



APPLICATIONS:

APPEAL APPLICATION

Instructions and Checklist

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

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

A. APPELLATE BODY/CASE INFORMATION

1. APPELLATE BODY

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

Regarding Case Number: CPC-2021-2908-ZC-HD-ZAD-WDI-SPR

Project Address: 6101-6117 West Melrose Avenue; 713-735 North Seward Street

Final Date to Appeal: September 19, 2022

2. APPELLANT

Appellant Identity:
(check all that apply)

- Representative Property Owner
- Applicant Operator of the Use/Site

Person, other than the Applicant, Owner or Operator claiming to be aggrieved

Person affected by the determination made by the **Department of Building and Safety**

- Representative Owner Aggrieved Party
- Applicant Operator

3. APPELLANT INFORMATION

Appellant's Name: Melrose Avenue Owner, LLC

Company/Organization: Bardas Investment Group

Mailing Address: 1015 N. Fairfax Avenue

City: West Hollywood State: CA Zip: 90046

Telephone: (323) 461-8815 E-mail: dsimon@bardasig.com

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

Self Other: _____

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

4. REPRESENTATIVE/AGENT INFORMATION

Representative/Agent name (if applicable): Kyndra Casper / Karen Hallock

Company: DLA Piper LLP

Mailing Address: 550 S Hope Street, Suite 2400

City: Los Angeles State: California Zip: 90071

Telephone: (213) 694-3141 E-mail: kyndra.casper@us.dlapiper.com; karen.hallock@us.dlapiper.com

5. JUSTIFICATION/REASON FOR APPEAL

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

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

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

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

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

6. APPLICANT'S AFFIDAVIT

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

Appellant Signature: _____

Date: 9/16/2022

GENERAL APPEAL FILING REQUIREMENTS

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

1. Appeal Documents

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

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

b. Electronic Copy

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

c. Appeal Fee

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

d. Notice Requirement

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

SPECIFIC CASE TYPES - APPEAL FILING INFORMATION

C. DENSITY BONUS / TRANSIT ORIENTED COMMUNITES (TOC)

1. Density Bonus/TOC

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

NOTE:

- Density Bonus/TOC cases, only the *on menu or additional incentives* items can be appealed.
- Appeals of Density Bonus/TOC cases can only be filed by adjacent owners or tenants (must have documentation), and always only appealable to the Citywide Planning Commission.

- Provide documentation to confirm adjacent owner or tenant status, i.e., a lease agreement, rent receipt, utility bill, property tax bill, ZIMAS, drivers license, bill statement etc.

D. WAIVER OF DEDICATION AND OR IMPROVEMENT

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

NOTE:

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

E. TENTATIVE TRACT/VESTING

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

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

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

F. BUILDING AND SAFETY DETERMINATION

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

a. Appeal Fee

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

b. Notice Requirement

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

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

a. Appeal Fee

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

b. Notice Requirement

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

G. NUISANCE ABATEMENT

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

NOTE:

- Nuisance Abatement is only appealable to the City Council.

a. Appeal Fee

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

2. Plan Approval/Compliance Review

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

a. Appeal Fee

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

Modification - The fee shall be in accordance with the LAMC Section 19.01 B.

NOTES

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

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

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

Attachment A

Appeal Justification re: Applicant's Partial Appeal related to the City Planning Commission's Denial of Applicant's Request for a Waiver of Dedication and/or Improvement

Case No. CPC-2021-2908-ZC-HD-ZAD-WDI-SPR

Dear Honorable City Council Members:

This law firm represents Melrose Avenue Owner, LLC ("Applicant"), the applicant for the proposed office-retail building known as the Melrose and Seward Project ("Project"). The Project is located at 6101-6117 West Melrose Avenue and 713-735 North Seward Street ("Property" or "Site") in the City of Los Angeles ("City"). The Project proposes to retain two 2-story commercial buildings, demolish an existing 1-story commercial building and surface parking lot, and construct a 67,889 square-foot, five-story office-retail building with two levels of subterranean parking.

At its meeting on July 28, 2022, the City Planning Commission ("Commission") took the following actions in the above-referenced case:

1. Adopted the Mitigated Negative Declaration and Mitigation Monitoring Program prepared for the Project;
2. Approved and recommended that the City Council adopt a Zone and Height District Change from C4-1XL and CM-1VL to (T)(Q)CM-2D for Lots 21-23 of the project site;
3. Dismissed a Zoning Administrator's Determination to allow the project to exceed the maximum Transitional Height requirement;
4. Approved a Waiver of Dedication and/or Improvement to waive a 3-foot street widening along Seward Street;
5. Denied a Waiver of Dedication and/or Improvement to waive a 3-foot dedication along Melrose Avenue and a 15-foot by 15-foot corner cut or a 20-foot radius property line return at the intersection of Melrose Avenue and Seward Street, in accordance with Avenue II standards, and a 5-foot dedication along Seward Street, in accordance with Local Street standards;
6. Approved a Site Plan Review;
7. Adopted Modified Conditions of Approval; and
8. Adopted Amended Findings.

This letter is provided in support of Applicant's Partial Appeal of the Commission's July 28, 2022 decision, denial of Item No. 5, denying Applicant's request for a Waiver of Dedication and/or Improvement ("WDI") to waive a 3-foot dedication along Melrose Avenue. Applicant respectfully requests that the City Council grant this Partial Appeal because the existing street conditions, surrounding properties, and proposed design of the Project Site make the required 3-foot street widening along Melrose Avenue physically impracticable.

I. Existing Street Infrastructure Makes the Required Street Widening Physically Impracticable.

The required 3-foot street widening is physically impracticable given the existing street conditions along Melrose Avenue. Melrose Avenue is a designated Avenue II by the Mobility Plan 2035 and has a designated right-of-way width of 86 feet (43-foot half-width) and a designated roadway width of 56 feet (28-foot half-width). Per the Los Angeles Bureau of Engineering's (BOE) Planning Case Referral Form, Melrose Avenue currently has an 80 feet right-of-way width (40-foot half-width) and a 56 feet roadway width (28-foot half-width). BOE determined that the Project must dedicate 3 feet along Melrose Avenue to complete the required 43-foot half-width public right-of-way.

The existing roadway along Melrose Avenue already meets Mobility Plan 2035 standards and meets the mobility needs for the next 20 years. The required dedication would only provide for a wider sidewalk along Melrose Avenue. However, the relevant portion of the Site fronting Melrose Avenue is currently developed with an approximately 12-foot-wide sidewalk that adequately meets the needs of pedestrians.

Pedestrian safety and access to the Site would be maintained and improved with the repair of any damaged sidewalk, curb, and gutter, as required by BOE. The Project would also provide an ADA ramp at the corner of Melrose Avenue and Seward Street to accommodate the needs of people with varying abilities. Additionally, the Project would incorporate a pocket patio on Melrose Avenue, toward the corner of Melrose Avenue and Seward Street. The pocket patio would provide landscaping and access to the Project's office space thereby activating the sidewalk and providing an enhanced pedestrian experience. The pocket patio and landscaped buffers along Melrose Avenue would enhance pedestrian safety and convenience.

As indicated in the Mobility Plan 2035, "[d]ue to the often unique nature of a street segment there are situations where widening the roadway width to the standard dimension could change the character of the street in an undesirable way, prove unnecessarily expensive relative to the resulting benefits, or result in other adverse changes." Accordingly, because of the existing street infrastructure and the proposed pedestrian-oriented design features, the required dedication would be physically impracticable and is not necessary to meet the City's mobility needs for the next 20 years based on the guidelines the Street Standards Committee has established.

II. Surrounding Properties Make the Required Street Widening Physically Impracticable.

The required 3-foot street widening is physically impracticable given the existing properties and improvements along Melrose Avenue. Melrose Avenue has both commercial and residential development, including the Los Angeles Public Library John C. Fremont Branch, a designated Los Angeles Historic-Cultural Monument (No. 303), which is also listed in the National Register of Historic Places (the "Library").

The surrounding properties to the east and to the west of the Site along Melrose Avenue are unlikely to provide dedications in the future. Along Melrose Avenue to the west are residential buildings which all share a constant 28-foot half-width roadway and 12-foot sidewalk. Additionally, the residential properties to the west of the Site are developed to the existing sidewalk and are landscaped with mature street

trees. The commercial lots to the east of the Site along Melrose Avenue do not meet the minimum lot size requirement within the C4 zone and would not be able to dedicate additional widths along Melrose Avenue. Additionally, the commercial properties to the east of the Site along Melrose Avenue front a narrower Melrose Avenue and would need to dedicate approximately 15 feet for Melrose Avenue to reach the full designated width. Because many of the lots are substandard, this scenario is unlikely to be realized.

The City determined that the Project must dedicate three feet along Melrose Avenue in light of the adjacent Library's 3-foot dedication. The Library is a designated historic building that was originally constructed in 1926 and reopened in 1996 after being closed in 1990 for failure to comply with seismic safety codes. While it appears that the Library dedicated a 3-foot portion of land directly in front of the building along Melrose over 25 years ago, the sidewalk was never widened. The dedicated area still maintains outdoor steps to the Library and a landscaped area. Given the Library's status as a Historic Cultural Monument, it is unlikely that physical public improvements will be made in the dedicated area that directly abuts the Library.

Moreover, there is a large, mature tree along Melrose Avenue directly in front of the Library. Urban Forestry or the Board of Public Works will likely not approve removal of mature street trees in front of the Library.

Accordingly, the street widening requirement along Melrose Avenue would result in the removal of street trees, an uneven path of travel, and potential impacts to a Historic Cultural Monument.

III. The Proposed Design of the Development Makes the Required Street Widening Physically Impracticable.

The required 3-foot street widening is physically impracticable given the building area and proposed design. The Project proposes to demolish the existing one-story commercial building and surface parking lot located at the northwest intersection of Melrose Avenue and Seward Street and construct a new five-story office-retail building with two levels of subterranean parking. The Project is currently built out to the Melrose Avenue property line without the required 3-foot dedication. The required dedication along Melrose Avenue would eliminate necessary subterranean parking, building area, and open space.

The two levels of subterranean parking extend all the way to the existing property line along Melrose Avenue. Adjacent to the property line are standard parking spaces, a stairwell, and facilities such as a fan room, a cistern, and CDX and pumps. By imposing the 3-foot dedication requirement, the proposed standard parking spaces would no longer comply with the code-required dimensions of a standard parking space. Additionally, the subterranean garage is designed so as to minimize the amount of above-grade parking. As such, the 3-foot dedication would result in insufficient parking and an increase in above-grade parking.

Furthermore, a portion of the building extends to the existing property line along Melrose Avenue. Implementing the 3-foot dedication would result in a loss of building area and office space on the first and second floors. The Project's building façades are set back to provide articulation along Melrose Avenue,

which is slanted. The required 3-foot dedication would alter the angle of the Melrose Avenue building façade and would frustrate the visual impact of the strategic changes in depth and horizontal plane.

Finally, the pocket patio and third-floor deck extend to the existing property line along Melrose Avenue. The landscaped pocket patio and exterior deck space activate the streetscape and enhance the pedestrian experience. The open space areas encourage communal activity and gathering along the Project's facades. The required 3-foot dedication would result in a loss of valuable landscaped open space.

Notably, changes in the Project's proposed subterranean parking, building area, open space, and architectural design will create financial hardships. Accordingly, the dedication would adversely impact the strategic design and composition of the Project, making the dedication physically impracticable.

IV. Conclusion

Based on the foregoing, the Applicant respectfully requests that the City Council approve Applicant's Partial Appeal and grant Applicant's WDI request for a Waiver of Dedication and/or Improvement to waive a 3-foot dedication along Melrose Avenue and a 15-foot and 15-foot corner cut or 20-foot radius property line return at the intersection of Melrose Avenue and Seward Street, in accordance with Avenue II standards, and a 5-foot dedication along Seward Street, in accordance with Local Street standards.



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: AUG 30 2022

Case No. CPC-2021-2908-ZC-HD-ZAD-WDI-SPR
CEQA: ENV-2021-2909-MND
Plan Area: Hollywood

Council District: 5 – Koretz
13 – O’Farrell

Project Site: 6101 – 6117 West Melrose Avenue;
713 – 735 North Seward Street

Applicant: Melrose Avenue Owner, LLC, Bardas Investment Group
Representative: Matthew Nichols/Jerry Neuman, DLA Piper LLP

At its meeting of **July 28, 2022**, the Los Angeles City Planning Commission took the actions below in conjunction with the approval of the following Project:

Demolition of an existing one-story commercial building and surface parking lot, and the construction, use, and maintenance of a 67,889 square-foot, five-story office-retail building. The Project will include 67,242 square feet of office space and 647 square feet of retail space, and the building will rise to a maximum height of approximately 77 feet and nine inches (73 feet and six inches to the top of the parapet). The Project will provide 168 vehicular parking spaces and 26 bicycle parking spaces on the ground floor and two subterranean levels. With the addition of the existing building floor area that will remain on Lots 18-20 (developed with two, two-story commercial buildings) the Project proposes a Floor Area Ratio (FAR) of 1.88 to 1.

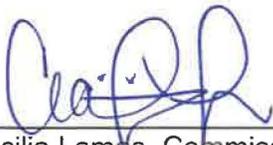
1. **Found**, pursuant to CEQA Guidelines Section 15074(b), after consideration of the whole of the administrative record, including the Mitigated Negative Declaration, No. ENV-2021-2909-MND (“Mitigated Negative Declaration”), and all comments received, with the imposition of mitigation measures, there 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 Section 12.32 F of the Los Angeles Municipal Code (LAMC), a Zone and Height District Change from C4-1XL and CM-1VL to (T)(Q)CM-2D for Lots 21-23 of the project site;
3. **Dismissed**, pursuant to LAMC Section 12.24 X.22, a Zoning Administrator’s Determination to allow the project to exceed the maximum Transitional Height requirement otherwise permitted by the provisions of LAMC Section 12.21.1 A.10, for a maximum building height of 77 feet and nine inches;
4. **Approved**, pursuant to LAMC Section 12.37 I.3, a Waiver of Dedication and/or Improvement to waive a three-foot street widening along Seward Street;
5. **Denied**, pursuant to LAMC Section 12.37 I.3, a Waiver of Dedication and/or Improvement to waive a three-foot dedication along Melrose Avenue and a 15-foot and 15-foot corner cut or 20-foot radius property line return at the intersection of Melrose Avenue and Seward Street, in accordance with Avenue II standards, and a five-foot dedication along Seward Street, in accordance with Local Street standards;

6. **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 nonresidential floor area;
7. **Adopted** the attached Modified Conditions of Approval; and
8. **Adopted** the attached Amended Findings.

The vote proceeded as follows:

Moved: Perlman
 Second: Dake Wilson
 Ayes: Choe, Campbell, Hornstock, López-Ledesma, Mack, Millman
 Absent: Leung

Vote: 8 – 0



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 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: SEP 19 2022

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, Modified Conditions of Approval, Amended Findings, Interim Appeal Filing Procedures

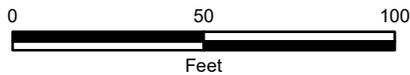
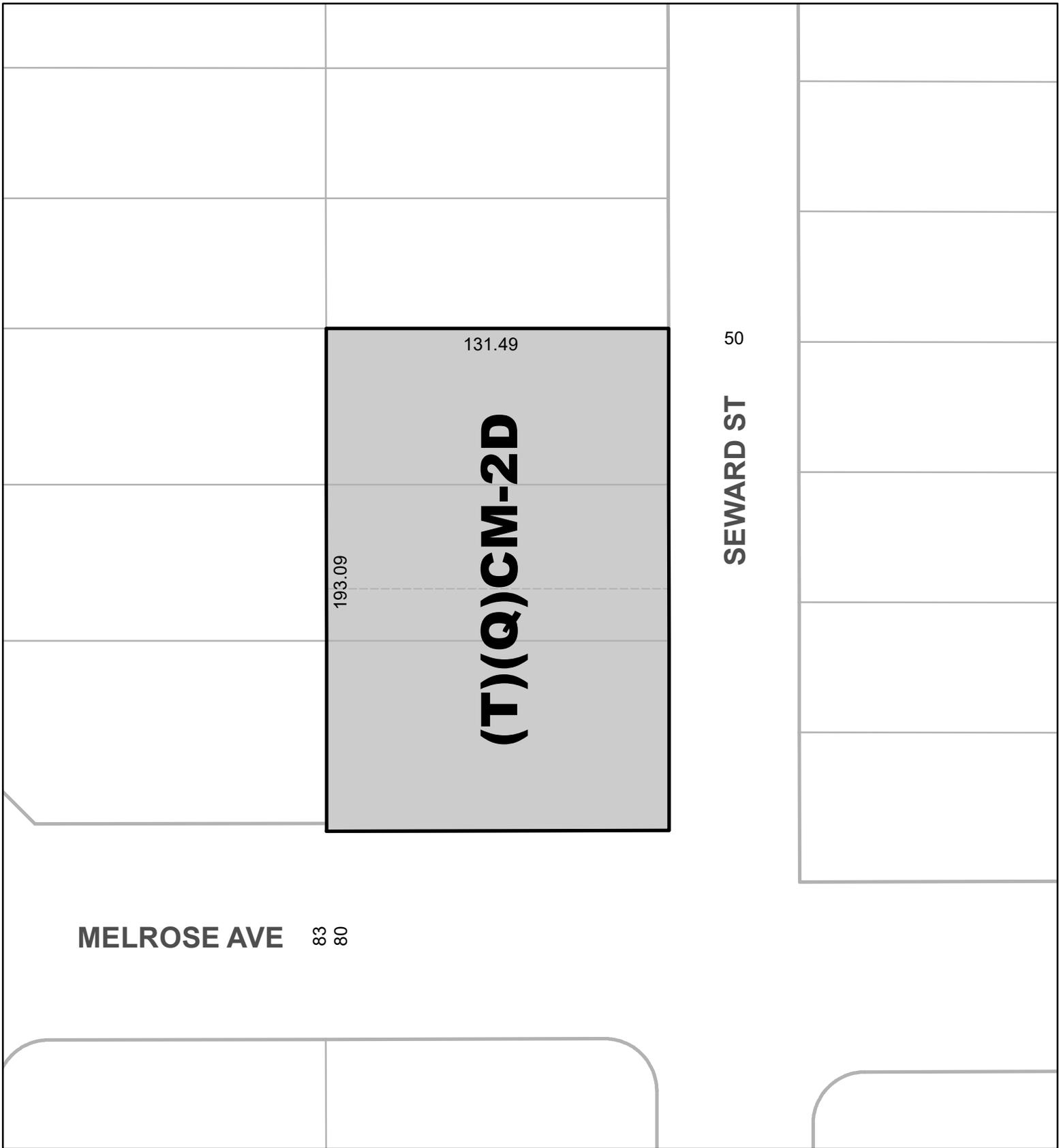
c: Heather Bleemers, Senior City Planner
 Kevin Golden, City Planner
 David Woon, Planning Assistant

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:

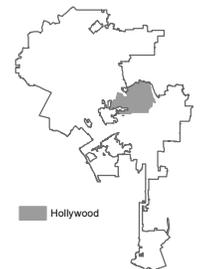


CPC-2021-2908-ZC-HD-ZAD-WDI-SPR

AAIcf

080522

City of Los Angeles



(Q) QUALIFIED CONDITIONS OF APPROVAL

Pursuant to LAMC Section 12.32 G, the following limitations are hereby imposed upon the use of the project site, subject to the "Q" Qualified Classification:

1. **Site Plan.** The use and development of the property shall be in substantial conformance with the plot plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.
2. **Use.** The use and area regulations for the new development on-site shall be developed for the uses as permitted in the CM Zone as defined in LAMC Section 12.17.1, except as modified by the conditions herein or subsequent action.
3. The building height on Lots 18-20 shall be limited to 45 feet as permitted in the CM-1VL Zone.

“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, subject to the “D” Development Limitations.

1. **Floor Area.** The total floor area permitted on the subject property shall not exceed a Floor Area Ratio of 1.88 to 1.
2. **Height.** The project shall be limited to five stories and 77 feet and 9 inches. Roof structures and equipment shall not exceed the height limit by more than what is permitted in LAMC Section 12.21.1 B.3.

CONDITIONS FOR EFFECTUATING (T) TENTATIVE CLASSIFICATION REMOVAL

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

Dedication(s) and Improvement(s). 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):

Responsibilities/Guarantees

1. As a 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:

Melrose Avenue (Avenue II) – A 3-foot wide strip of land along the property line to complete a 43-foot half right-of-way and a 20-foot radius property line return or a 15-foot and 15-foot corner cut at the intersection with Seward Avenue all in accordance with Avenue II of Mobility Plan 2035.

Seward Street (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.

B. Improvements Required:

Melrose Avenue – Construct additional concrete sidewalk in the dedicated area including in the area of the corner cut or property radius line return. Repair and replace any damaged or off-grade concrete curb, gutter, sidewalk and asphalt concrete pavement along the property frontage. Reconstruct and or repair any curb ramps as required under BOE Special Order 01-1020. Close all unused driveways with full-height curb, gutter and full-width concrete sidewalk. All new proposed driveways shall require LADOT's approval.

Seward Street – Construct a new curb, gutter and full-width concrete sidewalk with tree wells up to the new property line. Repair all broken off-grade roadway pavement along the property frontage.

Reconstruct all curb ramps at intersection with Melrose Avenue and Seward Street to BOE's standards plan and Special Order 01-1020. All new proposed driveways shall require LADOT's approval. These improvements should suitably transition to join the existing improvements.

Notes:

Broken curb and/or gutter includes segments within existing score lines that are depressed or upraised by more than $\frac{1}{4}$ inch from the surrounding concrete work or are separated from the main body of the concrete piece by a crack through the entire vertical segment and greater than $\frac{1}{8}$ inch at the surface of the section.

Non-ADA compliant sidewalk shall include any sidewalk that has a cross slope that exceeds 2% and/or is depressed or upraised by more than $\frac{1}{4}$ inch from the surrounding concrete work or has full concrete depth cracks that have separations greater than $\frac{1}{8}$ inch at the surface. The sidewalk also includes that portion of the pedestrian path of travel across a driveway.

All new sidewalk curb and gutter shall conform to the Bureau of Engineering Standard Plans S410-2, S440-4, S442-5 and S444-0.

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

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

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

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

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

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

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

Contact the Department of Transportation regarding any conflicts with traffic signals, signs, parking spaces, meters or traffic control devices (213) 482-7024.

Roof drainage and surface run-off from the property shall be collected and treated at the site and drained to the streets through drain pipes constructed under the sidewalk or through curb drains connected to the catch basins.

Catch basin exist in Seward Avenue. Relocate catch basin per B-Permit plan check requirements.

Sewer lines exist in Melrose Avenue and in Seward Street. Extension of the house connection laterals to the new property line may be required. All Sewerage Facilities Charges and Bonded Sewer Fees are to be paid prior to obtaining a building permit.

Submit a request to the Bureau of Engineering Central District public counter to verify that the existing sewer lines have the capacity to handle the additional flow that will be generated by the proposed project.

No portion of the building shall encroach above or below public right-of-way.

Submit shoring and lateral support plans to the BOE Central District Office - Excavation Counter for review and approval prior to excavating adjacent to the public right-of-way.

Obtain Revocable Permit from BOE Central District Office for any existing or proposed non-standard elements encroaching into the public right-of-way.

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

3. **Urban Forestry.**

A. **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 subdivider or contractor shall notify the Urban Forestry Division at (213) 847-3077 upon completion of construction to expedite tree planting.

Note: Removal or planting of any tree in the public right-of-way requires approval of the Board of Public Works. Contact Urban Forestry Division at (213) 847-3077 for permit information. CEQA document must address parkway tree removals.

4. **Department of Recreation and Parks.** Prior to the issuance of building permit, a dedication of land shall be made or assured or a payment in lieu thereof made or guaranteed to the satisfaction of the Department of Recreation and Parks, as required pursuant to LAMC Section 12.33.

CONDITIONS OF APPROVAL

(As Modified by the City Planning Commission at its meeting on July 28, 2022)

Pursuant to Sections 12.37 I.3, and 16.05 of the Los Angeles Municipal Code, the following conditions are hereby imposed upon the use of the subject property:

Development Conditions

1. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
2. **Site Development.** The use and development of the property shall be in substantial conformance with the plans submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.
3. **Parking.** Parking must meet requirements pursuant to LAMC Section 12.21 A.4.
4. **Electric Vehicle Parking.** All vehicular parking shall provide electric vehicle charging spaces and electric vehicle charging stations in compliance with the regulations outlined in Section 99.05.106 of Article 9, Chapter IX of the LAMC.
5. **Circulation.** The applicant shall submit a parking and driveway plan to the Los Angeles Department of Transportation (LADOT) for approval. Review and approval of the driveways should be coordinated with DOT's Citywide Planning Coordination Section (201 North Figueroa Street, 5th Floor, Room 550, at 213-482-7024).

Waiver of Dedication and/or Improvement Conditions

6. **Waiver of Dedication and Street Widening.** No street widening or improvements associated with street widening shall be required along North Seward Street.
7. **Improvements.** All improvements otherwise requested by the Bureau of Engineering or other agencies shall be provided.

Site Plan Review Conditions

8. **Materials.** A variety of high-quality exterior building materials, consistent with Exhibit A, shall be used. Substitutes of an equal quality shall be permitted, to the satisfaction of the Department of City Planning.
9. **Pedestrian Access.** The project shall maintain at least one pedestrian pathway to and from the building entrance along North Seward Street. There shall be a direct, linear pathway from the street to the entrance.
10. **Graffiti.** All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
11. **Mechanical Equipment.** All mechanical equipment on the roof shall be screened from view. The transformer(s), if located at-grade and facing the public right-of-way, shall be screened with landscaping and/or materials consistent with the building façade on all exposed sides (those not adjacent to a building wall).

12. **Maintenance.** The subject property (including all trash storage areas, associated parking facilities, walkways, common open space and exterior walls along the property lines) shall be maintained in an attractive condition and shall be kept free of trash and debris.
13. **Landscaping.**
 - a. All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped, including an automatic irrigation system, and maintained in accordance with a landscape plan prepared by a licensed landscape architect or licensed architect, and submitted for approval to the Department of City Planning.
 - b. **Soil depths.** The project shall conform with the minimum soil depth and volume requirements for trees and other plants as outlined in the Soil Depths Design Resource published by the Los Angeles City Planning Urban Design Studio.
 - i. Shrubs, perennials, and ground cover shall require a minimum soil depth of as follows:
 - (1) A minimum depth with a height ranging from 15 to 40 feet shall be 42 inches.
 - (2) A minimum depth with a height ranging from 9 to 15 feet shall be 36 inches.
 - (3) A minimum depth with a height ranging from 1 to 8 feet shall be 24 inches.
 - (4) A minimum depth with a height less than 1 foot shall be 18 inches.
 - (5) A minimum depth of an extensive green roof shall be 3 inches.
 - ii. Trees shall have a minimum soil depth of 42 inches.
 - iii. The minimum amount of soil volume for tree wells on the rooftop or any above grade open spaces shall be based on the size of the tree at maturity:
 - (1) 220 cubic feet for trees with a canopy diameter ranging from 15 to 19 feet.
 - (2) 400 cubic feet for trees with a canopy diameter ranging from 20 to 24 feet.
 - (3) 620 cubic feet for trees with a canopy diameter ranging from 25 to 29 feet.
 - (4) 900 cubic feet for trees with a canopy diameter ranging from 30 to 34 feet.
14. **Lighting.** Outdoor lighting shall be designed and installed with shielding, such that the light source does not illuminate adjacent residential properties or the public right-of-way, nor the above night skies.
15. **Trash.** All trash collection and storage areas shall be located on-site and not visible from the public right-of-way. Trash and recycle receptacles shall be stored within a fully enclosed portion of the building at all times.
16. **Sustainability.** The project shall comply with the Los Angeles Municipal Green Building Code, Section 99.05.211, to the satisfaction of the Department of Building and Safety.

Environmental Conditions

Mitigation Measures

17. **Noise.** During all Project Site demolition, grading/excavation, foundation and building construction, the construction contractors shall install a temporary, continuous sound barrier along the western boundary of the Project Site. The barrier shall be tall enough to

break the line-of-site between construction activity and the adjacent library and residential use, and be constructed of materials achieving a Transmission Loss (TL) value of at least 14 dBA, such as ½ inch plywood. The supporting structure shall be engineered and erected according to applicable codes.

The construction contractor shall not use large bulldozer, or caisson drill within 80 feet of the façade of the residential use located west of the Project Site at 716 North June Street and within 63 feet of the façade of the John C. Fremont Branch Library located west of the Project Site.

The construction contractor shall not use large excavators, bulldozers, or caisson drills within 21 feet of the John C. Fremont Branch Library west of the Project boundary, within 15 feet of the commercial building directly adjacent to the north of the Project boundary and the residential building located west of the Project boundary.

18. **Traffic.** The Project shall incorporate the following Transportation Demand Management strategies as part of the ongoing Project operations:

- **Education and Encouragement – Promotions and Marketing –** This strategy involves the use of marketing and promotional tools to educate and inform travelers about site-specific transportation options and the effects of their travel choices. This strategy includes passive education and promotional materials, such as posters, information boards or a website with information that a traveler could choose to read at their own leisure. All employees will be included in this TDM strategy.
- **Commute Reductions – Alternative Work Schedules and Telecommute Program –** This strategy encourages employees to work alternative schedules or telecommute, including staggered start times, flexible schedules, or compressed work weeks. A minimum 25% of the employees will be participating in this program.
- **Commute Trip Reductions – Ride Share Program –** This strategy increases vehicle occupancy by providing ride-share matching services, designated preferred parking for ride-share participants, designing adequate passenger loading/unloading and waiting areas for ride-share vehicles and providing a website or message board to connect riders and coordinate rides. A minimum of 10% of the employees will be eligible.

Administrative Conditions

19. **Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building and Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building and Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building and Safety shall be stamped by Department of City Planning staff "Final Plans". A copy of the Final Plans, supplied by the applicant, shall be retained in the subject case file.

20. **Notations on Plans.** Plans submitted to the Department of Building and Safety, for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet, and shall include any modifications or notations required herein.

21. **Building Plans.** A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.
22. **Corrective Conditions.** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if, in the Commission's or Director's opinion, such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
23. **Approvals, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, reviews or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning for placement in the subject file.
24. **Code Compliance.** All area, height and use regulations of the zone classification of the subject property shall be complied with, except wherein these conditions explicitly allow otherwise.
25. **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.
26. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public offices, legislation or their successors, designees or amendment to any legislation.
27. **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.
28. **Expedited Processing Section.** Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
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 (ii).
- d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- e. If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

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

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

For purposes of this condition, the following definitions apply:

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

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

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

FINDINGS

(As Amended by the City Planning Commission at its meeting on July 28, 2022)

GENERAL PLAN/CHARTER FINDINGS

1. **Charter Section 556: The action is in substantial conformance with the purposes, intent, and provisions of the General Plan.**

General Plan.

- a. General Plan Land Use Designation.

The subject property is located within the Hollywood Community Plan and designates the subject property for Commercial Manufacturing land uses corresponding to the CM and P Zones. The project site is comprised of six lots of which Lots 18-22 are located in the CM-1VL Zone and Lot 23 is in the C4-1XL Zone. The applicant requests a zone change and height district change for Lots 21-23 of the project site from CM-1VL and C4-1XL to (T)(Q)CM-2D. Lots 18-20 would remain in the CM-1VL Zone. The zone change and height district change is warranted as the site's existing zoning does not allow for the necessary Floor Area Ratio (FAR) and height to construct this project. The proposed five-story office-retail building is a commercial use that is consistent with development permitted in the proposed (T)(Q)CM-2D Zone. Therefore, the project would be in substantial conformance with the purposes, intent and provisions of the General Plan.

- b. Land Use Element.

The proposed project complies with applicable provisions of the Los Angeles Municipal Code (LAMC) and the Hollywood Plan. The twelve elements of the General Plan establish policies that provide for the regulatory environment in managing the City and for addressing concerns and issues. The majority of the policies derived from these Elements are in the form of Code Requirements of the Los Angeles Municipal Code (LAMC).

The Land Use Element of the City's General Plan is divided into 35 Community Plans. The subject property is located within the Hollywood Community Plan, which designates the site for Commercial Manufacturing land uses corresponding to the C and M Zones.

Hollywood Community Plan. The Hollywood Community Plan text includes the following relevant land use goals, objectives, and policies:

- *Objective 4: To promote economic well being and public convenience through:*
 - a. *Allocating and distributing commercial lands for retail, service, and office facilities in quantities and patterns based on accepted planning principles and standards*

The zone and height district change would promote a strong and competitive commercial sector by demolishing a one-story commercial building and surface parking lot and redeveloping the project site into a five-story office-retail building. The new development and street improvements to West Melrose Avenue and North Seward Street would intensify the commercial use and activity of the project site while complementing the surrounding commercial, residential, and manufacturing uses in the area. As such, the project would contribute to the economic well-being of the surrounding neighborhood through the creation of jobs and public convenience. The project would result in the

development of a 67,889 square-foot building with 67,242 square feet dedicated to creative office space and 647 square feet dedicated to retail space. The development would rise to a maximum building height of 77 feet and 9 inches (73 feet and 6 inches to the top of the parapet) and a FAR of 1.88 to 1 (inclusive of existing building floor area that would remain on Lots 18-20 developed with two, two-story commercial buildings). A total of 168 automobile parking spaces would be provided within the ground floor and a two-level, subterranean garage. A majority of the parking spaces would be located within the subterranean parking garage (152 parking spaces) thereby reducing parking impacts onto nearby properties. In addition, the project's parking areas would be accessible through a single two-way driveway along North Seward Street, away from residential uses. The project would also complement existing transportation infrastructure with public transit service and bike routes located within 0.40 miles of the project site. The project would activate the street frontage along West Melrose Avenue and North Seward Street and enhance the pedestrian experience with the installation of a pocket courtyard and patio, landscaped areas and street trees along the sidewalk, and art walls. The project's design acknowledges the perceived scale and height of the proposed five-story building in comparison with the adjacent single-family houses located west of the project site. The project would step back from the adjacent residential properties through the terracing of open space areas (i.e. roof decks) at the northwestern portion of the proposed office-retail building from the third through fifth floors. Through the orientation of uses, building massing, and articulation, the project would address concerns regarding compatibility with the neighboring residential properties. Therefore, these improvements would complement nearby land uses and would promote economic well-being and public convenience in the community.

- *Policy – Land Use – Industry:*

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

The project would redevelop a one-story commercial building and surface parking lot into a five-story office-retail building while maintaining the existing two two-story commercial buildings on the project site. As such, the project would increase employment opportunities in the community. The project site is within 500 feet of single- and multi-family structures making it within walkable distance to housing. Prospective employers and employees who do not live nearby would have access to 168 automobile parking spaces located on-site. In addition, the project is within close proximity (approximately 0.40 miles) to Metro Local Bus Lines and bike routes which connect residents and workers across Los Angeles. The closest bus stop (Metro Local Bus Line 10/48) is within 250 feet from the project site providing service to communities between West Hollywood and South Los Angeles. Based on the walkability of the surrounding area and proximity to various modes of transportation, the project is within reasonable commuting distance from residential locations.

- *Policy – Land Use – Commerce:*

Parking areas should be located between commercial and residential uses on the commercially-zoned properties where appropriate to provide a buffer, and shall be separated from residential uses by means of at least a solid masonry wall and landscaped setback.

The project's parking area would be covered and screened such that it would not impose nuisances to nearby residential uses. The project would provide a total of 168 automobile parking spaces within the ground floor and a two-level, subterranean parking garage. A majority of the parking spaces would be located within the subterranean parking garage (152 parking spaces) thereby reducing parking impacts onto nearby properties. The project's surface parking area, containing ADA parking spaces and valet service, would be screened from the single-family residential properties to the west with a property demising wall and a 4-foot utility easement. In addition, the proposed office-retail building would cover the surface parking area. Vegetated buffers would be installed along the eastern edge of the project site to reduce glare from vehicular lights. Furthermore, the project would be served by a single two-way driveway along North Seward Street, away from residential uses.

Consistency with Draft Hollywood Community Plan Update

The project is expected to be consistent with the Goals, Objectives, and Policies of the updated Hollywood Community Plan. As of 2022, the Hollywood Community Plan Update is at its adoption phase. Additional comments from the City Council's Planning and Land Use Management (PLUM) Committee are being received followed by final approval from the City Council.

- *Goal LU10: Industrial, media-related, and entertainment-related uses that promote jobs in Hollywood.*

LU10.1: Media and entertainment uses. Promote the establishment, retention, and expansion of media, entertainment, and creative office uses in Hollywood.

According to the Hollywood Community Plan Update, the project would be located in the Media District consisting of media/entertainment jobs subareas which emphasize the preservation and expansion of media and entertainment jobs in Hollywood. The Community Plan Update provides a transition between industrial uses and the surrounding neighborhoods by utilizing Hybrid Industrial land use designation. The project proposes the construction of a five-story office-retail building and is consistent with the Commercial Manufacturing land use designation and requested Zone Change and Height District Change to (T)(Q)CM-2D. The project would provide new employment opportunities to the surrounding area, complement the existing commercial, residential, and industrial land uses, would be located nearby public transit and bicycle infrastructure.

- c. **Framework Element.** The Framework Element for 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.*
- *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.*
- *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*
- *Goal 7B: A City with land appropriately and sufficiently designated to sustain a robust commercial and industrial base.*
- *Goal 7H: A distribution of economic opportunity throughout the City..*

The project and the requested Zone Change and Height District Change from CM-1VL and C4-1XL to (T)(Q)CM-2D would help facilitate the City's long-term fiscal and economic viability by redeveloping the project site from a single commercial building and surface parking lot to a five-story office-retail building. The project site is located within a long-developed and urbanized neighborhood comprised of commercial, residential, and manufacturing uses. Surrounding the project site are low-rise commercial buildings, single-family houses, and the John C. Fremont Branch Library. Many of the properties further north of the project site cater to Hollywood's media and entertainment industry with studios, production facilities, studio-equipment and manufacturing and storage, and creative offices. The project would be comparable and compatible with these developments as well as nearby multi-family residential buildings located east of the project site.

The project site is adjacent to West Melrose Avenue, a mixed-use corridor with access to numerous commercial amenities, housing, neighborhood-serving services, and public transit lines. West Melrose Avenue is served by Metro Local Bus Line 10/48. Approximately 0.40 miles east of the project site is the intersection of West Melrose Avenue and North Vine Street which is served by Metro Local Bus Line 210. Additionally, bike routes are located north and east of the project site along West Willoughby Avenue and North Vine Street, respectively.

The project substantially conforms with goals, objectives, and policies of the General Plan Framework Element. Therefore, the requested Zone Change and Height District Change would contribute to the general character of the existing commercial, residential, and manufacturing uses in the area as well as future developments in the immediate neighborhood.

- d. **Mobility Element.** The Mobility Element of the General Plan (Mobility Plan 2035) is not likely to be affected by the recommended action herein through the imposition of street dedications and improvements along West Melrose Avenue and North Seward Street and the requested Waiver of Dedications and/or Improvements. West Melrose Avenue, adjoining the project site to the south, is a designated Avenue II under Mobility Plan 2035,

dedicated to a Roadway Width of 56 feet and a Right-of-Way Width of 86 feet, and is improved with an asphalt roadway, concrete curb, gutters, and sidewalk. The half-width right-of-way is 43 feet. North Seward Street, adjoining the project site to the east, is a designated Local Street – Standard under Mobility Plan 2035, dedicated to a Roadway Width of 60 feet and a Right-of-Way Width of 36 feet, and is improved with an asphalt roadway, concrete curb, gutters, and sidewalk. The half-width right-of-way includes an 18-foot half roadway and a 12-foot sidewalk.

The Bureau of Engineering (BOE) is requiring 3-foot dedication along West Melrose Avenue to complete a 43-foot half-width right-of-way and a 20-foot radius property line return or a 15-foot by 15-foot corner cut at the intersection with North Seward Street in accordance with Avenue II standards of Mobility Plan 2035. Additional concrete sidewalk shall be constructed in the dedicated area including in the area of the radius property line return or corner cut. Curb ramps and any damaged or off-grade concrete curb, gutter, sidewalk and asphalt concrete pavement shall also be repaired or reconstructed. Additionally, BOE is requiring a 5-foot dedication along North Seward Street with a 3-foot street widening to complete a 30-foot half right-of-way in accordance with Local Street standards. The 3-foot dedication along West Melrose Avenue would also contribute towards expanding the concrete sidewalk from 12 feet to 15 feet. The additional dedication along North Seward Street, would contribute towards expanding the half-width right-of-way to 30 feet with a minimum concrete sidewalk width of 12 feet. Conditions for improvements have been imposed under the (T) Tentative Classification conditions in accordance with Avenue II and Local Street - Standard standards of Mobility Plan 2035.

The Applicant requests a Waiver of Dedication and/or Improvements of the required dedications and street widening. After reviewing the Applicant's request with consideration of the goals and standards set forth by the Mobility Plan 2035, Los Angeles City Planning recommends denial of the request to waive dedications and improvements. Planning recommends approval of the request to waive the 3-foot street widening along North Seward Street as well as the associated improvements. Based on the development of the project site, the surrounding properties, and existing street conditions, the required street widening is physically impractical. Along North Seward Street to the north are low-rise commercial and office buildings which all share a constant half roadway of 15 feet and a continuous sidewalk width of 10 feet. Several of the properties are developed to the existing sidewalk with mature street trees planted in tree wells and landscaped parkways. Street widening requirements along the corridor would therefore result in the partial demolition of commercial and office buildings, the removal of street trees, and a jagged path of travel. The project would incorporate pedestrian-first design features to enhance the pedestrian experience such as the reduction in two-way driveways from two to one, a dedicated valet service and pick-up/drop-off area located on-site, and the installation of landscaped buffers, light fixtures, and a pocket patio and courtyard with trees and seating adjacent to the sidewalk. The project would continue to repair, reconstruct, or replace any damaged or off-grade concrete curbs, curb ramps, gutters, sidewalks and asphalt concrete pavement.

The project with its requested waiver of dedications would continue to advance Mobility 2035's policies in recognizing walking as a component of every trip to ensure high-quality pedestrian access. Along North Seward Street, new trees would be planted along the project's street frontage along North Seward Street and the project would reduce the number of two-way driveways from two to one. The project as designed and conditioned will meet the following goals and objectives of Mobility Plan 2035:

- *Policy 3.1 Recognize all modes of travel, including pedestrian, bicycle, transit, and vehicular modes – including goods movement – as integral components of the City’s transportation system.*
- *Policy 3.3: Promote equitable land use decisions that result in fewer vehicle trips by providing greater proximity and access to jobs, destinations, and other neighborhood services.*
- *Policy 3.8. Provide bicyclists with convenient, secure and well-maintained bicycle parking facilities.*
- *Policy 5.4 Continue to encourage the adoption of low and zero emission fuel sources, new mobility technologies, and supporting infrastructure.*

The project site is located in an area of Hollywood comprised of commercial, residential, and manufacturing uses. Within one-quarter mile of the project site are retail stores, offices, entertainment and media studios and facilities, single-family houses, apartment complexes, the John C. Fremont Branch Library, and the Hollywood DMV. As such, the project site is accessible to a variety of land uses within walking distance.

The project would orient its primary pedestrian and vehicular access along North Seward Street and reduce the number of two-way driveways from two to one, to reduce conflicts between pedestrians, bicyclists, and neighboring residential properties. The project would install landscaped areas and street trees along the sidewalk as well as a pocket patio and courtyard to enhance the pedestrian experience.

Adjacent to the project site to the south is West Melrose Avenue, a mixed-use corridor served by Metro Local Bus Line 10/48. Approximately 0.40 miles east of the project site is the intersection of West Melrose Avenue and North Vine Street which is served by Metro Local Bus Line 210. The project’s proximity to these public transit lines allows residents and workers across the City to connect to jobs, commercial amenities, housing, and other neighborhood-serving services within the community.

The project would also provide a variety of automobile and bicycle amenities for project users which include a valet/drop-off area adjacent to the ground floor parking area, on-site bicycle parking on the ground floor level and within the subterranean parking garage, restrooms, showers, and a locker room for project users to clean and refresh themselves, and a bicycle repair area. North and east of the project site are West Willoughby Avenue and North Vine Street, respectively, which contain bike routes connecting bicyclists to neighboring communities.

As conditioned, a minimum of 30 percent of the proposed 168 automobile parking spaces would be reserved for electric vehicles and 10 percent shall be reserved for electric vehicle charging stations (EVCSs). Therefore, 51 automobile parking spaces would be devoted to low and zero-emission vehicles.

Therefore, the Zone Change and Height District Change are consistent with the Mobility Plan 2035 and the goals, objectives, and policies of the General Plan.

- e. **Health and Wellness Element.** The proposed project will support the policies and objectives of the Health and Wellness Element of the General Plan. The project has been conditioned to provide, at a minimum, 30% of the provided parking spaces for electric vehicle charging and 10% for electric vehicle charging stations. In addition, the project will

install a solar zone in compliance with LAMC Section 99.04.211.4 regarding solar ready buildings.

A total of 11,325 square feet of open space would be provided, including a courtyard on the street level facing North Seward Street, a pocket patio facing West Melrose Avenue, and numerous decks on each floor. The decks would be located along the perimeter of the office-retail building providing outdoor space and views of the surrounding neighborhood. Project users would have the opportunity to work, congregate, and socialize outdoors with fresh air and natural light.

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

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

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

ZONE CHANGE, HEIGHT DISTRICT DHANGE, “T” AND “Q” CLASSIFICATION, AND “D” LIMITATION FINDINGS

1. Pursuant to Section 12.32 C of the LAMC, the Zone Change and Height District Change is in conformance with the public necessity, convenience, general welfare, and good zoning practice.

a. Public Necessity.

In accordance with the draft Hollywood Community Plan Update, the project is located in the Hollywood Media District Business Improvement District (BID) and the Media District consisting of media/entertainment jobs subareas which emphasize the preservation and expansion of media and entertainment jobs in Hollywood. The project is located in an area in the Hollywood community comprised of commercial, residential, and manufacturing uses. Many of the properties north of the project site cater to Hollywood’s media and entertainment industry with studios, production facilities, studio-equipment and manufacturing and storage, and creative offices.

The applicant requests a Zone Change for Lot 23 of the project site from C4 to CM. The Zone Change would be consistent with the Commercial Manufacturing General Plan land use designation and would be compatible with existing and future developments in the community. The project site is located adjacent to West Melrose Avenue, a mixed-use corridor with access to commercial amenities, housing, and other neighborhood-serving services. Additionally, the project site is within 0.40 miles from public transit service and

bike routes which connect residents and workers to neighboring destinations. With the redevelopment of the project site to allow for job and economic growth and its accessibility to nearby commercial services, housing, and transportation infrastructure, the project would be of public necessity.

The project site is comprised of lots located in the C4-1XL and CM-1VL Zones. If constrained to the limitations of the existing Height District 1XL and 1VL, the project site would be limited to a maximum building height of 30 feet or two stories, and 45 feet or three stories, respectively. In addition, the project site would be limited to a Floor Area Ratio of 1.5 to 1.

The applicant requests a Height District Change from Height District 1XL and 1VL to Height District 2 for Lots 21-23 of the project site to allow unlimited height and number of stories and a maximum FAR of 6 to 1. The Height District Change request would facilitate the construction of the proposed five-story office-retail building rising to a maximum height of 77 feet and 9 inches (73 feet and 6 inches to the top of the parapet) and a FAR of 1.88 to 1 (inclusive of existing building floor area that would remain on Lots 18-20 developed with two, two-story commercial buildings). The project would demolish the existing one-story commercial building and surface parking lot and intensify the use of the property with 67,242 square feet of office space and 647 square feet of ground floor retail space in the Hollywood community. As such, the additional floor area and height would enhance the neighboring commercial and entertainment industries, and promote economic growth in the community.

The project acknowledges the difference in height and scale of the proposed building in comparison to the western adjacent residential properties, therefore the northwest portion of the proposed building has been designed such that the building envelope steps back from western property line starting at the third-floor level (26 foot and 10 inch height mark). The project continues to step back at the fourth and fifth, with a 43-foot step back at the top of the fourth floor. The step back areas would be utilized as roof decks and landscaped buffers that would address concerns such as noise and prevent project users from looking into the adjacent residential properties. In addition, the terracing of open space at the western portion of the project would allow for air and light ventilation.

The project would include 168 vehicular parking space, 26 bicycle spaces (17 long-term spaces and 9 short-term spaces), and a valet/drop-off zone for project users and visitors. The project site is also located adjacent to West Melrose Avenue and approximately 0.40 miles from North Vine Street, which are throughfares with access to multiple public transit line, including Metro Local Bus Lines 10/48 and 210. In addition, bike routes located along West Willoughby Avenue and North Vine Street/North Arden Boulevard. As such, the project and the surrounding transportation infrastructure would encourage multi-modal transportation and reduce overparking in the neighborhood.

The project would also enhance streetscape activation with the development a pocket patio and courtyard adjacent to West Melrose Avenue and North Seward Street, respectively, landscaped areas and trees along the sidewalks, and art walls. These spaces and design components would contribute to the pedestrian experience with shade, and outdoor seating, and complement the overall character of the surrounding neighborhood.

Therefore, granting the Zone Change and Height District Change would permit a greater utilization of the project site and be of a public necessity to the growth of the community.

b. Convenience.

The project site is located in an area of the Hollywood community that is highly urbanized and developed with commercial buildings, single- and multi-family structures, public facilities, and transportation infrastructure. The project would allow for the development of a five-story office-retail building with 67,242 square feet of office space and 647 square feet of ground floor retail space. The project would increase employment opportunities and promote economic growth in a neighborhood comprised of a variety of land uses. The property is also located adjacent to West Melrose Avenue and approximately 0.40 miles from North Vine Street, which are throughfares with access to multiple public transit lines, including Metro Local Bus Lines 10/48 and 210. In addition, bike routes located along West Willoughby Avenue and North Vine Street/North Arden Boulevard provide residents and workers greater connectivity and access to neighborhood across Los Angeles. Within one-quarter mile of the project site are retail stores, offices, entertainment and media studios and facilities, single-family houses, apartment complexes, the John C. Fremont Branch Library, and the Hollywood DMV. Granting the Zone Change on Lot 23 from C4 to the proposed CM Zone would be consistent with the General Plan's land use designation of Commercial Manufacturing and with the neighboring properties in the Hollywood Media District BID and the Media District.

As discussed above, the project site is located in an area of the Hollywood community that is highly urbanized and developed with commercial buildings, single- and multi-family structures, public facilities, and transportation infrastructure. Granting of the Height District Change would allow the project additional floor area and height to facilitate commercial and retail uses, thereby expanding employment opportunities and economic growth. The project would complement the variety of land uses in the vicinity with access to nearby public transit and bicycle infrastructure. Within one-quarter mile of the project site are retail stores, offices, entertainment and media facilities, single-family houses, apartment complexes, the John C. Fremont Branch Library, and the Hollywood DMV. Granting the Height District Change from Height District 1XL and 1VL to Height District 2 would provide the convenience of creating more economic growth and opportunities in an area accessible to various commercial amenities, housing options, and modes of transportation in the community.

c. General Welfare.

Granting the Zone Change of Lot 23 of the project site from C4 to CM would be consistent with the Commercial Manufacturing General Plan land uses designation and that the proposed five-story office-retail building would contribute to the expansion of employment opportunities in the Hollywood community. As discussed above, the surrounding neighborhood is developed with commercial buildings, single- and multi-family structures, public facilities, and transportation infrastructure. The project would result in zoning and development patterns similar to the existing developments along North Seward Street and the Media District and the nearby entertainment and media studios, facilities, and offices in the area. The Zone Change to the CM Zone would be consistent with the development of projects within the Commercial Manufacturing land use designation while complementing the existing properties and infrastructure in the Hollywood community.

In addition, granting the Height District Change would benefit the general welfare of the Hollywood Community by redeveloping and intensifying the use of the project site with the construction of creative office and retail space encompassing 67,889 square feet of floor area with a FAR of 1.88 and a maximum building height of 77 feet and 9 inches (73 feet and 6 inches to the top of the parapet). The project would generate new employment

opportunities and complement the surrounding commercial, residential, and manufacturing uses.

The project would also encourage alternative modes of transportation as it would be located near public transit and bicycle infrastructure. The project site is located near Metro Local Bus Lines 10/48 and 210 with bus stops along West Melrose Avenue and North Vine Street, respectively. Within 0.40 miles of the project site are bike routes along West Willoughby Avenue and North Vine Street/North Arden Boulevard. The project would provide 26 bicycle spaces (17 long-term spaces and 9 short-term spaces) on the ground-floor level and the two-level subterranean parking garage, restrooms, shower rooms, and a locker room for users to refresh themselves. Therefore, the project's location and amenities would help reduce automobile dependency.

The project would also incorporate open space areas and design elements to enhance streetscape activation in the neighborhood. The project would install a pocket patio and courtyard adjacent to West Melrose Avenue and North Seward Street, respectively, landscaped buffers and trees along the sidewalks, and art walls. These spaces and design components would contribute to the pedestrian experience with shade, and outdoor seating, and complement the overall character of the surrounding neighborhood.

d. Good Zoning Practices.

The project site is comprised of six lots (Lots 18-23) in the Hollywood Community Plan with a land use designation of Commercial Manufacturing. Lots 18-22 are located in the CM-1VL Zone while Lot 23 is located in the C4-1XL Zone. According to the Hollywood Community Plan and General Plan, the Commercial Manufacturing land use designation includes the corresponding zones CM and P. The proposed office and retail use of the project site is compatible with the C4 Zone and the properties along North Seward Street. The proposed Zone Change from C4 to the proposed CM Zone would be consistent with the Commercial Manufacturing land use designation.

Regarding the Height District Change request, many of the properties north of the project site cater to Hollywood's media and entertainment industry with studios, production facilities, studio-equipment and manufacturing and storage, and creative offices. These properties are developed with one- to four-story buildings in the CM and MR Zones. In addition, properties to the west are developed with two- to five-story residential building in the R3 Zone. Therefore, the project would be compatible with the height and scale of these developments.

Properties located to the west and south of the project site are developed with predominately single-family houses. Some of these properties are located within the Hancock Park Historic Preservation Overlay Zone and adjacent to the project site to the west is the John C. Fremont Branch Library, a designated Historic Cultural Monument. The project would be designed to reduce the perceived scale, height, and massing of the proposed office-retail building. As discussed above, the terracing of open space along the northwestern portion of the project adjacent to the western residential properties would provide a step back starting at the third-floor level. These areas would be designed and programmed with roof decks and landscaped buffers such that they reduce potential nuisances and disturbances and address privacy concerns. The step backs would allow for natural air and light circulation to be enjoyed along all sides of the project site. As such, the terracing of open space would help reduce the perceived scale, height, and massing at the northwest portion of the site closest to the nearby single-family residential properties.

As such, the proposed (T)(Q)CM-2D Zone would ensure that the project would be compatible with existing and future development in the surrounding neighborhood and would provide opportunities for employment and economic prosperity.

WAIVER OF DEDICATION AND/OR IMPROVEMENT FINDINGS

Pursuant to LAMC Section 12.37 I, the Director may waive, reduce, or modify the required dedication or improvement as appropriate after making any of the following findings, in writing, based on substantial evidence in the record.

- a) *the dedication or improvement requirement does not bear a reasonable relationship to any project impact;*
- b) *the dedication or improvement is not necessary to meet the City's mobility needs for the next 20 years based on the guidelines the Street Standards Committee has established; or*
- c) *the dedication or improvement requirement is physically impractical.*

The decision maker finds, based on substantial evidence in the record that:

2. The dedication or improvement requirement is physically impractical

The project site is located at the northwest corner of the intersection of West Melrose Avenue and North Seward Street within the Hollywood Community Plan.

West Melrose Avenue, between North Seward Street and North June Street, is a designated Avenue II, which requires a 43-foot half-width public right-of-way comprised of a 28-foot half-width roadway and 15-foot sidewalk. Based on the Los Angeles Bureau of Engineering's Planning Case Referral Form (PCRF), West Melrose Avenue contains a 40-foot half-width public right-of-way comprised of a 28-foot half-width roadway and 12-foot sidewalk. BOE determined that the project must dedicate 3 feet along West Melrose Avenue to complete the required 43-foot half-width public right-of-way feet. Furthermore, BOE requires the installation of a 15-foot by 15-foot corner cut or 20-foot radius property line dedication at the intersection of West Melrose Avenue and North Seward Street. Additional concrete in the dedication area, including the corner cut or property radius line return shall be constructed. Also, any curb ramps and damaged/off-grade concrete curb, gutter, sidewalk, and asphalt concrete pavement along the property frontage shall be repaired or replaced.

North Seward Street, between West Melrose Avenue and West Waring Avenue, is a designated Local Street - Standard, which requires a 30-foot half-width public right-of-way, with an 18-foot half-width roadway and 12-foot sidewalk. Based on the PCRF, North Seward Street contains a 25-foot half-width public right-of-way comprised of a 15-foot half-width roadway and a 10-foot sidewalk. BOE determined that the project must dedicate 5 feet along North Seward Street to provide a 30-foot half-width public right-of-way, which includes widening the street by 3 feet to provide a half roadway width of 18 feet. The project shall construct suitable surfacing to join the existing improvements with the 18-foot half-width roadway and 12-foot sidewalk, and shall reconstruct all curb ramps at the intersection of Melrose Avenue and Seward street.

To comply with the street standards for Avenue II (West Melrose Avenue) and Local Street – Standard (North Seward Street) per the Mobility Plan 2035, the Applicant would be required to provide the aforementioned dedications and improvements. The Applicant requests a

Waiver of Dedication and Improvements to waive all dedications and street widening along West Melrose Avenue and North Seward Street in conjunction with the construction of the proposed five-story, office-retail building and a two-level subterranean parking garage. After reviewing the Applicant's request with consideration of the goals and standards set forth by the Mobility Plan 2035, Los Angeles City Planning recommends denial of the request to waive dedications and improvements.

Planning recommends approval the request to waive the 3-foot street widening along North Seward Street as well as the associated improvements.

North Seward Street

A 3-foot street widening requirement is physically impractical given the existing physical improvements along North Seward Street and the proposed improvements provided by the project to enhance the pedestrian experience. Along North Seward Street to the north are low-rise commercial and office buildings which all share a constant half roadway of 15 feet and a continuous sidewalk width of 10 feet. Several of the properties are developed to the existing sidewalk with mature street trees planted in tree wells and landscaped parkways. Street widening requirements along the corridor would therefore result in the partial demolition of commercial and office buildings, the removal of street trees, and a jagged path of travel.

Circulation and accessibility to the project site are addressed with the repair of the existing street and the incorporation of open space and architectural features along the North Seward Street frontage. Pedestrian access to the site would be maintained and improved with the repair of any damaged sidewalk, curb, and gutter as required by BOE. The project would reduce the number of two-way driveways along the street from two to one thereby reducing the likelihood of automobile-pedestrian accidents. The single two-way driveway would serve as the primary vehicular access point for the providing parking, valet service, and pick-up/drop-off areas. Landscaped buffers beside the driveway would help reduce glare from vehicular lights. In addition, the project would incorporate a pocket patio and courtyard along the project's eastern edge, adjacent to the sidewalk. These areas would provide landscaping, seating, and access to the project's commercial tenant space thereby activating the sidewalk and providing a more attractive and comfortable pedestrian experience. The installation of trees, light fixtures, and window walls along these areas would also provide additional shade to pedestrians and help illuminate the surrounding area during the evening hours. These project features would enhance pedestrian safety along North Seward Street. The required 3-foot street widening would impact the overall building area and design, including the proposed pedestrian-first design features discussed above. Therefore, based on the existing buildings and street infrastructure, and the proposed design features the required street widening would be physically impractical.

Based on the prepared Mitigated Negative Declaration, the proposed project will not result in a significant transportation impact with the incorporation of a mitigation measure. The project would incorporate Transportation Demand Strategies throughout the project's operation such as education and marketing tools, alternative work schedules and a telecommute program, and a rideshare program. Therefore, a waiver of the required street widening would not negatively impact traffic along North Seward Street.

SITE PLAN REVIEW FINDINGS

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

The proposed project is consistent with the purposes, intent, and provisions of the General Plan and Hollywood Community Plan. The Hollywood Community Plan designates the property for Commercial Manufacturing land uses with corresponding zones CM and P. The project site is currently zoned C4-1XL and CM-1VL. The project requests a Zone Change and Height District Change from C4-1XL and CM-1VL to (T)(Q)CM-2D which are in conformance with General Plan's land use designation. The Zone Change and Height District Change would allow the project to increase the project's maximum height to 77 feet and 9 inches (73 feet and 6 inches to the parapet) and a provide a floor area of 85,023 square feet with a FAR of 1.88 to 1.

The proposed project is consistent with the Goals, Objectives, and Policies, of the Hollywood Community Plan and Framework Element as described below.

- *Objective 4: To promote economic well being and public convenience through:*
 - a. *Allocating and distributing commercial lands for retail, service, and office facilities in quantities and patterns based on accepted planning principles and standards*

The project site is comprised of six lots of which three lots (Lots 21-23) would be redeveloped into the proposed five-story office-retail building. The lots are currently developed with a one-story commercial building and surface parking lot, and are zoned C4-1XL and CM-1VL. The proposed project provides better utilization of the property by increasing employment opportunities in the Hollywood Media District Business Improvement District (BID) which is currently proposed in the draft Hollywood Community Plan. The project site would contribute to local job expansion, and would activate the streetscape with ground-floor commercial uses. The project would also stimulate local investment and economic activity along West Melrose Avenue which functions as an active, mixed-use corridor with access to numerous commercial services, single- and multi-family developments, and connections to public transit lines. The project site contains a land use designation of Commercial Manufacturing which includes the corresponding zones CM and P. The project requests a Zone Change and Height District Change from C4-1XL and CM-1VL to (T)(Q)CM-2D Zone which would be consistent with the underlying land use designation. Therefore, the proposed project would enhance the economic well being of the community consistent with the General Plan.

- *Policy – Land Use – Industry:*

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

The project would redevelop a one-story commercial building and surface parking lot into a five-story office-retail building while maintaining the existing two two-story commercial buildings on the project site. As such, the project would increase employment opportunities in the community. The project site is within 500 feet of single- and multi-family structures making it within walkable distance to housing. Prospective employers and employees who do not live nearby would have access to 168 automobile parking spaces located on-site. In addition, the project is within close proximity (approximately 0.40 miles) to Metro Local Bus Lines and bike routes which connect residents and workers across Los Angeles. The closest bus stop (Metro Local Bus Line 10/48) is within 250 feet from the project site providing service to communities between West Hollywood and South Los Angeles. Based on the walkability of the surrounding area and proximity to various modes of transportation, the project is within reasonable commuting distance from residential locations.

- *Policy – Land Use – Commerce:*

Parking areas should be located between commercial and residential uses on the commercially-zoned properties where appropriate to provide a buffer, and shall be separated from residential uses by means of at least a solid masonry wall and landscaped setback.

The project's parking area would be covered and screened such that it would not impose nuisances to nearby residential uses. The project would provide a total of 168 automobile parking spaces within the ground floor and a two-level, subterranean parking garage. A majority of the parking spaces would be located within the subterranean parking garage (152 parking spaces) thereby reducing parking impacts onto nearby properties. The project's surface parking area, containing ADA parking spaces and valet service, would be screened from the single-family residential properties to the west with a property demising wall and a 4-foot utility easement. In addition, the proposed office-retail building would cover the surface parking area. Vegetated buffers would be installed along the eastern edge of the project site to reduce glare from vehicular lights. Furthermore, the project would be served by a single two-way driveway along North Seward Street, away from residential uses.

The proposed project is also consistent with the Goals, Objectives, and Policies, of the General Plan's Mobility Element, also known as Mobility Plan 2035, which provides policies with the ultimate goal of developing a balanced transportation network for all users. The project supports the following policies of the Mobility Element:

- *Policy 3.1 Access for All: Recognize all modes of travel, including pedestrian, bicycle, transit, and vehicular modes – including goods movement – as integral components of the City's transportation system.*
- *Policy 3.3 Land Use and Mix: Promote equitable land use decisions that result in fewer vehicle trips by providing greater proximity and access to jobs, destinations, and other neighborhood services.*
- *Policy 3.8 Bicycle Parking: Provide bicyclists with convenient, secure and well-maintained bicycle parking facilities.*
- *Policy 5.4 Clean Fuels and Vehicles: Continue to encourage the adoption of low and zero emission fuel sources, new mobility technologies, and supporting infrastructure.*

The project would provide 168 automobile parking spaces located between the ground-floor and a two-level subterranean parking garage. The subterranean parking garage would consist of the majority of the automobile parking spaces provided with 152 standard, compact, and ADA spaces. The ground-floor parking area would provide 16 parking spaces and a valet drop-off service.

The project's proximity to multiple public transit lines and bike routes provides employees access to additional modes of transportation. The proposed project is located within 0.40 miles from Metro Local Bus Lines 10/48 and 210. These public transit lines provide local residents and workers access to work centers, destinations, and other neighborhood services across Los Angeles. Metro Local Bus Line provides transit service to communities between West Hollywood and South Los Angeles, and Metro Local Bus Line 210 provides transit service to communities between Hollywood and Redondo Beach. Additionally, the project site is located within 0.40 miles from two bike routes which run along West Willoughby Avenue and North Vine Street/North Arden Boulevard. These bike routes connect cyclists to destinations within

the Hollywood, Melrose, and Hancock Park neighborhoods. Therefore, the project supports the reduction of VMT per capita, connecting individuals to public and active transportation infrastructure.

The project would provide a total of 26 bicycle parking spaces for its users (17 long-term spaces and 9 short-term spaces). The bicycle parking spaces would be located on the ground floor level along North Seward Street and within an enclosed bicycle storage room on Basement Level 1 of the proposed project. Furthermore, the bicycle room would be located adjacent to restrooms, shower rooms, and a locker room for users to refresh themselves.

In addition, the project encourages the adoption of low and zero emission fuel sources by providing the required number of electric vehicle (EV) parking spaces and charging stations in compliance with LAMC Section 99.05.106. The project would also install a solar zone on the rooftop in compliance with solar ready building regulations pursuant to LAMC Section 99.04.211.4. The project's incorporation of EV parking and solar zone supports the goals and policies of the Mobility Element.

Consistency with Draft Hollywood Community Plan Update

The project is expected to be consistent with the Goals, Objectives, and Policies of the updated Hollywood Community Plan. As of Winter 2022, the Hollywood Community Plan Update is at its adoption phase. Additional comments from the City Council's Planning and Land Use Management (PLUM) Committee are being received followed by final approval from the City Council.

- *Goal LU10: Industrial, media-related, and entertainment-related uses that promote jobs in Hollywood.*

LU10.1: Media and entertainment uses. Promote the establishment, retention, and expansion of media, entertainment, and creative office uses in Hollywood.

According to the Hollywood Community Plan Update, the project would be located in the Media District consisting of media/entertainment jobs subareas which emphasize the preservation and expansion of media and entertainment jobs in Hollywood. The Community Plan Update provides a transition between industrial uses and the surrounding neighborhoods by utilizing Hybrid Industrial land use designation. The project proposes the construction of a five-story office-retail building and is consistent with the Commercial Manufacturing land use designation and requested Zone Change and Height District Change to (T)(Q)CM-2D. The project would provide new employment opportunities to the surrounding area, complement the existing commercial, residential, and industrial land uses, would be located nearby public transit and bicycle infrastructure.

As detailed above, the proposed project is in substantial conformance with the purposes, intent and provisions of the Hollywood Community Plan, the draft Hollywood Community Plan Update, and the General Plan. The project is consistent with the applicable general plan designation and policies as well as with applicable zoning designation and regulations.

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

The subject property is comprised of six lots (Lots 18-23) consisting of 45,136 net square feet, or 1.04 acres, of lot area having a combined frontage of approximately 132 feet along West Melrose Avenue and 343 feet along North Seward Street. The project site is zoned C4-1XL (Lot 23) and CM-1VL (Lots 18-22) and is located within the Hollywood Community Plan with a General Plan Land Use Designation of Commercial Manufacturing. The project site is further located within a State Enterprise Zone, a Transit Priority Area, Urban Agriculture Incentive Zone, Methane Zone and is located within 2.50 kilometers from the Hollywood Fault. The proposed project involves the demolition of an existing one-story commercial building and surface parking lots and the construction, use, and maintenance of a new five-story office-retail building with two levels of subterranean parking.

The proposed project would encompass approximately 67,889 square feet in total floor area, resulting in an FAR of 1.88 to 1. The development would rise to 77 feet and 9 inches (73 feet and 6 inches to the top of the parapet) within five stories. The project would provide 67,252 square feet of office space and 647 square feet of retail space located along the eastern side of the building fronting North Seward Street. The project would provide 168 automobile parking spaces in addition to 17 long-term bicycle parking spaces and 9 short-term bicycle parking spaces. The ground floor would provide ADA parking, a valet and drop-off zone, and short-term bicycle parking along North Seward Street. The subterranean levels would house the remaining automobile and bicycle parking. A total of 11,325 square feet of open space would be distributed across the project's five floors which include a pocket courtyard and patio on the ground floor and numerous decks.

The project site is located in an urbanized area surrounded predominately by commercial, office, and residential uses. Abutting the subject property to the north is zoned CM-1VL and is developed with low-rise office buildings. Properties to the east are similarly zoned CM-1VL and are developed with low-rise buildings. Along the northeast corner of West Melrose Avenue and North Seward Street are properties zoned C4-1XL and are developed with one-story commercial buildings. Properties to the south, along West Melrose Avenue, are zoned C2-1, R3-1, and R1-1-HPOZ and are developed with a one-story office building, three-story multi-family residential building, and single-family houses. These properties are located in the Hancock Park HPOZ. Properties to the west are zoned [Q]PF-1XL and R1R3-RG and are developed with the John C. Fremont Branch Library (Fremont Branch Library) and single-family houses, respectively. The Fremont Branch Library is identified as a Los Angeles Historic Cultural Monument and is in the National Register of Historic Places.

The project as proposed and as conditioned meets the intent of the Citywide Design Guidelines (adopted by the City Planning Commission October 24, 2019). The project would incorporate a mixture of high-quality building materials, landscaping, pedestrian accessways, and open space areas along West Melrose Avenue and North Seward Street to promote pedestrian circulation to and from the proposed office-retail building on the street level. Some of the design features that would be utilized include white metal paneling, wall windows, a variety of shrubs and trees, a pocket patio and courtyard, and a private exterior staircase. The project's DWP Yard, which includes the transformer and switchgear, would be located along West Melrose Avenue in between the proposed project and the western adjacent Fremont Branch Library. Recognizing the project's adjacency to the public library, the project would incorporate a high-quality gating system that would help reduce the area from being perceived as a "utility" portion of the site and a public artwork would be installed to create a more visually appealing frontage. The project would also incorporate sustainable design and energy efficient features that would lower energy demand and improve the comfort and well-being of project users. Pursuant to the Los Angeles Green Building Code, the proposed office-retail building would incorporate a solar zone on the rooftop. The project would utilize light-colored

building materials and high-performance glazing along the façade to address energy efficiency and building insulation. Each floor would include operable windows which would allow project users to control air ventilation into the building. The combination of landscaping, green spaces, and wood soffits would also allow project users to enjoy the local climate outdoors with opportunities for individuals to congregate, socialize, and be shaded from excessive sunlight and rain. An external staircase providing access to the building's five levels of office space would be located along the North Seward Street frontage, providing project users a more immediate and outdoor alternative to accessing the upper levels without using the elevator. Vegetated screenings and planters would also be installed along the project's green spaces to minimize glaring and visual disturbances onto surrounding properties.

Furthermore, the project would be compatible with the adjacent land uses and would be consistent with its General Plan land use designation. The project site contains a land use designation of Commercial Manufacturing which includes the corresponding zones CM and P. The C4-1XL zoning of Lot 23 of the project site allows for the proposed office and retail use of the project site. The Zone Change and Height District Change to the (T)(Q)CM-2D Zone would be consistent with the underlying land use designation.

Height, Bulk, and Setbacks

Properties zoned for commercial use with a height district of 1VL allow for a maximum height of 45 feet and three stories, and properties with a height district of 1XL allow for a maximum height of 30 feet and two stories. The proposed project requests a Zone Change and Height District Change for lots zoned C4-1XL and CM-1VL, to (T)(Q)CM-2D which would allow the for unlimited height and number of stories. T project proposes a maximum height of 77 feet and 9 inches (73 feet and 6 inches to the top of the parapet) within five stories.

The underlying C4-1XL and CM-1VL Zones both allow a maximum FAR of 1.5 to 1. With the subject Zone Change and Height District Change, the proposed project would be permitted a maximum FAR of 6 to 1. The project proposes a floor area of 67,889 square feet and FAR of 1.88 to 1.

Commercial uses in the CM Zone are not subject to any setback requirements. The project proposes an approximately 5-foot utility easement along the western edge of the project site involving the construction of the proposed five-story office-retail building. As such, the project would be consistent with the required setback requirements and would be compatible with the surrounding properties and public infrastructure.

The bulk and massing of the proposed office-retail development would be tempered by multiple design features which relate to the project's open space, landscaping, building materials, and orientation in relation to the surrounding built environment. The project would feature a variety of open space areas along the perimeter of the building throughout each floor level of the building and combine changes in depth and horizontal plane with changes in material and character to enhance building articulation. The project acknowledges the difference in height and scale of the proposed building in comparison to the western adjacent residential properties. Therefore, the project has been designed such that the northwestern portion of the building steps back from the western property line and adjacent residential properties by approximately 30 feet starting at the third-floor level (26 foot and 10 inch height mark). At the fourth-floor level (39 feet and 8 inch height mark), the project would step back by an additional 12 feet and 5 inches. The terracing of this portion of the project would allow for natural air and light ventilation to neighboring properties. Roof decks and landscaped buffers would be programmed along the step back areas such that they reduce potential nuisances such as noise and address privacy concerns. As such, the terracing of open space

at the western portion of the proposed office-retail building would soften the perceived scale and height with respect to the adjacent residential properties.

The building would also incorporate a variety of building materials and design features including metal and wood paneling, painted stucco, aluminum-framed windows with high-performance glazing, wooden soffits, art walls, and an exterior staircase to produce a cohesive and attractive streetscape. The pocket patio and courtyard, window walls, art walls, and the exterior staircase fronting West Melrose Avenue and North Seward Street help create an active and engaging pedestrian environment. Landscaping would be utilized in a thoughtful manner throughout the project to enhance the user experience and minimize visual and privacy concerns.

The height, bulk, and setbacks of the project are thus consistent with the existing development in the immediate surrounding area and with the underlying CM Zone. Therefore, the project will be compatible with the existing and future developments in the neighborhood.

Parking

The project would provide 168 automobile parking spaces for the proposed office and retail uses. The majority of the parking spaces would be located within two subterranean levels, with ADA parking and valet service located on the ground floor. Vehicular access to the project's parking areas would be located mid-block along North Seward Street. Landscaping and the building's envelope would screen and cover the parking areas from street view. A property demising wall along the western edge of the property would also screen the project from the adjacent residential properties to the west.

The project would also provide 17 long-term bicycle parking spaces and 9 short-term bicycle parking spaces. Four short-term bicycle spaces would be located near the project's building entrance along North Seward Street on the ground level. The remaining bicycle parking spaces would be located within an enclosed room in the subterranean garage. Restrooms, showers, a locker room and bicycle repair area would also be provided for users to encourage non-motorized transportation to and from the project site.

Lighting

The project would install interior and exterior building lighting that would appropriately illuminate the project during the night and help individuals navigate the project site safely. Low-level exterior lighting would also be utilized to highlight signage, architectural features, and landscaping elements throughout the project site that would create an attractive streetscape during the evening hours, increase surveillance, and deter the occurrence of illicit activities. As conditioned, exterior lighting shall be designed and installed with shielding such that the light source does not illuminate adjacent residential properties or the public right-of-way.

On-site Landscaping

The project would install 2,870 square feet of landscaped green spaces that would enhance the building's visual appeal and pedestrian experience. Climate-appropriate and drought-tolerant plants would be planted throughout the project site complementing the project's design and respecting the surrounding natural landscape. The grass, shrubs, and trees would also provide project users and pedestrians with shade and cooling.

The project's landscaping would also help screen private use activities from public view. Along the perimeter of the project site and throughout the project's decks, vegetated buffers would reduce the visual impact of the project's parking area and glare.

In addition, a 4-foot property demising wall and 4-foot easement would be provided along the western portion of the project site and would function as a buffer to the adjacent residential properties.

Trash Collection

The project's trash and recycling collection area would be enclosed within the ground-floor parking area, away from the main entrance and vehicular driveway. As a result, trash-related activities and odors would not disrupt regular building operation or the adjacent properties.

Valet Service

The project would include a valet service on the ground floor parking area, allow project users to be dropped off near the main entrance of the proposed office-retail building. The valet service would share the same vehicular driveway as the project's automobile parking along North Seward Street. Similar to parking, landscaping and the building's envelope would screen and cover the parking areas from street view. A wall along the western edge of the property would also screen the project from the adjacent residential properties to the west.

Connection with northern commercial-office buildings

With the construction of the proposed five-story office-retail building on Lots 21-23 of the project site, the project would provide a pathway to the northern commercial buildings on Lots 18-20 thereby allowing individuals to travel between both portions of the project site.

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

The project does not provide propose any residential uses therefore this finding does not apply.

ENVIRONMENTAL FINDINGS/ADDITIONAL MANDATORY FINDINGS

6. **Environmental Findings.** On March 17, 2022, a Mitigated Negative Declaration (ENV-2021-2909-MND) was prepared and published 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.
7. **Flood Insurance.** The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Flood Zone X, areas determined to be outside the 0.2% annual chance floodplain. Currently, there are no flood zone compliance requirements for construction in these zones.

COVID-19 UPDATE

Interim Appeal Filing Procedures

Fall 2020



Consistent with Mayor Eric Garcetti's "Safer At Home" directives to help slow the spread of COVID-19, City Planning has implemented new procedures for the filing of appeals for non-applicants that eliminate or minimize in-person interaction.

OPTION 1: Online Appeal Portal

(planning.lacity.org/development-services/appeal-application-online)

Entitlement and CEQA appeals can be submitted online and payment can be made by credit card or e-check. The online appeal portal allows appellants to fill out and submit the appeal application directly to the Development Services Center (DSC). Once the appeal is accepted, the portal allows for appellants to submit a credit card payment, enabling the appeal and payment to be submitted entirely electronically. A 2.7% credit card processing service fee will be charged - there is no charge for paying online by e-check.

Appeals should be filed early to ensure DSC staff has adequate time to review and accept the documents, and to allow Appellants time to submit payment. On the final day to file an appeal, the application must be submitted and paid for by 4:30PM (PT). Should the final day fall on a weekend or legal holiday, the time for filing an appeal shall be extended to 4:30PM (PT) on the next succeeding working day. Building and Safety appeals (LAMC Section 12.26K) can only be filed using Option 2 below.

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.

Metro DSC

(213) 482-7077
201 N. Figueroa Street
Los Angeles, CA 90012

Van Nuys DSC

(818) 374-5050
6262 Van Nuys Boulevard
Van Nuys, CA 91401

West Los Angeles DSC

(310) 231-2901
1828 Sawtelle Boulevard
West Los Angeles, CA 90025

City Planning staff will follow up with the Appellant via email and/or phone to:

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