 feet in height which is consistent with several nearby buildings including the East Valley High School and an existing self-storage development at 5410 Vineland Avenue. The project is requesting a determination to permit a height of 45 feet in lieu of the 37 feet in height permitted for self-storage uses. With the approval of the height increase to 45 feet, the project would be compatible with existing development and would be in compliance with Community Plan Footnote No. 4,

which limits building heights in industrial areas to 45 feet in height. The project is not exclusively storage related and includes artist studios. Both uses will primarily be conducted within the building and will not have negative impacts on the surrounding community. As such, the additional height will not further degrade surrounding properties.

Parking

The project will provide off-street parking facilities in a surface parking lot located along the southern and eastern portions of the site. Vehicular access is provided by one driveway on Vineland Avenue and one driveway on Cleon Avenue. Given the mix of uses at the site, the project is required to provide 77 vehicle parking spaces. The project will utilize the bicycle parking reductions and a requested determination, in conjunction with their conditional use request to further reduce required parking to 63 spaces. The project will also provide 32 bicycle parking spaces (16 short term and 16 long term spaces). Inclusive of the 63 vehicle spaces, the project will also provide 19 EV parking spaces. The provision of off-street parking facilities will ensure that the storage and office uses will not negatively impact surrounding properties. The reduction is warranted as the site is located proximate to major transit investments and replaces required vehicle parking with bicycle parking spaces.

The proposed project represents the development of a site that is currently used for vehicle storage with a compatible mixed-use building that will improve the property and will not adversely affect adjacent properties, the surrounding neighborhood, or the public health, welfare, or safety.

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

The project site is comprised of an approximately 71,011 square-foot through lot located on the east side of Vineland Avenue, half a block north of the intersection with Chandler Boulevard. The North Hollywood-Valley Village Community Plan designates the site for Light Manufacturing land uses corresponding to the MR2 and M2 Zones. The proposed M2 Zone is consistent with the land use designation. Additionally, the North Hollywood - Valley Village Community Plan General Plan Footnote No. 4 limits building heights in industrial areas to 45 feet. The project's proposed height is 45 feet, in compliance with Footnote No. 4. The property is also located within the North Hollywood Community Redevelopment Area (CRA) Plan. The project complies with all provisions of the North Hollywood CRA Plan.

As stated previously, the applicant has requested a Vesting Zone Change of the project site from MR2-1VL to M2-2. The requested M2-2 Zone is compatible with the Land Use designation as well as the following relevant objectives from the North Hollywood-Valley Village Community Plan:

To promote economic well being and public convenience through:

b) designating land for industrial development that can be used without detriment to adjacent uses of other types and imposing restrictions on the types of and intensities of industrial uses necessary to this purpose.

The proposed self-storage and artist uses will add economically viable uses within an industrial area without adding additional nuisances commonly associated with industrial uses such as noise or pollutants. The site is located across the street from a public high

school and will not create nuisance uses that would be determinantal to the health or wellbeing of the high school students and staff. The project would provide 124,371 square feet of self-storage uses and 13,664 square feet of office/artist studio uses. Additionally, the new development and proposed improvements to the public right-of-way and will substantially upgrade the aesthetic and functional qualities of the site. The project will also improve the pedestrian experience along Vineland Avenue by adding an active use, landscaping, a small plaza, and providing pedestrian amenities such as lighting.

Industrial land use policies:

Industrial lands are located on a citywide basis without regard to the boundaries in individual communities or districts, under the general principle that such employment should be available within a reasonable commuting distance from residential locations. Industrial lands should be accessible to railways, public utilities and transportation.

Off-street parking for general industrial lands shall be provided as required by the Los Angeles Municipal Code. Off- street parking areas shall be located in the peripheries of industrial sites to serve as buffers and shall be separated form adjacent private and public uses by a wall and/or landscaped setback.

Within limited and light industrial areas, the height of industrial buildings shall be restricted to 45 feet.

The project will promote a strong and competitive industrial and commercial sector by allowing for the development of new artist office spaces which will provide for new visual and performing artist studio space, supporting artist employment opportunities in North Hollywood, within the NoHo Arts District. The new artist uses are accessible by the local community and by transit as the site is located proximate to residential uses and is within ½ mile of North Hollywood Metro Station. Additionally, the project will add a new neighborhood serving self-storage use, a use that will provide a public convenience accessible to nearby residences and other business within the local industrial area. The project will provide off-street vehicle parking facilities and bicycle parking facilities in compliance with the LAMC. The parking area is located on the periphery of the site to help buffer the use from surrounding properties. In addition, landscaping is provided to further the aesthetic qualities of the parking facility. The project will also be limited to 45 feet, in compliance with the land use policies of the Plan. Therefore, the project is consistent with the General Plan.

6. **The project provides for an arrangement of uses, buildings, structures, open spaces, and other improvements that are compatible with the scale and character of the adjacent properties and surrounding neighborhood.**

The project provides for an arrangement of uses, buildings, structures and other improvements that are compatible with the scale and character of the adjacent properties and the surrounding neighborhood. The proposed project is comprised of a 138,035 square-foot, four-story mixed-use building with a 124,371 square-foot self-storage facility and 13,664 square feet of office suites for visual and performing artists (“Artists & Makers Studios”). The building will rise to a maximum height of 45 feet and will have a Floor Area Ratio of up to 2:1. The project is compatible with the height, floor area, and setback requirements of the M2-2D Zone and the North Hollywood-Valley Village Community Plan. The Community Plan Footnote No. 4 limits heights in industrial areas to 45 feet. The M2-2 Zone allows for a maximum floor area ratio of up to 6 to 1 and no setback requirements. The project will consist of a single structure that is arranged longitudinally from east to

west. The eastern half of building, fronting Vineland Avenue will house the office suites for artists on floors one through three and a rental office for the self-storage uses on the first floor. The basement and floors one through four will house self-storage units. The project will also provide a secondary lobby along the Cleon Avenue frontage. Surface parking lots with a total of 63 spaces wrap the site along the southern and eastern side of the site. Two two-way driveways provide vehicle access to the site, one on Vineland Avenue and one on Cleon Avenue. Bicycle storage lockers for long term bicycle parking are located at the Cleon Avenue driveway entrance.

The proposed mixed-use building is appropriately sized in height and mass, for the area. Most neighboring buildings adjacent to the project site range from one to four stories in height. Most commercial and industrial buildings are built to the property line, providing for a well-defined urban street-wall. The project has been designed to be compatible with neighboring properties. The proposed mixed-use building is four stories which is consistent with the surrounding building heights. The East Valley High School to the west of the subject site rises to a height of four stories and an existing storage use to the south of the site is also four stories in height. As such, the project provides for an arrangement of uses, buildings, structures, open spaces, and other improvements that are compatible with the scale and character of the adjacent properties and surrounding neighborhood.

Site Plan Review Findings

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

The subject property is located within the North Hollywood - Valley Village Community Plan, which designates the site for Light Manufacturing land uses corresponding to the MR2 and M2. Zones. The proposed M2 zone is consistent with the land use designation. Additionally, The North Hollywood - Valley Village Community Plan General Plan Footnote No. 4 limits building heights in industrial areas to 45 feet. The project, with the Vesting Zone Change and High District change from 1VL to 2D, would still be subject to this footnote regarding maximum height. Therefore, the proposed height district is consistent with the General Plan footnote.

The proposed project is consistent with the following policies of the Community Plan:

Objectives of the Plan:

To promote economic wellbeing and public convenience through:

- d. Designating land for industrial development that can be used without detriment to adjacent uses of other types and imposing restrictions on the types of and intensities of industrial uses necessary to this purpose.*

The project will promote economic development and public convenience while not being a detriment to adjacent uses. The proposed self-storage and artist uses will add economically viable uses in an industrial area without adding additional nuisances commonly associated with industrial uses such as noise or pollutants. The site is located across the street from a public high school and will not create nuisance uses that would be determinantal to the health or wellbeing of the high school students and staff.

Additionally, the new development and proposed improvements to the public right-of-way will substantially upgrade the aesthetic and functional qualities of the site. The project will

improve the pedestrian experience along Vineland Avenue by adding an active use, landscaping, a small plaza, and providing pedestrian amenities such as lighting. Cleon Avenue will also receive public improvements, including a widened roadway, new concrete gutter and sidewalk, and new street lights. The building and the public improvements will substantially upgrade the aesthetic and functional qualities of the site and will promote economic well-being and public convenience in the community. As such, the project is in substantial conformance with the General Plan and the North Hollywood-Valley Village Community Plan.

8. **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 neighboring properties.**

The project site is located on Vineland Avenue in North Hollywood, a predominantly urbanized area characterized by a mix of commercial, industrial, and institutional uses that is proximate to the North Hollywood Metro station and the NoHo Arts District. Surrounding properties are developed with buildings that range in height from one to four stories. The properties directly abutting the site to the north, south, and east are zoned MR2-1VL with Land Use Designations of Light Industrial and are developed with one-story buildings operated by commercial and industrial business including a gym, an industrial supplier selling welding equipment and gasses, a coffee roastery, a prop maker, a cabinet maker, and a musical instrument rental company. The western abutting property (across Vineland Avenue), is zoned PF-1VL and CM-1VL with a Land Use designations of Public Facilities and Commercial Manufacturing and is developed with the East Valley High School campus which include buildings up to four stories in height.

The subject site is currently developed with a surface parking lot. The proposed project will demolish existing improvements in order to construct a new four-story, 138,035 square-foot mixed-use building with 124,371 square feet of storage uses and 13,664 square feet of office suites.

Arrangement of Buildings (Height, Bulk, Setbacks)

The project is compatible with the height, floor area, and setback requirements of the M2-2D Zone and the North Hollywood-Valley Village Community Plan. The Community Plan Footnote No. 4 limits heights in industrial areas to 45 feet. The M2-2 Zone allows for a maximum floor area ratio of up to 6 to 1 and no setback requirements. The proposed project is comprised of a 138,035 square-foot, four-story mixed-use building with an 124,371 square foot self-storage facility and 13,664 square feet of office suites for visual and performing artists ("Artists & Makers Studios"). The building will rise to a maximum height of 45 feet and will have a Floor Area Ratio of 1.95:1. The project will consist of a single structure that is arranged longitudinally from east to west. The eastern half of building, fronting Vineland Avenue will house the office suites for artists on floors one through three and a rental office for the self-storage uses on the first floor. The basement and floors one through four will house self-storage units. The project will also provide a secondary lobby along the Cleon Avenue frontage. The project will also provide a minimum 1-foot 4-inch front yard setback on Vineland Avenue, a northern 1-foot 8 inch side yard setback, a 48-foot southern side yard setback, and a 49-foot 6-inch setback along Cleon Avenue.

The proposed mixed-use building is appropriately sized in height and mass, for the area. Most neighboring buildings adjacent to the project site range from one to four stories in

height. Most commercial buildings are built to the property line, providing for a well-defined urban street-wall. The project site has been designed to be compatible with neighboring properties. The proposed mixed-use building is four stories which is consistent with the surrounding building heights. The East Valley High School to the west of the subject site rises to a height of four stories and an existing storage use to the south of the site is also four stories in height. Therefore, the height, bulk, and setbacks of the self-storage building will be compatible with the existing and future developments in the neighborhood.

Parking and Loading Areas

The project will provide off-street parking facilities in a surface parking lot located along the southern and eastern portions of the site. Vehicular access is provided by one driveway on Vineland Avenue and one driveway on Cleon Avenue. Given the mix of uses at the site, the project is required to provide 77 vehicle parking spaces. The project will utilize the bicycle parking reductions and a requested determination, in conjunction with their conditional use request to further reduce required parking to 63 spaces. The project will also provide 32 bicycle parking spaces (16 short term and 16 long term spaces). Inclusive of the 63 vehicle spaces, the project will also provide 19 EV parking spaces.

The project will be providing two loading bays on-site that are located adjacent to the rental office. Furthermore, it should be noted that operationally, self-storage uses tend not to utilize a great deal of parking. Thus, in addition to the designated loading area, the other parking spaces can be used for the loading and unloading of storage items. Therefore, the project offers loading areas compatible with existing and future developments in the neighborhood.

Landscaping

The M2 Zone does not require setback areas. However, the project has proposed the setbacks along all property lines, providing opportunities for landscaping. Trees and shrubs are provided along the north, south, and eastern property lines as well as within the surface parking lot area. Landscaping is also provided within the front yard setback along Vineland Avenue and is used to complement the pedestrian plaza area and provide a welcoming entrance to the building. Street trees are also provided as required by the Department of Public Works. The project is conditioned to comply the submitted Landscape Plan.

Lighting

The Project's lighting scheme will be compatible with surrounding industrial, commercial, and institutional developments. Exterior lighting will illuminate on-site facilities to provide sufficient lighting for circulation and security, while minimizing impacts on adjacent properties. The project has been conditioned to provide ground level, pedestrian scale lighting will activate and enhance the pedestrian environment at night.

Outdoor lighting has been conditioned to be designed and installed with shielding. Therefore, lighting will be compatible with the existing and future developments in the neighborhood.

Trash Collection

The project will include on-site trash collection for both refuse and recyclable materials, in conformance with the LAMC. The trash room is fully enclosed within the surface parking lot and is not visible from the public right-of-way

Therefore, the 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 will be compatible with existing and future development on neighboring properties.

9. **That any residential project provides recreational and service amenities in order to improve habitability for the residents and minimize impacts on neighboring properties.**

The proposed project involves the development of a self-storage facility and offices for artists. No residential uses are proposed. The proposed project is not subject to the City's open space requirements pursuant to LAMC Section 12.21-G,2. The proposed building would meet and/or exceed all City Building Code and Title 24 requirements. As such, the building would incorporate eco-friendly building materials, systems, and features wherever feasible, including Energy Star-rated appliances, water saving/low-flow fixtures, non-volatile organic compound paints/adhesives, and high-performance building envelopment.

Redevelopment Plan Findings

10. **The Project substantially complies with the relevant Redevelopment Regulations, findings, standards, and provisions of the Redevelopment Plan.**

The project will be maintained in an area designated for Light Manufacturing uses in the North Hollywood Redevelopment Plan and is using the land for uses permitted within Light Industrial areas (self-storage and offices for artists use). The proposed self-storage and office uses are low noise and non-noxious nature, and as required by this section. Additionally, the project promotes community revitalization by developing an underutilized site and contributing new artist space within the NoHo Arts District.

Pursuant to Section 605.3 of the North Hollywood Redevelopment Plan, the project conforms to established criteria to permit commercial uses within industrial areas. The development promotes community revitalization by redeveloping an underutilized site with a new self-storage and artist studio uses. The project conforms to the goals and objectives of the redevelopment plan. The project will eliminate and prevent blight by redeveloping an underutilized site with new viable commercial uses. The project includes a high degree of architectural design and is extensively landscaped. The project will also develop a site in an industrial area that positively relates to adjacent uses. The project will be required to complete public improvements such as sidewalk installation, streetlight installation, and roadway repairs that will positively relate to adjacent uses.

The project is also compatible with and appropriate for the industrial uses in the area. Surrounding properties are developed with buildings that range in height from one to four stories. The properties directly abutting the site to the north, south, and east are zoned MR2-1VL with Land Use Designations of Light Industrial and are developed with one-story buildings operated by commercial and industrial business including a gym, an industrial supplier selling welding equipment and gasses, a coffee roastery, a prop maker, a cabinet maker, and a musical instrument rental company. The western abutting property (across Vineland Avenue), is zoned PF-1VL and CM-1VL with a Land Use designations of Public Facilities and Commercial Manufacturing and is developed with the East Valley High School campus which include buildings up to four stories in height.

Pursuant to Section 617 of the Redevelopment Plan, the project encourages and supports the development of cultural and arts facilities within the project area. The project will include 13,664 square feet of art studio uses, to be operated by the Artist and Makers Studios. The venue will offer studios for rent, classroom/workshop spaces, and several galleries.

Pursuant to Section 623, the project will provide parking and loading facilities in conformance with LAMC requirements. The project will provide 63 on-site automobile parking spaces by utilizing a 20 percent parking reduction and bicycle parking swaps to provide 32 bicycle parking spaces. The parking areas will not interfere with the public use of sidewalks as they are located on-site. The parking areas will also be attractively landscaped to improve the aesthetic qualities of the site. The project will also provide dedicated loading spaces with the remaining parking spaces also functioning as loading spaces for the storage use. As such, the project substantially complies with the North Hollywood Redevelopment Plan.

11. The Project Is subject to all conditions required by the relevant Redevelopment Regulations.

The project is subject to all required conditions of the relevant Redevelopment Regulations. The project has been conditioned to conform with the submitted landscape plan that includes landscaping in all areas not improved with buildings or circulation. Conditions have also been incorporated to authorize commercial uses in an industrial area. As such, the project is subject to conditions required by the Redevelopment Regulations.

12. The Project Complies with CEQA.

On October 15, 2020, a Mitigated Negative Declaration (ENV-2019-7321-MND) was prepared for the proposed project. On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that there is no substantial evidence that the proposed project will have a significant effect on the environment. The attached Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are with the Environmental Review Section of the Department of City Planning in Room 763, 200 North Spring Street.

13. The Project Any other findings that are required in the relevant Redevelopment Plan.

There are no additional findings required in the North Hollywood Redevelopment Plan.

Environmental Findings

14. On October 15, 2020, a Mitigated Negative Declaration (ENV-2019-7321-MND) was prepared for the proposed project. On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that there is no substantial evidence that the proposed project will have a significant effect on the environment. The attached Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are with the Environmental Review Section of the Department of City Planning in Room 763, 200 North Spring Street.

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

COVID-19 UPDATE

Interim Appeal Filing Procedures

March 27, 2020



Consistent with Mayor Eric Garcetti's "Safer At Home" directives to help slow the spread of COVID-19, the Department of City Planning is implementing new procedures for the filing of appeals for non-applicants that eliminate or minimize in-person interaction. There are two options for filing appeals, which are effective immediately and described below.

OPTION 1: EMAIL PLUS US MAIL

This is a two-step process including pre-clearance by email of the appeal application followed by application and payment submittal via US Mail.

STEP 1:

Email planning.figcounter@lacity.org with the subject line: "**Request to File Appeal.**" In the email body provide:

- The case number
- Appellant contact information (name, email, telephone number)

Include as individual attachments to the email:

- Copy of Signed Appeal Application
- Justification
- Letter of Determination

City Planning staff will contact the appellant to confirm whether the appeal is complete and meets the applicable provisions of the Los Angeles Municipal Code (LAMC). The appellant will then be instructed to move forward with Step 2.

STEP 2:

Send appeal application via US Mail, postmarked no later than the last day of the appeal period. The package shall include:

- Original Appeal Application (wet signatures),
- Copy of email correspondence with City Planning staff (from Step 1)
- Appeal fee, check payable to the City of Los Angeles (\$109.47 for an aggrieved party, not the Project Applicant.)

Mail the appeal application to:

Department City Planning - Metro DSC
201 N. Figueroa St., 4th Floor
Los Angeles, CA 90012

City Planning staff will email and mail the appellant with a receipt for payment. Note: only the original application, email, and check need to be sent via US Mail. This ensures a standard envelope with standard postage is sufficient, and no trip to the Post Office is necessary. Steps 1 and 2 must both be completed. An email alone is not sufficient to satisfy appeal requirements.

OPTION 2: DROP OFF AT DSC

An appellant may continue to submit an appeal application and payment at any of the three Development Services Center (DSC) locations. City Planning established drop off areas at the DSCs with physical boxes where appellants can drop off appeal applications and payment. **Drop off areas are monitored in secure locations outside the three DSCs (Metro/Downtown, Van Nuys, and West Los Angeles) and are available during regular business hours.**

City Planning staff will follow up with the appellant via email and phone to:

- Confirm that the appeal package is complete and meets the applicable provisions of the LAMC
- Provide a receipt for payment

FACT SHEET

Planning Entitlement Appeals

Summary

Discretionary planning decisions in Los Angeles can be appealed, at times, to one of the eight City Commissions that oversee planning-related issues and, in some instances, directly to the City Council. These appeals provide members of the public with an opportunity to challenge certain planning decisions, exercising their rights in accordance with the Los Angeles Municipal Code (LAMC). City Planning has developed an informational fact sheet, complete with frequently asked questions, to inform the public of their rights and opportunities for filing project appeals.

Background

The LAMC outlines a process to allow members of the public to appeal land use decisions that are issued by the City. Appeals are intended to challenge the merits of the decision, specifically to contend that a decision maker erred or abused their discretion. To allow community members the ability to appeal qualifying planning decisions at a minimal personal cost, City Planning has consistently (and significantly) subsidized non-applicant appeal fees. This has allowed individuals to be part of a fair and equitable process, one which has provided the public with the opportunity to question certain decisions.

The Department has developed a fact sheet to further clarify the process for filing project-related appeals. This document will be updated periodically, as needed. For additional information, please contact the planning staff located at the Figueroa Plaza (Downtown), Marvin Braude (Van Nuys), or West Los Angeles Development Services Centers preferably via email at planning.figcounter@lacity.org.

Frequently Asked Questions

Where are project appeals filed?

Appeals can be filed at any of the three Development Services Centers (DSCs)—[Downtown, Van Nuys, and West Los Angeles](#)—where planning staff is located. A physical drop off area has been set up at each location to allow applicants to submit their applications, without having to file an initial appointment or enter the premises. As an additional option, the Department has also created an online portal for electronic appeal applications. Click this [link](#) to access the online forms and submit the relevant information electronically.

How long do applicants have to submit a project-related appeal?

An appeal must be filed within a specified period of time as established by the LAMC—varying in length from 10 to 15 days of the issuance of the Letter of Determination (LOD), depending on the planning entitlements being appealed. As a point of reference, deadlines for filing appeals are noted in the [Los Angeles Municipal Code](#) (LAMC) and typically also identified within the LOD.

Where can applicants access the appeal form and corresponding instructions?

The appeal form and instructions can be found [here](#). Both an applicant and “aggrieved party” (a community member opposing the decision) may choose to file an appeal. All appeals will be processed at the same time. Each appeal form represents one appeal, regardless of the number of individuals who have signed the appeal form. For certain planning entitlements, such as determinations for projects that file under the Density Bonus and [Transit Oriented Communities Incentive](#) Programs, appeals are limited to adjacent and abutting owners of property or occupants, as specified in the implementing State and/or local statute. Neighborhood Councils and/or City-appointed decision-making bodies may not file an appeal.

Who decides the outcome of project appeals?

Letters of Determination are issued by the Director of Planning (DIR), Associate Zoning Administrator (AZA), Deputy Advisory Agency (DAA), Area Planning Commission

(APC), or City Planning Commission (CPC). Depending on the initial decision-maker, there are three appellate bodies for planning cases in Los Angeles: the Area Planning Commissions, the City Planning Commission, and the City Council. The LAMC establishes appeal procedures including which types of decisions are eligible for a first- and second-level appeal (meaning that in some cases, the project can be appealed again to a higher decision maker).

How long does the City have to consider the appeal of a land use decision?

According to the LAMC, the City must process appeals under strict time limits. Depending on the planning entitlements, the date that an appeal hearing must be scheduled varies between 30 days from appeal submittal up to 75 days from the last day of the appeal period. These time periods may be extended if there is mutual agreement between the applicant and the City. The LAMC does not, however, allow a non-applicant to request an extension beyond this allotted time period for project appeals.

How (and when) are notifications sent notifying the appellant of their hearing date?

The LAMC specifies the timelines by which appeal hearings must be held. In general, appellants receive notice of their upcoming hearing at least 10 days prior to the hearing date. Notices for some appeal hearings may be published in a local newspaper. If unavailable to attend the date of the hearing, the appellant can submit written comments to the decision-maker or appoint a representative to provide public testimony on their behalf at the public hearing.

Who from City Planning can provide assistance, should there be any questions?

Planning staff at the DSCs serve as a main point of contact for [general inquiries](#). Once a project appeal has been submitted, questions can be directed to the assigned planner, who will process the appeal and take it to the hearing. The contact information for the assigned planner may be found on the Department's [Planning Case Tracking System \(PCTS\)](#).

When can documents be sent to the appellate decision maker who will hear the appeal?

In addition to the appeal application, the appellant may submit documents for the official public record at the time the appeal is filed. If there is a need to provide additional documents after the appeal has been filed, the appellant can send them to the planner assigned to the appeal. Information submitted after a staff recommendation report has been drafted will be included in the public record, but it will not have been considered at the time of the writing of the staff report.

City Planning's Commission Office requires that supplemental information be provided more than 48 hours in advance of the hearing, and meet the criteria as outlined below.

REQUIREMENTS FOR COMMISSION SUBMISSION OF MATERIALS

Regular Submissions: Initial Submissions, not limited as to volume must be received no later than by 4:00 pm on the Monday of the week prior to the week of the Commission meeting. Materials must be emailed to the assigned staff and Commission identified on the project's public hearing notice.

Rebuttal Submissions: Secondary Submissions in response to a Staff Recommendation Report and/or additional comments must be received electronically no later than 48 hours prior to the Commission meeting. For the Central, South Los Angeles and Harbor Area Planning Commissions, materials must be received no later than by 3:00 pm, Thursday of the week prior to the Commission meeting. Submissions, including exhibits, shall not exceed ten (10) pages and must be submitted electronically to the Commission identified on this announcement.

Day of Hearing Submissions: Submissions less than 48 hours prior to, and including the day of the hearing, must not exceed two (2) written pages, including exhibits, and must be submitted electronically to the staff and Commission identified on the project's public hearing notice. Photographs do not count toward the page limitation.

Non-Complying Submissions: Submissions that do not comply with these rules will be stamped "File Copy. Non-complying Submission." Non-complying submissions will be placed into the official case file, but they will not be delivered to or considered by the Commission and will not be included in the official administrative record for the item at issue.

Commission email addresses:

City Planning Commission: cpc@lacity.org

Central Los Angeles Area Planning Commission: apccentral@lacity.org

East Los Angeles Area Planning Commission: apceastla@lacity.org

Harbor Area Planning Commission: apcharbor@lacity.org

North Valley Area Planning Commission: apcnorthvalley@lacity.org

South Valley Area Planning Commission: apcsouthvalley@lacity.org

South Los Angeles Area Planning Commission: apcsouthla@lacity.org

West Los Angeles Area Planning Commission: apcwestla@lacity.org

Are appellants required to sit through the entire meeting when there are multiple items on the agenda?

The answer is no; however, the agenda items can be taken out of order. Therefore, it is in the interest of each appellant to attend the full meeting at the scheduled start time, until their item is taken up for consideration. Depending on how many items are on the agenda, and the agenda order, your item could be heard very quickly or you may have to wait through several items which could take a few hours. As a point of reference, commission meetings for Area Planning Commissions and City Planning Commission generally start at 4:30 PM and 8:30 AM, respectively. For additional details, please consult the "[Events Calendar](#)" on City Planning's website. For City Council and Council Committee meetings, please consult the Meeting Calendar page for [City Council](#) and [Committees](#).

Will the appellant have an opportunity to speak during the hearing?

Following the presentation by the planner assigned to the appeal case, the appellant can present their case. After the appellant's presentation, the project applicant will be given an equal amount of time to provide a rebuttal to the appellant's presentation. There is often time for an additional rebuttal by the applicant or appellant. While there are exceptions to the rule, the appellate body may invite the appellant to respond to



questions. It is important to note that the appellate body will not engage in a back and forth conversation with either the applicant or appellant. This is done to be both fair and consistent in the amount of time allocated to each party.

What is the format and structure of a typical hearing for a project appeal?

Each appellate body follows a slightly different set of procedures when hearing project appeals. That said, there are a number of common features that apply regardless of whether the appellate body is the Area Planning Commission, Cultural Heritage Commission, City Planning Commission, or City Council. A formal public meeting structure is always maintained in order to ensure a fair and predictable process—one where all sides are heard, and the meeting is conducted in an orderly manner. In the case when a planning commission is the appellate body, there are additional steps, such as: a presentation from the Department, an opportunity for the appellant to testify, a forum for the applicant to offer their rebuttal, and time reserved for public testimony. This would take place leading up to any formal action on the part of the commissioners, as it relates to a project appeal.

To slow the spread of COVID-19, City Planning has implemented new procedures for public hearings and outreach meetings in order to practice proper physical distancing protocols. Until notified otherwise, commission meetings will be conducted virtually to allow applicants and the public to participate using a webcam or by telephone. For more information, consult the City Planning's [website](#) with detailed instructions.

How much time does the appellant have to present their argument?

The time allocated to the appellant for the purposes of their presentation varies. It is ultimately determined by the appellate body and communicated at the start of the meeting. More often than not, appellants are allocated five to 10 minutes to make their presentation. Project appeals that are heard by City Council follow slightly different procedures, which the assigned planner can explain.

Is there a need for the appellant to submit a PowerPoint presentation?

Appellants can prepare a PowerPoint presentation, in addition to making verbal remarks when it is their turn to speak. If a PowerPoint is being prepared, the appellant should



submit the document to City Planning no less than 72 hours in advance of the meeting. The assigned planner will coordinate the submission for the appellant.

What role does the planner assigned to this project play during the appeal process?

The role of the assigned planner is to ensure that an appellant is notified of the appeal hearing as an interested party, to provide them with a courtesy copy of the staff report if prepared, and to make sure that all parties are informed of the outcome or final decision of the appeal. The assigned planner will analyze the appeal points and prepare a staff recommendation report responding to each of the points raised by the appellant. At the hearing, the assigned planner will make a presentation to the decision maker. All information about the case is available for public view in the case file, and the Planner can assist in making an appointment to review it. The planner can also ensure that translation and special accommodations for individuals with disabilities can be provided at the public hearing, if requested.

What happens after the Appellate Body issues a formal decision, one way or another?

After the Commission takes a vote, a formal Letter of Determination is issued. If the decision is not further appealable, this concludes the appeal process. Under the LAMC and City Charter, only certain Commission-level appellate decisions are further appealable to City Council.

When can a CEQA appeal be filed?

Generally, a standalone CEQA appeal to the City Council may only be filed if a project's land use determination is not further appealable to the City Council (with some exceptions). If a determination made by an Area Planning Commission or City Planning Commission is further appealable to the City Council, the City Council will consider CEQA related appeal points made by an appellant when considering the entire appeal of the project.

When should appellants fill out the CEQA Appeal Form?

The CEQA Appeal form shall only be used if the Area Planning Commission or City Planning Commission issues a determination for a project that is not further appealable. In these situations, an individual may file an appeal of a project's CEQA clearance to the City Council. Forms and procedures for the appeal of CEQA documents can be found here listed under "CEQA Appeal Application."