

PLANNING DEPARTMENT TRANSMITTAL TO THE CITY CLERK'S OFFICE

CITY PLANNING CASE:	ENVIRONMENTAL CASE:	COUNCIL DISTRICT:
CPC-2020-1929-ZC-HD-MCUP-SPP-SPR	ENV-2020-1930-EIR	13 – O'Farrell
RELATED CASE NOS.		COUNCIL FILE NO:
VTT-83088-1A <input type="checkbox"/> N/A		CF 22-1462 <input type="checkbox"/> N/A
PROJECT ADDRESS / LOCATION:		
6450 – 6462 West Sunset Boulevard; 1420 – 1454 North Wilcox Avenue; 1413 – 1447 North Cole Place; 6503 West De Longpre Avenue		
APPLICANT:	TELEPHONE NUMBER:	EMAIL ADDRESS:
6450 Sunset Owner, LLC <input type="checkbox"/> N/A <input type="checkbox"/> New/Changed	N/A	N/A
APPLICANT'S REPRESENTATIVE:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Edgar Khalatian, Mayer Brown, LLP <input type="checkbox"/> N/A	(213) 229-9548	ekhalatian@mayerbrown.com
APPELLANT:	TELEPHONE NUMBER:	EMAIL ADDRESS:
<input checked="" type="checkbox"/> N/A		
APPELLANT'S REPRESENTATIVE:	TELEPHONE NUMBER:	EMAIL ADDRESS:
<input checked="" type="checkbox"/> N/A		
PLANNER CONTACT:	TELEPHONE NUMBER:	EMAIL ADDRESS:
James Harris	(213) 978-1241	james.harris@lacity.org
ITEMS FOR CITY COUNCIL CONSIDERATION (IE. ENTITLEMENTS, LEGISLATIVE ACTIONS):		
Zone Change (ZC); Height District Change (HD) <input type="checkbox"/> <i>The preparation of a draft ordinance by the City Attorney will be required.</i>		
FINAL ENTITLMENTS NOT ADVANCING FOR CITY COUNCIL CONSIDERATION: (UNAPPEALED OR NON-APPEALABLE ITEMS)		
<input checked="" type="checkbox"/> N/A		
ITEMS APPEALED:		
<input checked="" type="checkbox"/> N/A		

ATTACHMENTS:	REVISED:	ENVIRONMENTAL DOCUMENT:	REVISED:
<input checked="" type="checkbox"/> Letter of Determination <input checked="" type="checkbox"/> Findings of Fact <input checked="" type="checkbox"/> Staff Recommendation Report <input checked="" type="checkbox"/> Conditions of Approval <input checked="" type="checkbox"/> T Conditions <input type="checkbox"/> Proposed Ordinance <input checked="" type="checkbox"/> Zone Change Map and Ordinance <input type="checkbox"/> GPA Resolution <input type="checkbox"/> Land Use Map <input checked="" type="checkbox"/> Exhibit A – Plans <input checked="" type="checkbox"/> Mailing List <input checked="" type="checkbox"/> Interested Parties List <input type="checkbox"/> Appeal <input type="checkbox"/> Development Agreement <input type="checkbox"/> Site Photographs <input type="checkbox"/> Other:	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> Categorical Exemption (CE) (Notice of Exemption) <input type="checkbox"/> Statutory Exemption (SE) (Notice of Exemption) <input type="checkbox"/> Negative Declaration (ND) <input type="checkbox"/> Mitigated Negative Declaration (MND) <input type="checkbox"/> Environmental Impact Report (EIR) <input checked="" type="checkbox"/> Mitigation Monitoring Program (MMP) <input type="checkbox"/> Sustainable Communities Project Exemption (SCPE) <input type="checkbox"/> Sustainable Communities Environmental Assessment (SCEA) <input type="checkbox"/> Sustainable Communities Environmental Impact Report (SCEIR) <input type="checkbox"/> Appendices <input type="checkbox"/> Other:	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
NOTES / INSTRUCTIONS:			
Please create Council File Sub Folder under CF 22-1462. <input type="checkbox"/> N/A			
FISCAL IMPACT STATEMENT:			
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No *If determination states administrative costs are recovered through fees, indicate "Yes."			
PLANNING COMMISSION:			
<input checked="" type="checkbox"/> City Planning Commission (CPC) <input type="checkbox"/> Cultural Heritage Commission (CHC) <input type="checkbox"/> Central Area Planning Commission <input type="checkbox"/> East LA Area Planning Commission <input type="checkbox"/> Harbor Area Planning Commission		<input type="checkbox"/> North Valley Area Planning Commission <input type="checkbox"/> South LA Area Planning Commission <input type="checkbox"/> South Valley Area Planning Commission <input type="checkbox"/> West LA Area Planning Commission	
PLANNING COMMISSION HEARING DATE:		COMMISSION VOTE:	
October 27, 2022		7 – 0	
LAST DAY TO APPEAL:		DATE APPEALED:	
November 23, 2022		N/A	
TRANSMITTED BY:		TRANSMITTAL DATE:	
Cecilia Lamas Commission Executive Assistant		November 29, 2022	



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: **NOV 03 2022**

Case No. CPC-2020-1929-ZC-HD-MCUP-SPP-SPR

Council District: 13 – O'Farrell

CEQA: ENV-2020-1930-EIR; SCH No. 2020120005

Plan Area: Hollywood

Related Case: VTT-83088-1A

Project Site: 6450 – 6462 West Sunset Boulevard; 1420 – 1454 North Wilcox Avenue;
1413 – 1447 North Cole Place; 6503 West De Longpre Avenue

Applicant: 6450 Sunset Owner, LLC
Representative: Edgar Khalatian, Mayer Brown, LLP

At its meeting of **October 27, 2022**, the Los Angeles City Planning Commission took the actions below in conjunction with the approval of the following Project:

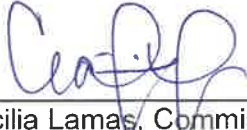
Demolition of three existing commercial buildings that comprise approximately 26,261 square feet of office and retail uses and associated surface parking for the construction, use and maintenance of a 15-story commercial building with a total floor area of 443,418 square feet consisting of 431,032 square feet of office space and 14,186 square feet of restaurant space in the C4-2D-SN and C4-2D Zones. The Project also includes the construction of an 18-foot-tall, 3,550 square-foot building to house LADWP equipment and an underground generator in the C2-1XL Zone. Upon completion, the Project would result in a floor area ratio (FAR) of 6:1. The Project would provide vehicular parking spaces within three below-grade levels, at grade, and three above-grade levels. The Project would also provide short-term and long-term bicycle parking. Four existing non-protected on-site trees and 12 existing non-protected street trees would be removed as part of the Project. The Project would provide a minimum of 30 trees. The Project would provide 61,449 square feet of private open space. Additionally, as proposed, the Project signage would comply with the Hollywood Signage Supplemental Use District regulations.

1. **Found**, based on the independent judgment of the decision-maker, after consideration of the whole of the administrative record, the Project was assessed in the Sunset Wilcox Project EIR No. ENV-2020-1930-EIR; SCH No. 2020120005, certified on October 27, 2022; and pursuant to CEQA Guidelines, Sections 15162 and 15164, no subsequent EIR or addendum is required for approval of the Project;
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 C4-2D-SN, C4-2D, and C2-1XL to (T)(Q)C4-2D-SN, (T)(Q)C4-2D, and (T)(Q)C2-2D;
3. **Approved**, pursuant to LAMC Section 12.24 W.1, a Main Conditional Use Permit for the sale or dispensing of alcoholic beverages for on-site and off-site consumption in conjunction with three restaurants;
4. **Approved**, pursuant to LAMC Section 11.5.7 C, a Project Permit Compliance review for signage in the Hollywood Signage Supplemental Use District;
5. **Approved**, pursuant to LAMC Section 16.05, a Site Plan Review for a development that results in an increase of 50,000 square feet or more of non-residential floor area;
6. **Adopted** the attached Modified Conditions of Approval; and
7. **Adopted** the attached Findings.

The vote proceeded as follows:

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

Vote: 7 – 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: NOV 23 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, Findings, Interim Appeal Filing Procedures

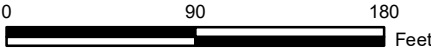
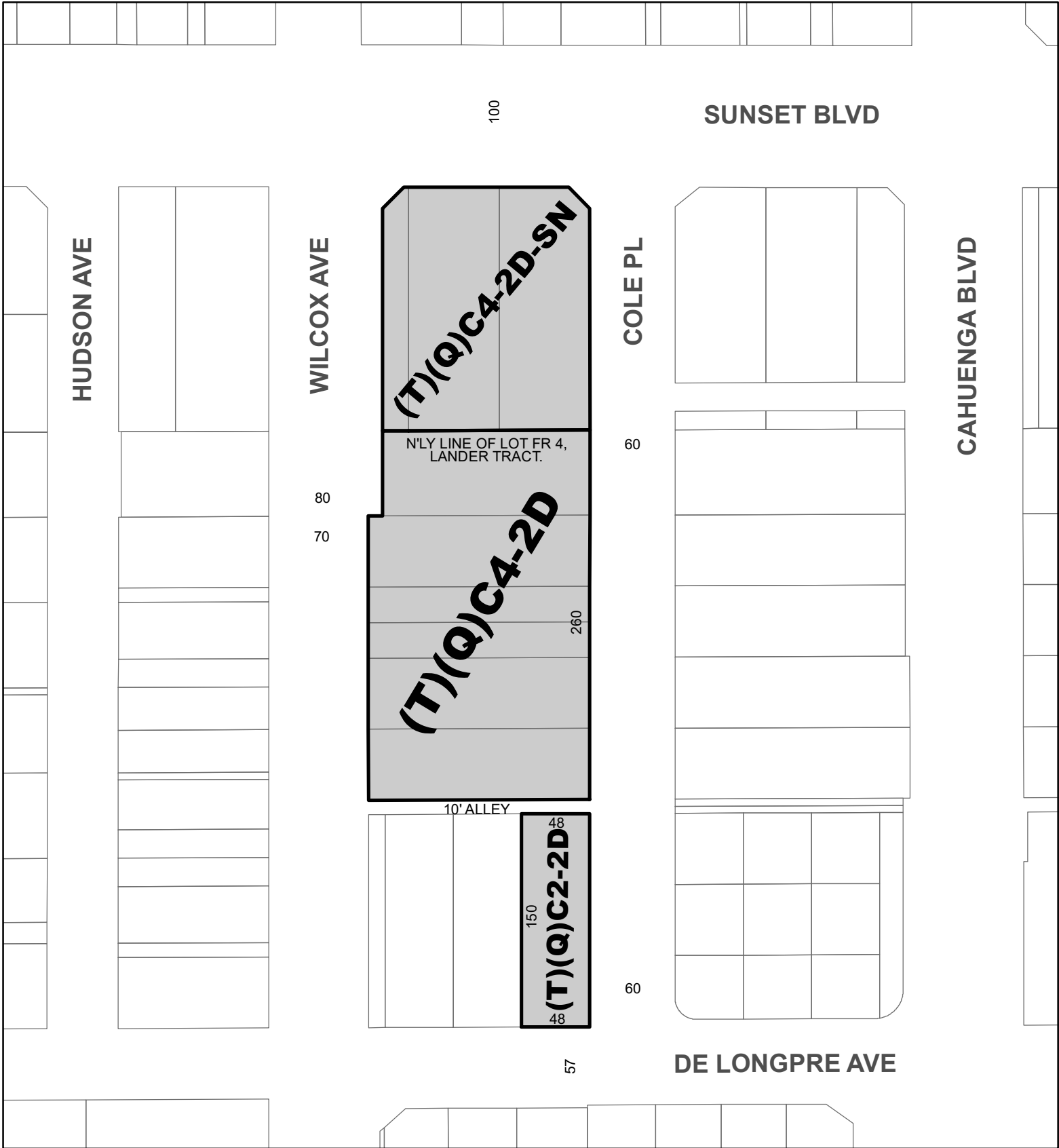
c: William Lamborn, Senior City Planner
James Harris, City Planner

ORDINANCE NO. _____

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

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

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

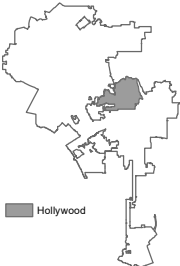


CPC-2020-1929-ZC-HD-MCUP-SPP-SPR

CF/aq

092722

City of Los Angeles



(Q) QUALIFIED CONDITIONS

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

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

The development of 443,418 square feet of commercial space consisting of 431,032 sf of office and 12,386 sf of restaurant spaces plus approximately 1,800 square feet of ground floor outdoor dining area. The proposed uses would be built within a single, 15-story building that includes ground floor lobby and commercial space. Additionally, the LADWP equipment would be housed on the lot located at the northwest corner of Cole Place and De Longpre Avenue.

- 2. Residential Capacity.** Notwithstanding the above, in accordance with California Government Code Section 66300(b)(1), the site may also be developed with residential uses allowed in accordance with the density and all other development standards of the C4-2D-SN, C4-2D and C2-1XL Zones, as in effect on January 1, 2018.

D LIMITATIONS

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

Development Limitations:

Floor Area Ratio. Floor area averaged over the entire site shall not exceed six times the buildable area of the site (6:1), or a total of 443,418 square feet of floor area.

Building Height. For the building located on the lot bound by Sunset Boulevard to the north, Wilcox Avenue to the west, Cole Place to the east and the Alleyway to the south, the height shall be limited to a maximum height of 275 feet 6 inches to the top of the building (including rooftop structures), consistent with Exhibit A.

Building Height. For the building located on the lot at the northwest corner of Cole Place and De Longpre Avenue and bound by Cole Place to the east, De Longpre Avenue to the south and the Alleyway to the north, the building height shall be limited to a maximum height of 18 feet, consistent with Exhibit A.

CONDITIONS FOR EFFECTUATING [T] TENTATIVE CLASSIFICATION REMOVAL

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

Dedications/Improvements and Responsibilities/Guarantees.

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

1. As part of early consultation, plan review, and/or project permit review, the applicant/developer shall contact the responsible agencies to ensure that any necessary dedications and improvements are specifically acknowledged by the applicant/developer.
2. **Bureau of Engineering.** Street Dedications and Improvements shall be provided to the satisfaction of the City Engineer.
3. **Sewer.** Construction of necessary sewer facilities, or payment of sewer fees, shall be to the satisfaction of the City Engineer.
4. **Drainage.** Construction of necessary drainage and storm water runoff drainage facilities to the satisfaction of the City Engineer.
5. **Driveway/Parkway Area Plan.** Preparation of a parking plan and driveway plan to the satisfaction of the appropriate District Offices of the Bureau of Engineering and the Department of Transportation.
6. **Fire.** Incorporate into the building plans the recommendations of the Fire Department relative to fire safety, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit.
7. **Cable.** Make any necessary arrangements with the appropriate cable television franchise holder to assure that cable television facilities will be installed in City rights-of-way in the same manner as is required of other facilities, pursuant to Municipal Code Section 17.05 N to the satisfaction of the Department of Telecommunications.
8. **Recreation and Park Fees.** The Park Fee paid to the Department of Recreation and Parks be calculated as a Subdivision (Quimby in-lieu) fee, if applicable.
9. **Lighting.** Street lighting facilities shall be provided to the satisfaction of the Bureau of Street Lighting.

- 10. Street Trees.** All trees in the public right-of-way shall be provided per the current Urban Forestry Division Standards.

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

CONDITIONS OF APPROVAL

(As Modified by the City Planning Commission at its meeting on October 27, 2022)

Entitlement Conditions

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

The development of 443,418 square feet of commercial space consisting of 431,032 sf of office and 12,386 sf of restaurant spaces plus approximately 1,800 square feet of ground floor outdoor dining area. The proposed uses would be built within a single, 15-story building that includes ground floor lobby and commercial space. Additionally, the LADWP equipment would be housed on the lot located at the northwest corner of Cole Place and De Longpre Avenue.

2. **Development Services Center.** Prior to sign-off on building permits by the Department of City Planning's Development Services Center for the project, the Department of City Planning's Major Projects Section shall confirm, via signature on the plans, that the project's building plans substantially conform to the conceptual plans stamped as Exhibit A, as approved by the City Planning Commission.

Note to Development Services Center: The plans presented to, and approved by, the City Planning Commission (CPC) included specific architectural details that were significant to the approval of the project. Plans submitted at plan check for condition clearance shall include a signature and date from Major Projects Section planning staff to ensure plans are consistent with those presented at CPC.

3. **Floor Area Ratio.** The maximum permitted Floor Area Ratio (FAR) averaged across the Project Site shall be no greater than a 6:1 FAR. Outdoor eating areas adjacent to the ground floor restaurants are exempt from the definition of "Floor Area" per the LAMC.
4. **Covenant.** The applicant shall file a covenant running with the land with the Department of Building and Safety prior to the issuance of any building permits. The covenant shall include a guarantee to continue the operation and maintenance of the development as a unified development; shall indicate the floor area and, if applicable, density used on each parcel and the floor area, and, if applicable, density potential (if any) that would remain; shall guarantee the continued maintenance of the any unifying design elements; and shall specify an individual or entity to be responsible and accountable for this maintenance and the fee for the annual inspection of compliance by the Department of Building and Safety, required pursuant to LAMC Section 19.11.
5. **Mobility Hub.** The Applicant shall make a good-faith effort to work with the Los Angeles County Metropolitan Transportation Authority (Metro) to provide a transit-related Mobility Hub at the Project Site. If it is determined by Metro that a Mobility Hub is feasible at the Project Site, then the Mobility Hub shall include, but not be limited to, educational programs for tenants and employees on the availability of nearby transit and may also include on-site ticketing options.

6. **Bike Share.** The Applicant shall provide an alternative transportation bike-share program for all tenants and employees.

Main Conditional Use Conditions

7. **Grant.** Authorized herein is a Main Conditional Use Permit to allow for the service of a full line of alcoholic beverages for on-site and off-site sale and consumption in conjunction with a maximum of three (3) establishments.
8. **Main Plan Approval (MPA) Requirement.** Each individual venue shall be subject to a Main Plan Approval (MPA) determination pursuant to Section 12.24-M of the Los Angeles Municipal Code in order to implement and utilize the Main Conditional Use authorization granted. The purpose of the Main Plan Approval determination is to review each proposed venue in greater detail and to tailor site-specific conditions of approval for each of the premises including but not limited to hours of operation, seating capacity, size, security, live entertainment, the length of a term grant and/or any requirement for a subsequent MPA application to evaluate compliance and effectiveness of the conditions of approval.
9. **MPA Public Hearing Requirement.** The Zoning Administrator may impose more restrictive or less restrictive conditions on each individual tenant at the time of review of each Plan Approval application. A public hearing for any Main Plan Approval (MPA) request may be waived at the discretion of the Chief Zoning Administrator.
10. Notwithstanding approved "Exhibit A" and the Conditions above, this grant recognizes that there may be changes resulting from identified tenants and/or tenant spaces, which may result in smaller or larger restaurants, different locations, and/or a reduced number of restaurants than those originally proposed and identified in "Exhibit A". Such outcome is permitted provided that the other conditions noted herein, specifically those related to the combined maximum interior floor areas, maximum interior and exterior seating numbers, maximum (total) number of establishments authorized under this grant, and the maximum number of establishments approved for each type of grant in the Conditions above are not exceeded. The sale and dispensing of beer and wine may be provided in lieu of a full line of alcoholic beverages at any of the establishments approved for a full line of alcoholic beverages (but not the reverse), provided that the maximum (total) number of establishments authorized for alcoholic beverages is not exceeded, and subject to all other conditions of this grant.
11. **STAR/LEAD/RBS Training.** Within the first six months of operation, all employees involved with the sale of alcohol shall enroll in the Los Angeles Police Department "Standardized Training for Alcohol Retailers" (STAR) or Department of Alcoholic Beverage Control "Licensee Education on Alcohol and Drugs" (LEAD) training program or the Responsible Beverage Service (RBS) Training Program. Upon completion of such training, the applicant shall request the Police Department or Department of Alcohol Beverage Control to issue a letter identifying which employees completed the training. STAR or LEAD or RBS training shall be conducted for all new hires within three months of their employment.
12. There shall be no Adult Entertainment of any type pursuant to LAMC Section 12.70.
13. After hour use shall be prohibited, except routine clean-up. This includes but is not limited to private or promotional events, special events, excluding any activities which are issued film permits by the City.

14. The Applicant shall be responsible for monitoring both patron and employee conduct on the premises and within the parking areas under his/her control to assure such conduct does not disturb the peace of adjoining residents, property owners, and businesses.
15. An electronic age verification device shall be purchased and retained on the premises to determine the age of any individual and shall be installed on at each point-of-sales location. This device shall be maintained in operational condition and all employees shall be instructed in its use.
16. "No Public Drinking" signs shall be posted in and outside of the subject facility.
17. The Applicant shall be responsible for maintaining the premises and adjoining sidewalk free of debris or litter.
18. The Applicant(s) shall comply with 6404.5(b) of the Labor Code, which prohibits smoking within any place of employment. The Applicant shall not possess ashtrays or other receptacles used for the purpose of collecting trash or cigarettes/cigar butts within the interior of the subject establishment.
19. **Additional Conditions.** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Department of City Planning to impose additional corrective conditions, if, it is determined by the Department of City Planning that such conditions are proven necessary for the protection of person in the neighborhood or occupants of adjacent property.
20. **Security.** A camera surveillance system shall be installed and operating at all times to monitor the interior, entrance, exits and exterior areas, in front of and around the premises. Recordings shall be maintained for a minimum period of 30 days.
21. **Lease Agreements.** All establishments applying for an Alcoholic Beverage Control license shall be given a copy of these conditions prior to executing a lease and these conditions shall be incorporated into the lease. Furthermore, all vendors of alcoholic beverages shall be made aware that violations of these conditions may result in revocation of the privileges of serving alcoholic beverages on the premises.
22. **Building Plans.** A copy of this grant and all Conditions and/or any subsequent appeal of this grant and resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.
23. **Ownership/Operator Change.** Should there be a change in the ownership and/or the operator of the business, the property owner and the business owner or operator shall provide the prospective new property owner and the business owner/operator with a copy of the conditions of this action prior to the legal acquisition of the property and/or the business. Evidence that a copy of this determination including the conditions required herewith has been provided to the prospective owner/operator shall be submitted to the Department of City Planning in a letter from the new operator indicating the date that the new operator/management began and attesting to the receipt of this approval and its conditions. The new operator shall submit this letter to the Department of City Planning within 30 days of the beginning day of his/her new operation of the establishment along with any proposed modifications to the existing floor plan, seating arrangement or number of seats of the new operation.

24. At any time during the period of validity of this grant, should documented evidence be submitted showing continued violation of any condition of this grant and/or the ABC license of the location, resulting in an unreasonable level of disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Zoning Administrator (Upon his/her/their initiative, or upon written request by LAPD or Department of ABC) reserves the right to call for a public hearing requiring the applicant to file for a plan approval application together with associated fees pursuant to LAMC Section 19-01-E, the purpose of which will be to review the applicant's compliance with and the effectiveness of these conditions. The applicant shall prepare a radius map and cause notification to be mailed to all owners and occupants of properties within a 500-foot radius of the property, the Council Office and the Los Angeles Police Department's corresponding division. The applicant shall also submit a summary and any supporting documentation of how compliance with each condition of this grant has been attained. Upon this review, the Zoning Administrator may modify, add or delete conditions, and reserves the right to conduct this public hearing for nuisance abatement/revocation purposes.

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

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

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

Site Plan Review Conditions

27. Public Improvements. Prior to the issuance of any building permits, 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.

28. Restriping Wilcox Avenue. Provide a center left-turn lane for both directions of travel along Wilcox Avenue subject to the approval of the City of Los Angeles Department of Transportation Hollywood-Wilshire District Operations Office, as described in the

December 6, 2021 Transportation Assessment Letter from the City of Los Angeles Department of Transportation.

29. Electrification. The 15-story office tower shall be an all-electric office building excluding the commercial food uses for cooking purposes, as stated in the Applicant's October 14, 2022, letter to Los Angeles City Planning.

30. Electric Vehicle Parking. All vehicular parking shall provide electric vehicle charging spaces and electric vehicle charging stations in compliance with the regulations outlined in Sections 99.04.106 and 99.05.106 of Article 9, Chapter IX of the LAMC.

31. Parking Structure Design.

- a. Façades of parking structures shall be screened to minimize their visual impact on the public realm. Façade elements shall include vision glass, frosted glass, and warm-colored panels to integrate the podium into the overall building composition as shown in Exhibit A.
- b. Entrances, elevators and stairs for parking structures shall be easily accessible and highlighted architecturally.
- c. Any above ground parking structure shall be designed to be utilized and repurposed to other uses. The conversion of floor area from parking into new uses may be subject to additional discretionary actions.
- d. The height of the above ground parking levels shall have sufficient clearance to be adaptable to non-parking uses. Once converted, the building shall permit a minimum floor to ceiling height of 9 feet for commercial uses.
- e. Vehicular access to the parking structure shall be from Cole Place and Wilcox Avenue.

32. Valet.

- a. All valet services shall be conducted on-site.
- b. Valet service shall not utilize any local streets for the parking of vehicles at any time.

33. Passenger Loading. On-street passenger loading for taxi and rideshare services shall be limited to Wilcox Avenue adjacent to the Project Site.

34. Loading Dock.

- a. The loading dock shall be located along and accessed from Cole Place, and except for the roll-up door, shall be screened with frosted or glazed glass, or similar material.
- b. All deliveries shall be made in the loading dock located off Cole Place. No deliveries shall be permitted along Sunset Boulevard, Wilcox Avenue, or the alley.

35. Commercial Restaurant Space Façades. The restaurant spaces along Sunset Boulevard shall have transparent glazing that wraps the corner to Cole Place and Wilcox Avenue.

36. Solar. The Project will comply with the Los Angeles Green Building Code's solar-ready roof requirements. The Project shall also install solar panels on the building rooftop, in substantial conformance with Exhibit A.

37. Façade Elements.

- a. The building façade material shall include the following materials: curtain wall system with high performance glazing, metal panels, frosted glass, panel-formed concrete, Terracotta/Trespa wall panels or the like, and storefront window wall system with clear glazing. The façade materials shall be in substantial conformance with Exhibit A
- b. The south façade shall include horizontal louvers at the balconies to provide shade for the glass and balcony occupants.
- c. The exterior of the proposed structure shall be constructed of materials to minimize glare and reflected heat, no mirror-like materials, tints or films may be used.
- d. Glass used in building façades shall be low-reflective or treated with a low-reflective coating to minimize glare from reflected sunlight onto neighboring residential uses.

38. Alley. The alley from Wilcox Avenue to Cole Place shall be fully-lit and open to the public at all times.

39. Lighting. Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties, the public right-of-way, nor from above.

40. Landscaping. Prior to the issuance of a building permit, a landscape and irrigation plan prepared in accordance with LAMC Sections 12.40 through 12.43 shall be submitted to the Department of City Planning for approval. The landscape plan shall be in substantial conformance with the landscape plan stamped Exhibit A. Minor deviations from the requirements provided below may be permitted by the Department of City Planning to permit the existing landscaping conditions provided that the plantings are well established and in good condition.

- a. The plant palette shall incorporate native and drought tolerant.
- b. The Project shall provide a permanent trellis with deep-soil planter system and permanent, automatic drip-irrigation, and requisite drainage system along the south façade of the office tower as shown in Exhibit A.

41. Trees. The Project shall provide a minimum of 30 trees as follows:

- a. A minimum of four (4) trees shall be provided on-site of the office tower.
- b. A minimum of 24 trees shall be provided in the public right-of-way adjacent to the Project Site, subject to approval by the Urban Forestry Division of the

Department of Public Works. Street trees shall be provided to the satisfaction of the Urban Forestry Division. Street trees may be used to satisfy on-site tree requirements pursuant to LAMC Article Section 12.21.G.3 (Chapter 1, Open Space Requirement for Six or More Residential Units).

- c. A minimum of two (2) on-site trees shall be provided on the De Longpre lot.

42. Tree Wells.

- a. The minimum depth of tree wells shall be as follows:
 - i. Minimum depth for trees shall be 42 inches.
 - ii. Minimum depth for shrubs shall be 30 inches.
 - iii. Minimum depth for herbaceous plantings and ground cover shall be 18 inches.
- b. The minimum amount of soil volume for tree wells shall be based on the size of the tree at maturity as follows:
 - iv. 220 cubic feet for a tree 15 – 19 feet tall at maturity.
 - v. 400 cubic feet for a tree 20 – 24 feet tall at maturity.
 - vi. 620 cubic feet for a medium tree or 25 – 29 feet tall at maturity.
 - vii. 900 cubic feet for a large tree or 30 – 34 feet tall at maturity.
- c. Any trees that are required pursuant to LAMC Section 12.21 G and are planted on any podium or deck shall be planted in a minimum three-foot planter.
- d. New trees planted within the public right-of-way shall be spaced not more than an average of 30 feet on center, unless otherwise permitted by the Urban Forestry Division, Bureau of Public Works.

43. Public Benches. The Project shall provide public benches along Sunset Boulevard, Wilcox Avenue, and Cole Place in substantial conformance with Exhibit A, subject to the approval of the Bureau of Street Services of the Bureau of Public Works.

44. Outdoor Open Space. The Project shall provide outdoor open space areas and amenities in substantial conformance with Exhibit A.

45. Stormwater/Irrigation. The Project shall implement on-site stormwater infiltration as feasible based on the site soils conditions, the geotechnical recommendations, and the City of Los Angeles Department of Building and Safety Guidelines for Storm Water Infiltration. If on-site infiltration is deemed infeasible, the Project shall analyze the potential for stormwater capture and reuse for irrigation purposes based on the City Low Impact Development (LID) guidelines.

46. Graffiti Removal. 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.

47. Aesthetics. The structure, or portions thereof shall be maintained in a safe and sanitary condition and good repair and free of graffiti, trash, overgrown vegetation, or similar material, pursuant to Municipal Code Section 91,8104. All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the decision maker.

48. Utilities. All utilities shall be fully screened from view of any abutting properties and the public right-of-way.

49. Mechanical Equipment. Any structures on the roof, such as air conditioning units and other equipment, shall be fully screened from view of any abutting properties and the public right-of-way. All screening shall be setback at least five feet from the edge of the building.

50. Trash/Storage.

1. All trash collection and storage areas shall be located on-site and not visible from the public right-of-way.
2. Trash receptacles shall be stored in a fully enclosed building or structure, constructed with a solid roof, at all times.
3. Trash/recycling containers shall be locked when not in use.

51. Construction Generators. The Project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices. The Project construction contractor shall use on-site electrical sources and solar generators to power equipment rather than diesel generators, where feasible.

52. Construction Signage. There shall be no off-site commercial signage on construction fencing during construction.

Project Permit Compliance Conditions

53. Use District. All signs located within the Hollywood Signage Supplemental Use District shall comply with the regulations therein pursuant to Ordinance 181,340. All other signs are subject to LAMC Section 14.4.

54. Wall Signs.

a. Location.

- i. Notwithstanding the provisions of LAMC Section 14.4.10 to the contrary, no portion of any Wall Sign shall be located above the second story of the building on which it is placed or higher than 35 feet above grade, whichever is lower.
- ii. A Wall Sign shall not cover the exterior of windows, doors, vents, or other openings that serve occupants of buildings.

b. Area. A single Wall Sign shall not exceed 300 square feet in area.

- c. The two A4 Wall Signs located at the corner of Cole Place and Sunset Boulevard shall be inset within the exterior façade materials and integrated into the building's architectural design, in substantial conformance with Exhibit A. No off-site advertising shall be permitted on these or any Wall Sign pursuant to Section 5.D of the Hollywood Signage Supplemental Use District.

Environmental Conditions

55. Implementation. The Mitigation Monitoring Program (MMP), attached as "Exhibit B" and part of the case file, shall be enforced throughout all phases of the Project. The Applicant shall be responsible for implementing each Project Design Features (PDF) and Mitigation Measure (MM) and shall be obligated to provide certification, as identified below, to the appropriate monitoring and enforcement agencies that each PDF and MM has been implemented. The Applicant shall maintain records demonstrating compliance with each PDF and MM. Such records shall be made available to the City upon request.

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

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

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

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

consistent with the requirements of CEQA. Under this process, the modification or deletion of a PDF or MM shall not, in and of itself, require a modification to any Project discretionary approval unless the Director of Planning also finds that the change to the PDF or MM results in a substantial change to the Project or the non-environmental conditions of approval.

58. Tribal Cultural Resource Inadvertent Discovery. In the event that objects or artifacts that may be tribal cultural resources are encountered during the course of any ground disturbance activities (Ground disturbance activities shall include the following: excavating, digging, trenching, plowing, drilling, tunneling, quarrying, grading, leveling, removing peat, clearing, pounding posts, augering, backfilling, blasting, stripping topsoil or a similar activity), all such activities shall temporarily cease on the project site until the potential tribal cultural resources are properly assessed and addressed pursuant to the process set forth below:

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

Notwithstanding the above, any information determined to be confidential in nature, by the City Attorney's office, shall be excluded from submission to the SCCIC or the general public under the applicable provisions of the California Public Records Act, California Public Resources Code, and shall comply with the City's AB 52 Confidentiality Protocols.

59. Archaeological Resource Inadvertent Discovery. In the event that any subsurface archaeological resources are encountered unexpectedly at the project site during construction or the course of any ground disturbing activities, all such activities shall halt immediately, at which time the applicant shall notify the City and consult with a qualified archaeologist to implement the following procedures associated with the inadvertent discovery of archaeological resources:

- The applicant shall retain a qualified archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards (PQS) to prepare a treatment and disposition plan for any discovered archaeological resource. The qualified archaeologist shall retain an archaeological monitor who shall be present during further ground disturbing activities on the project site, including peripheral activities, such as sidewalk replacement, utilities work, and landscaping, which may occur adjacent to the project site.
- A 50-foot buffer around any find shall be established, subject to modification by the qualified archaeologist, within which construction activities shall not be allowed to continue around the find until work is allowed to resume in accordance with the treatment and disposition plan. Ground-disturbing activities shall be halted or diverted away from the vicinity of the find so that the find can be evaluated as part of a treatment and disposition plan. Work shall be allowed to continue outside of the buffer area.
- All archaeological resources unearthed by project development activities shall be evaluated by the qualified archaeologist. If a resource is determined by the qualified archaeologist to constitute a "historical resource" pursuant to CEQA Guidelines Section 15064.5(a) or a "unique archaeological resource" pursuant to Public Resources Code Section 21083.2(g), the qualified archaeologist shall coordinate with the applicant and the City to develop a formal treatment plan that would serve to reduce impacts to the resources. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and Public Resources Code Sections 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment. If, in coordination with the City, it is determined that preservation in place is not feasible, appropriate treatment of the resource shall be developed by the qualified archaeologist in coordination with the City and may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. Any archaeological material collected shall be curated at a public, non-profit institution with a research interest in the materials, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be donated to a local school, Tribe, or historical society in the area for educational purposes. If the inadvertent discovery identifies a tribal cultural resource, the applicant shall comply with the inadvertent discovery condition for tribal cultural resources.
- The frequency of required archaeological monitoring shall be based on the rate of excavation and grading activities, the materials being excavated (younger sediments vs. older sediments), the depth of excavation, and, if found, the

abundance and type of archaeological resources encountered. Full-time monitoring may be reduced to part-time inspections, or ceased entirely, if determined adequate by the qualified archaeologist. Prior to any further ground disturbing activities on the project site, Archaeological Sensitivity Training shall be given for applicable construction personnel. The training session shall be carried out by the qualified archaeologist and shall focus on how to identify archaeological resources that may be encountered during earthmoving activities and the procedures to be followed in such an event.

- All artifacts, other cultural remains, records, photographs, and other documentation shall be curated by an appropriate curation facility. All fieldwork, analysis, report production, and curation shall be fully funded by the applicant.
- The treatment and disposition plan shall be submitted to the City prior to any further ground disturbing activities continue within the buffer area. Recommendations contained therein shall be implemented throughout any further ground disturbance activities.

60. Paleontological Resource Inadvertent Discovery. In the event that any subsurface paleontological resources are encountered unexpectedly at the project site during construction or the course of any ground disturbing activities, all such activities shall halt immediately, at which time the applicant shall notify the City and consult with a qualified paleontologist to implement the following procedures associated with the inadvertent discovery of paleontological resources:

- The project applicant shall retain a qualified paleontologist meeting the Society of Vertebrate Paleontology Standards (SVP) to complete a treatment and disposition plan for any discovered paleontological resource. The qualified paleontologist shall retain a paleontological monitor who shall be present during further ground disturbing activities on the project site, including peripheral activities, such as sidewalk replacement, utilities work, and landscaping, which may occur adjacent to the project site.
- A 50-foot buffer around any find shall be established, subject to modification by the qualified paleontologist, within which construction activities shall not be allowed to continue around the find until work is allowed to resume in accordance with the treatment and disposition plan. Ground-disturbing activities shall be halted or diverted away from the vicinity of the find so that the find can be evaluated as part of a treatment and disposition plan. Work shall be allowed to continue outside of the buffer area.
- All paleontological resources unearthed by project development activities shall be evaluated by the qualified paleontological. The qualified paleontologist or designated paleontological monitor shall recover intact fossils consistent with the treatment plan and notify the City of any fossil salvage and recovery efforts. Typically, fossils can be safely salvaged quickly by a single paleontologist and not disrupt future construction activity. In some cases, larger fossils (such as complete skeletons or large mammal fossils) require more extensive excavation and longer salvage periods. In this case the paleontologist shall have the authority to temporarily direct, divert or halt construction activity to ensure that the fossil(s) can be removed in a safe and timely manner. Any fossils shall be handled and deposited consistent with the treatment and disposition plan prepared by the paleontological monitor.

- The frequency of required paleontological monitoring shall be based on the rate of excavation and grading activities, the materials being excavated (younger sediments vs. older sediments), the depth of excavation, and, if found, the abundance and type of archaeological resources encountered. Full-time monitoring may be reduced to part-time inspections, or ceased entirely, if determined adequate by the qualified paleontologist. Prior to any further ground disturbing activities on the project site, Paleontological Resource Sensitivity Training shall be given for applicable construction personnel. The training session shall be carried out by the qualified archaeologist and shall focus on how to identify paleontological resources that may be encountered during earthmoving activities and the procedures to be followed in such an event.
- All artifacts, other cultural remains, records, photographs, and other documentation shall be curated by an appropriate curation facility. All fieldwork, analysis, report production, and curation shall be fully funded by the applicant.
- The treatment and disposition plan shall be submitted to the City prior to any further ground disturbing activities continue within the buffer area. Recommendations contained therein shall be implemented throughout any further ground disturbance activities.

Administrative Conditions

- 61. Approval, Verification and Submittals.** Copies of any approvals guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Planning Department for placement in the subject file.
- 62. Code Compliance.** Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions are more restrictive.
- 63. Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assign. The agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Planning Department for attachment to the file.
- 64. Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public officials, legislation or their successors, designees or amendment to any legislation.
- 65. Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Planning Department and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
- 66. Building Plans.** Page 1 of the grants and all the conditions of approval shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety.

67. Project Plan Modifications. Any corrections and/or modifications to the Project plans made subsequent to this grant that are deemed necessary by the Department of Building and Safety, Housing Department, or other Agency for Code compliance, and which involve a change in Site Plan, floor area, parking, building height, yards or setbacks, building separations, or lot coverage, shall require a referral of the revised plans back to the Department of City Planning for additional review and final sign-off prior to the issuance of any building permit in connection with said plans. This process may require additional review and/or action by the appropriate decision-making authority including the Director of Planning, City Planning Commission, Area Planning Commission, or Board.

68. Indemnification and Reimbursement of Litigation Costs. The Applicant shall do all of the following:

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

69. 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.

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

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

For purposes of this condition, the following definitions apply:

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

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

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

FINDINGS

ENTITLEMENT FINDINGS

Zone and Height District Change Findings

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

Consistency with the General Plan

The Project Site is located within the Hollywood Community Plan area. The Project Site has a Regional Center Commercial General Plan Land Use designation with the corresponding zones of C4-2D-SN (Commercial Zone, Height District 2 with Development Limitation, Hollywood Signage Supplemental Use District), C4-2D (Commercial Zone, Height District 2 with Development Limitation), and C2-1XL (Commercial Zone, Height District 1XL). The C2 and C4 Zones allow for a wide variety of land uses, including retail stores, offices, restaurants, theaters, hotels, broadcasting studios, parking buildings, parks, and playgrounds. These zones also permit any land use permitted in the R4 zone, including multiple residential uses. Height District 2 allows a 6:1 FAR in the Project Site's C4-zoned portions with no height or story limit, however, the D Limitation restricts FAR to 2:1, established by Ordinance 165,661. The D Limitation does not impose any height limits on the Project Site. Height District Number 1XL allows a 1.5:1 FAR in the Project Site's C2-zoned portions with a 30-foot and two-story height limit.

Pursuant to LAMC Sections 12.32F, the Project Applicant has requested a Zone and Height District Change from Height District No. 1XL and 2D to Height District No. 2 with a new Development (D) Limitation, which would permit a Floor Area Ratio (FAR) of 6:1. The Project is conditioned to allow the 6:1 FAR averaged across the entire site that includes lots on either side of the alley with height limits for each lot listed in the D-Limitation contingent on a covenant being provided to the City that guarantees the development is a unified development. The 6:1 FAR would be appropriate and beneficial for a commercial project with office and restaurant uses in the area, while compatible with existing surrounding uses and projected future growth of Hollywood. The Height District Change would also allow existing 1XL portions of the Property to be developed without a height limit consistent with the balance of the Property.

The requested actions for the Zone and Height District Change would allow for the construction, operation, and maintenance of the Project, which is consistent with the General Plan and is beneficial in terms of public necessity, convenience, general welfare, and good zoning practice. The Project is an appropriate mix of uses and intensity for this location as it is partially located within the Hollywood Regional District. The Property is also located in a prime location in Hollywood adjacent to other offices, production studios, and commercial corridors that connect various offices for major and local technology and media production companies.

The Project would be made up of various types of commercial uses with the existing retail, office, and surface parking lots uses to be demolished and redeveloped into a 15-story commercial office building with ground floor restaurant uses. The ground floor commercial space would consist of approximately 12,000 square feet of restaurant uses, that includes additional approximately 1,800 square feet of ground floor outdoor dining areas. The commercial office use consists of approximately 431,000 square feet dedicated for the commercial office use and common areas. In total, the Project would provide 443,418 square feet of commercial office and restaurant space. The Project's ground floor would also provide

space that could be programmed by the tenants for use by pedestrians, tenants, and patrons for outdoor dining and ease of travel including secure bicycle parking. Furthermore, the Project would provide amenities for tenants of the commercial building and quasi-public space in the form of added street furniture and partially landscaped outdoor terraces to take advantage of the building's views of the City.

The Project would include sufficient automobile and bicycle parking for each of the uses on the Property. In total, the Project would provide 1,179 automobile parking spaces for its restaurant and office uses that would be located on the three subterranean, one at-grade, a mezzanine, and two above-grade levels, which complies with and exceeds minimum code requirements. Additionally, the above ground parking is designed and conditioned to be fully convertible to other uses.

Bicycle parking for all uses would be located in the ground floor garage and convenient to the various ground floor uses. In total, the Project would provide 141 bicycle parking spaces that would consist of 92 long term and 49 short term spaces. The Project includes support infrastructure for active transportation modes such as bicycle parking with a bicycle maintenance facility located near the bike storage area, with showers and lockers in the parking garage. The location for bike storage provides secure parking and storage equipment in well-lit areas and is conveniently accessible to the commercial components they serve.

The Los Angeles General Plan sets forth goals, objectives and programs that guide both Citywide and community specific land use policies. The General Plan is comprised of a range of State-mandated elements, including, Land Use, Mobility (Transportation), Noise, Safety, and Housing. The City's Land Use Element is divided into 35 community plans that establish parameters for land use decisions within those sub-areas of the City.

The Project would be in compliance with the following Elements of the General Plan: Framework Element Land Use, Urban Form and Neighborhood Design, and Economic Development; Mobility Element chapters; Health and Wellness Element; Air Quality Element; and the Land Use Element – Hollywood Community Plan.

Framework Element

The Los Angeles General Plan sets forth goals, objectives, and programs that guide both Citywide and community specific land use policies. The General Plan is comprised of a range of State-mandated elements including, but not limited to, Land Use, Housing, Transportation/Mobility, Noise, and Safety. The City's Land Use Element is divided into 35 community plans that establish parameters for land use decisions. The proposed Height District Change changes the Property's Height Districts from No. 2D and 1XL to 2. The Property is not in a specific plan area. The Project is also in conformance with purpose and intent of the various elements of the General Plan, including the Framework Element that sets forth a strategy for long-range growth and development providing a context for updates to community plans and citywide elements. Many of the Project's characteristics are in line within the objectives from the various chapters of the Framework Element outlined below.

Chapter 3: Land Use

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: To provide for the spatial distribution of development that promotes an improved quality of life by facilitating a reduction of vehicle trips, vehicle miles traveled, and air pollution.

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

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

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

Policy 3.14.2: *Provide flexible zoning to facilitate the clustering of industries and supporting uses, thereby establishing viable "themed" sectors (e.g., movie/television/media production, set design, reproductions, etc.)*

The Project's mix of uses would reduce trips by concentrating office-related uses with restaurant uses and would also locate new jobs near the significant increase of residential uses planned within its immediate surroundings in Hollywood. As a result, the Project would accommodate a diversity of uses that support the needs of the City's existing and future residents, businesses, and visitors. The Project is also consistent with the type of developments the City encourages as it places new development in a Regional Center while preserving the surrounding neighborhoods. The Project's proposal is consistent with the description of a Regional Center, described in the Framework Element as a focal point of regional commerce, identity and activity and containing a diversity of uses such as corporate and professional offices, residential, retail commercial malls, major entertainment and cultural facilities and supporting services, with a general the range of floor area ratios from 1.5:1 to 6.0:1. Some will only be commercially oriented; others will contain a mix of residential and commercial uses. Generally, Regional Centers are characterized by 6- to 20-stories (or higher). Regional Centers are usually major transportation hubs. The 431,032 square feet of new office space, at 15 stories, and a FAR of 6:1, is consistent with its location in a Regional Center and will provide job opportunities for the City's residents, which would maintain the City's fiscal viability.

The Project also includes bicycle parking facilities for patrons and tenants conveniently located on the ground floor. Patron and tenant are less likely to drive or drive less as the Project would include a range of uses, have neighborhood resources located within the building or nearby, and provide employment opportunities within a growing employment center near mass transit and increased housing production. Through the Project design, tenants are also encouraged to engage in active transportation modes rather than vehicular trips. Further, the Project is well-designed so that the ground floor commercial is pedestrian-oriented and aesthetically pleasing, while blending well with the office developments of the surrounding properties.

The commercial ground floor space is designed to attract and increase pedestrian activity along the Sunset Boulevard frontage, which would activate the street and attract pedestrian interest. The commercial uses would be neighborhood-serving restaurant uses to benefit nearby residents and office tenants. Interest at the street level is created by providing pedestrian-oriented commercial uses and a landscaped streetscape along the Sunset Boulevard frontage.

As such, the Project will preserve commercial land within a Regional Commercial area by bringing a mix of services to an infill site well served by transit. The Project would provide over 440,000 square feet of new office and restaurant space on a site located within a Regional Center and along a primary transit corridor, in furtherance of Objective 3.4. Therefore, the Project is consistent with the applicable goals, objectives, and policies in the Land Use Chapter of the Framework Element.

Chapter 5: Urban Form and Neighborhood Design

Objective 5.5: *Enhance the livability of all neighborhoods by upgrading the quality of development and improving the quality of the public realm.*

Objective 5.9: *Encourage proper design and effective use of the built environment to help increase personal safety at all times of the day.*

Policy 5.9.1: *Facilitate observation and natural surveillance through improved development standards which provide for common areas, adequate lighting, clear definition of outdoor spaces, attractive fencing, use of landscaping as a natural barrier, secure storage areas, good visual connections between residential, commercial, or public environments and grouping activity functions such as child care or recreation areas.*

Policy 5.9.2: *Encourage mixed-use development which provides for activity and natural surveillance after commercial business hours through the development of ground floor retail uses and sidewalk cafes.*

The Project proposes to be constructed as a high-quality office building that incorporates design elements reminiscent of the media production studios while providing a new contemporary glass façade structure with various repeating rectangle forms, creating a distinctive character. The Project would include many design elements that contribute to the neighborhood's commercial environment and be supportive of pedestrian circulation. Consistent with the urban context, the Project has been designed to be pedestrian-oriented with ground floor commercial uses along the Sunset Boulevard frontage extending south along Wilcox Avenue. The approximately 12,386 square feet of new ground floor commercial uses would consist of restaurant uses, each with its own entrance directly from the street. The Sunset Boulevard frontage would include outdoor dining opportunities for patrons of the restaurant, as well as a landscaped streetscape. The design of the ground floor articulation and the partially landscaped terraces support the City's intent to increase the area and quality of open spaces in this park-scarce urban area of Los Angeles. The Project includes many design elements that would improve the public environment and also extend its terraces as quasi-public space that would also contribute to a more comfortable, safe, and pleasant pedestrian atmosphere. These Project elements would serve to enhance the livability of the surrounding neighborhood and improve the quality of the public realm. Furthermore, having tenants and patrons on-site throughout the day and evening would act as natural surveillance for the surrounding neighborhood in addition to the security measures such as adequate lighting and clear definition of spaces. These project design features would put eyes on the street.

Thus, the Project would be consistent with the Urban Form and Neighborhood Design Chapter of the Framework Element.

Chapter 7: Economic Development

Objective 7.2: *Establish a balance of land uses that provides for commercial and industrial development which meets the needs of local residents, sustains economic growth, and assures maximum feasible environmental quality.*

Policy 7.2.2 *Concentrate commercial development entitlements in areas best able to support them, including community and regional centers, transit stations, and mixed-use corridors. This concentration prevents*

commercial development from encroaching on existing residential neighborhoods.

The Project is an appropriate mix of commercial uses and intensity for this location as it is located within an existing and growing creative office and innovation hub of the Hollywood Regional Center, which would support the economic development of the community, the greater Hollywood area, and its residents and tenants. The variety of uses of the Project contribute to the growing creative office and innovation hub with ground floor space to provide neighborhood resources to the community. The Project is supportive of active transportation modes as it has a pedestrian-oriented design, provides bicycle parking, and its proximity to a growing residential community and Metro stations.

The Project will bring commercial uses that would sustain economic growth and a robust commercial base in an area where similar uses currently exist and is developing an infill site in proximity to existing activity centers and transit. The Project's substantial amount of commercial space is proposed in an appropriate location and would thus sustain economic growth and development while assuring maximum feasible environmental quality. Thus, the Project is consistent with the applicable goals, objectives, and policies of the Economic Development Chapter of the Framework Element.

Mobility Plan 2035

The Mobility Plan 2035 includes goals that define the City's high-level mobility priorities. The Mobility Element sets forth objectives and policies to establish a citywide strategy to achieve long-term mobility and accessibility within the City of Los Angeles. The Project would be in conformance with following goals of the Mobility Element as described below.

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

Policy 2.6: Provide safe, convenient, and comfortable local and regional bicycling facilities for people of all types and abilities.

Policy 2.10: Facilitate the provision of adequate on and off-street loading areas.

Policy 2.17: Carefully consider the overall implications (costs, character, safety, travel, infrastructure, environment) of widening a street before requiring the widening, even when the existing right of way does not include a curb and gutter or the resulting roadway would be less than the standard dimension.

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

The Project has considered and will provide access for all modes of travel, including for pedestrians, bicyclists, and transit users. The Project Site is located approximately 0.35 miles from the Metro B (Red) Line Hollywood and Vine Station and 0.5 miles from the Hollywood and Highland Station. In addition, bus transit access is provided along a number of Los Angeles County Metropolitan Transit Authority (Metro) and LADOT bus routes, with multiple stops located within 0.25 miles of the Project Site. The development of the Project advances the above-referenced policies by promoting ground floor pedestrian activity and circulation while providing sufficient and safe facilities for bicyclists. The Project has been designed so that the ground floor is well articulated with landscaped streetscapes, which activates the street level

and is aesthetically pleasing and inviting for guests and tenants that commute by foot. There are multiple entrances to the various commercial components of the Property that are safe and accessible to pedestrians. Similarly, employees, tenants, and patrons that bike are conveniently access various parts of the Project with safe, well-lit, and convenient bicycle parking options located on-site in the Project's parking garage. Therefore, the Project is supportive of active transportation modes, such as walking and bicycling. The architecture of the ground floor commercial component is well articulated with much of the commercial space located along the property line along the Sunset Boulevard frontage.

The Project includes an on-site loading area that is accessed from Cole Place. The loading zone is for loading and trash operation. The loading area is screened from the street view by façade elements such as concrete and frosted glass to minimize the pedestrian experience. As such the loading area is designed to promote public safety and to prevent an unsightly or barren appearance and lighting is provided to promoted public safety.

The Project's design, including ground floor treatment, would encourage daytime and nighttime pedestrian activity along Sunset Boulevard within a traditionally commercial district through pedestrian friendly design, which would also further the following policies:

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.

The Project's design, including ground floor treatment, would encourage daytime and nighttime pedestrian activity along Sunset Boulevard within a traditionally commercial district through pedestrian friendly design. The Project is consistent with the applicable policies of the Mobility Plan as it is located within walking distance of high-quality transit options, includes ample bicycle parking and facilities, and improves the pedestrian experience. Thus, the services and commercial uses which the Project will provide will be more accessible to those without automobiles and encourage those with cars to use other modes of transit which reduces vehicle trips, vehicle miles traveled, greenhouse gases, and air pollution.

Additionally, the Project's proximity to nearby residential and commercial uses would reduce vehicular trips to and from the Project, vehicle miles traveled, and improve air pollution. The Project would provide code-required bicycle parking supporting "first mile, last mile solutions," enabling tenants and guests improved access to the Project, while progressing the following policies:

Policy 5.1: Encourage the development of a sustainable transportation system that promotes environmental and public health;

Policy 5.2: Support ways to reduce vehicle miles traveled (VMT) per capita; and

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

Health and Wellness Element and Air Quality Element

Adopted in March 2015 with a technical update in 2021, the Plan for a Healthy Los Angeles lays the foundation to create healthier communities for all Angelenos. As the Health and Wellness Element of the General Plan, it provides high-level policy vision, along with measurable objectives and implementation programs, to elevate health as a priority for the City's future growth and development. Through a new focus on public health from the perspective of the built environment and City services, the City of Los Angeles will strive to achieve better health and social equity through its programs, policies, plans, budgeting, and community engagement. The proposed project is consistent with the following goals, objectives, and policies:

Health and Wellness Element

Policy 2.2. Healthy Building design and construction. 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.

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

Air Quality Element

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

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

The Project would develop office and commercial uses to be located just 0.35 miles from the Metro B (Red) Line Hollywood and Vine Station and 0.5 miles from the Hollywood and Highland Station, as well as various bus routes, connecting the Project Site to other regional and local destinations as well as employment centers and retail services. Future tenants, employees, and patrons of the Project, as well as people who already live and work in the area, would be able to take advantage of the Project's mix of uses located within proximity to transit to serve their daily needs.

The pedestrian experience is enhanced through upgrades to sidewalks, bicycle parking, building lighting around the Project Site, retention of and/or planting of street trees and landscaping. The ground level streetscape includes landscaping and seating for the potential outdoor dining area that would be located along Sunset Boulevard. The restaurant space on the ground floor of the proposed building would be visible through clear windows and doors to create an inviting and accessible area from the sidewalk. The commercial spaces along Sunset Boulevard and the office lobby entrance on Wilcox Avenue would improve the streets frontage and character as compared to existing conditions.

The development will be sited on a commercially zoned property within a designated Regional Commercial area in an area well-served by transit. Thereby, the services would be more easily accessible to those without automobiles and would encourage the use of other modes of transit

which reduces vehicle trips, vehicle miles traveled, and air pollution. Numerous transit options in the vicinity would encourage tenants, employees, and patrons to use public transportation or walk. As stated above, the Project also provides ample bicycle parking and shower amenities on-site, thereby reducing air pollution and greenhouse gas emissions that would otherwise be caused by vehicle trips. The Project would comply with applicable provisions of the CALGreen Code and the Los Angeles Green Building Code, which will serve to reduce the Project's energy usage. In addition, as conditioned, the Project would provide electric vehicle charging spaces and stations in compliance with the regulations outlined in Chapter IX, Article 9, LAMC Sections 99.04.106 and 99.05.106.

The Project's energy efficiency features and location near major transit facilities, which designates it in a Transit Priority Area could help reduce the energy and emission footprint of the Project and the per capita greenhouse gas emissions of the employees and visitors from private automobile travel. As shown on Exhibit A, the solar-panel roof space and EV-parking are also good zoning practices because they provide a convenient service amenity to the employees or visitors who utilize electricity on site for other functions. As such, the Project provides service amenities and building features to improve the health and air quality for current and future users of the Site. Therefore, the Project would promote a healthy built environment, encourage healthy living and working conditions, reduce air pollution, and promote land use policies that reduce per capita greenhouse gas emissions.

Land Use Element – Hollywood Community Plan

The requested action for a Zone and Height District Change to Height District No. 2 and the intended Project are in conformance with the following objectives and policies of the Hollywood Community Plan:

Objective 1: *To coordinate the development of Hollywood with that of other parts of the City of Los Angeles and the metropolitan area. To further the development of Hollywood as a major center of population, employment, retail services, and entertainment; and, to perpetuate its image as the international center of the motion picture industry.*

The Project would require a Zone and Height District Change to Height District No. 2 to allow development of the Project. The Project Site is designated for Regional Center Commercial land uses and is compatible in height and scale to other buildings throughout the Hollywood Regional Center. The Project is reminiscent of the area's predominantly office uses and has included ground floor restaurant uses and landscaped open space areas for an activated pedestrian experience. The Property would be redeveloped from its current low intensity use of retail spaces, office, and surface parking lots into a new mid-rise commercial office building that would contribute to the creative office and innovative hub within the Hollywood Regional Center Commercial area. The Project's new office space and ground floor restaurant uses, proximity to Hollywood resources, transit, increased housing development, and employment centers would reduce employees commute time and contributes to the development of the area as a center of employment, retail services and entertainment.

Objective 4(a): *Allocating and distributing commercial lands for retail, service, and office facilities in quantities and patterns based on accepted planning principles and standards.*

Objective 4(b): *To promote economic well-being and public convenience through designating land for industrial development that can be so used without detriment to adjacent uses of other types, and imposing restrictions on the types and intensities of industrial uses as are necessary to this purpose.*

Objective 4(c): *Encouraging the revitalization of the motion picture industry.*

The Hollywood Regional Center and Hollywood in general have been seen increased interest from businesses and individuals seeking creative spaces, modern offices, restaurants, and bars, all of which has reinforced Hollywood as the center for media production. The area has had an increase in project applications that has transformed many properties to high rise office and mixed-use towers, consistent with the goals of the Hollywood Community Plan and General Plan Framework. As a result, these projects support and compliment neighborhood commercial uses that when all combined, provide jobs near housing to reduce greenhouse gas emissions and vehicle miles traveled. The new construction of modern office space in recent years in Hollywood has attracted a variety of commercial uses such as creative offices, incubator spaces, and emerging innovation hubs. The Project will also provide new, high quality office space for creative and innovative businesses. Additionally, the Project's design is consistent with existing and proposed surrounding developments in a way that allows the Project to sit comfortably within its surrounding neighbors. The Project would be comparable in size to both existing buildings, such as the CNN Tower, as well as proposed new projects near the Site.

The Project encourages the revitalization of the motion picture industry as it provides potential office space for tech, media, and other creative companies. Moreover, with the definition of an office evolving due to COVID-19, an office that prioritizes open spaces and tenant amenities, including landscaped open terraces such as the Project, will aid in creating an environment for tenants and their employees to thrive. As such, the Project contributes to the revitalization of the motion picture industry.

Industry Standards and Criteria: *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.*

Although the Property does not have an industrial land use designation, the Project would be consistent with the objective to locate employment opportunities within a reasonable commuting distance from residential locations and mass transit. In order to reduce greenhouse gas emissions and vehicle miles traveled, it is important to concentrate and grow production-related industry jobs within the Regional Center further building on the area synergy, and to also locate jobs in proximity to new housing growth in the City. Many housing units have been constructed or are under construction in Hollywood; however, there is a shortage in corresponding construction of office space for production-related uses. The Project aims to provide production-related jobs near housing, which is located to the north, west, east, and south of the Property, and near to mass transit, thus contributing to an appropriate jobs-housing balance, as described below, and providing jobs within reasonable commuting distances from residences.

Based on the Southern California Association of Governments ("SCAG") 2020-2044 Regional Transportation Plan/Sustainable Communities Strategy ("RTP/SCS"), the jobs-housing balance ratio for the City is 0.82:1, however there has been a recent increase in housing within the Hollywood area which would not yet be reflected in the ratio. The City's Department of City Planning entitlement application data as of March 2022, provides that 16,329 residential units have been approved or proposed within the Hollywood Community Plan area between January 2015 and March 2022. With the increase of housing in this area, there needs to be the proportionate additional employment opportunities to support the housing growth. Therefore, the Project would be appropriate for this location as it would provide new high quality office space with supporting restaurant uses within an established and growing employment center near mass transit and increased housing production.

In summary, the Project is consistent with the applicable goals, objectives, and policies of the Hollywood Community Plan though preserving and strengthening commercial areas, adding

services beneficial to the community, improving the pedestrian experience, and encouraging alternative modes of travel.

Land Use Element – Hollywood Redevelopment Plan

The Project is also consistent with the Hollywood Redevelopment Plan. The portions of the Project Site to the north of the bisecting alley are designated by the Redevelopment Plan Map for Regional Commercial uses. The portions south of the alley are designated as Other Public Land. The Project was reviewed by the City Planning Department – Redevelopment Plan Unit on March 19, 2020. The review concluded the Project is eligible for a Redevelopment Plan Project Compliance to permit a 6:1 FAR pursuant to LAMC Section 11.5.14 provided that the Project can show conformance to Sections 506 and 506.2, 508.2, 508.4, 510, 511, 517, 518.1, 518.2, and 519 of the Hollywood Redevelopment Plan. The portions designated Other Public Land were noted on the March 19, 2020, referral as Not Applicable as while they are so designated, these parcels are not publicly owned and currently improved with an existing office. As set forth below, the Project is consistent with the applicable sections of the Hollywood Redevelopment Plan.

Pursuant to Hollywood Redevelopment Plan Section 506, a proposed development in excess of 4.5:1 FAR and up to 6:1 FAR may be permitted provided that the proposed development furthers the goals and intent of the Redevelopment Plan and the Community Plan. Section 506.2.3 sets forth various objectives that projects within the Regional Center Commercial designation must meet in order to obtain a 6:1 FAR including (a) to concentrate high intensity and/or density development in areas with reasonable proximity or direct access to high capacity transportation or which effectively utilize transportation demand management programs; and, (b) to provide for new development which complements the existing buildings in areas having architecturally and/or historically significant structures or to encourage appropriate development in areas that do not have architecturally and/or historically significant buildings. The Project concentrates high intensity development in reasonable proximity to high capacity transportation and utilizes transportation demand management programs. The Project is located within a commercial area in Hollywood, accessible by various transit options, including the Metro B Line (at the Hollywood and Vine and Hollywood and Highland Metro Rail Stations both within a half mile or less) and the Metro Line 2 Local Bus Line. Various local and regional bus lines are also in proximity with frequent stops and service to various locations throughout the City. The Project is also a new development that would complement existing buildings in the immediate area. The design of the Project is consistent with surrounding developments, both old and new, in a way that allows the Project to compliment the surrounding structures. The Project would be comparable in size to its existing neighboring properties to the west and east, as well as several proposed projects currently under construction near the Property. The Project also activates its ground floor with commercial uses and entrances along Sunset Boulevard. The Project is situated between the black glass CNN Building to the east and a lighter dark rose-colored building with ribbon windows and a parking podium to the west. In terms of scale and massing, the proposed building is a similar scale and mediates between the two. As such, the Project is consistent with Redevelopment Plan Sections 506 and 506.2.

The Hollywood Redevelopment Plan Section 506.2.3 further sets forth that the Agency may permit development in excess of 4.5:1 F.A.R. up to but not to exceed 6:1 F.A.R. or such other density as may be permitted by future amendments to the Community Plan, only if the Agency makes the following findings and determinations:

- 1. The proposed development conforms with the provisions and goals of the Redevelopment Plan and any applicable Design(s) for Development or requirements of the Hollywood Boulevard District or Hollywood Core Transition District.*

The Project is a commercial development with retail and office uses that proposes a maximum FAR of 6:1. Regarding Finding No. 1, as described above in greater detail beginning on Page F-10, the proposed development conforms with the provisions and goals of the Redevelopment Plan, including Objectives a) and b). The Project would concentrate commercial office and retail uses in a transit-rich area, including within a half-mile of both the Metro Hollywood/Highland and Hollywood/Vine rail stations as well as bus transit lines. The Project is also a new development that would complement existing buildings in the immediate area. The design of the Project is consistent with surrounding developments, both old and new, in a way that allows the Project to compliment the surrounding structures. The Project would be comparable in size to its existing neighboring properties to the west and east, as well as several proposed projects currently under construction near the Project Site, and provides a modern architectural design that is well-suited for the range of building typologies and architectural styles in the vicinity.

2. Permitting the proposed development serves a public purpose objective such as: the provision of additional open space, cultural facilities, public parking, or the rehabilitation of an architecturally or historically significant building.

The Project provides several benefits that support a public purpose and objective. Such benefits include: sustainable building features including LEED Gold certification equivalent design, parking for electric vehicles and bicyclists, and providing approximately 1,710 net new employment opportunities on an infill site near transit, thus resulting in lower per-capita GHG emissions and an efficient land use pattern while supporting economic growth, in support of the goals of local and regional land use plans, including SCAG's RTP-SCS, the General Plan Framework Element, and the Hollywood Community Plan. The Project is also providing ground-floor restaurant space with outdoor dining along Sunset Boulevard, that would encourage pedestrian activity and be a beneficial service that can be used by the public and the surrounding neighborhood. Additionally, the Project is providing public benches and new street trees along Wilcox Avenue, Sunset Boulevard and Cole Place to provide shaded seating for pedestrians. The Project provides adequate vehicular parking including valet parking for commercial patrons and provides on-site open space for office tenants although not required by code. Furthermore, the Project provides for an on-site Mobility Hub and educational program of the availability of nearby transit options, if determined to be feasible by Metro, and would also provide a bike share program for tenants and employees, in support of local and regional policy objectives to reduce vehicle trips, reduce GHG emissions, and support the use of active transportation and transit.

Furthermore, on September 30, 2022, the Department of Building and Safety provided the City Council recommendations to achieve zero-carbon emissions for residential and commercial buildings in Los Angeles (Council File 22-0151). Building electrification has been identified by the City Council and by the Department of Building and Safety's report as a crucial component towards achieving zero-carbon emission buildings. The Project's 15-story office tower is conditioned to be an all-electric building (excluding the three ground floor restaurants' commercial food uses for cooking purposes). As stated in the Applicant's October 14, 2022, letter, the building will be the first all-electric office building in the City of Los Angeles. The building will use all-electric appliances and end uses typically powered by natural gas such as heating, ventilation, and air conditioning (HVAC), and water heating. The all-electric office building would decrease the annual natural gas usage by approximately 6,000,000 cubic feet and would increase the annual building electrification by approximately 600,000 kilowatt hours which would result in a reduction in air quality and greenhouse gas emissions. The all-electric building will help the City meet its zero carbon goals, be a component of the LA's Green New Deal, and assist the City in achieving carbon neutrality before 2050.

3. Any adverse environmental effects especially impacts upon the transportation and circulation system of the area caused by proposed development shall be mitigated or are

overridden by other social, economic or physical considerations, and statements of findings are made.

Regarding adverse effects on the transportation and circulation system of the area, as analyzed in detail in the Environmental Impact Report prepared for the Project, in particular Section IV.H, *Transportation*, the Project would result in less than significant impacts upon the transportation and circulation system. Furthermore, as set forth in the EIR, the Project's significant environmental effects have been mitigated to the extent feasible as required under CEQA. The only significant and unavoidable impacts that would result from the Project are temporary impacts related to construction noise and vibration. Findings supported by substantial evidence have been made (see CEQA Findings under Case No. Vesting Tentative Tract 83088-1A), including a Statement of Overriding Considerations, overriding the limited significant adverse effects of the Project due to other social, economic, or physical considerations.

Therefore, the Project is consistent the findings and determinations for development in excess of 4.5:1 FAR, up to but not to exceed 6:1 FAR, pursuant to Redevelopment Plan Section 506.2.3.

Redevelopment Plan Section 508.2 requires that the public rights-of-way and principal streets in the Redevelopment Plan Area to be widened, altered, abandoned, vacated or closed as necessary for proper development. Under the related case VTT-83088, the Project obtained the merger of the public right-of-way adjacent to the Project Site and along Wilcox Avenue, to match the City's Mobility Plan street dimension requirements. Moreover, the Project's tract map was granted a waiver of right-of-way dedications required by the Mobility Plan along the portions of the Project Site adjacent to the alley in order to maintain a consistent alley right-of-way width that would also aid public safety in the area around the Project Site. As such, the Project is consistent with Redevelopment Plan Section 508.2.

Redevelopment Plan Section 508.4 requires the City to provide largely usable publicly accessible open spaces, which are an organic part of the urban environment. The Redevelopment Plan cites a need for additional publicly accessible open space and landscaping, including street trees. The Project is a commercial development and is not required to provide publicly accessible open space pursuant to the Los Angeles Municipal Code. Nevertheless, the Project would provide 61,449 square feet of private open space, of which 12,290 square feet would be landscaped and 49,159 square feet would be hardscape, and the Project is conditioned to add the proposed on-site open space areas as well as benches and street trees to the streetscape to comply with and fulfill the Redevelopment Plan Section 508.4.

Redevelopment Plan Section 510 requires new construction and development to conform to all applicable state laws and city ordinances and regulations; and shall be subject to review and approval by regulatory governmental bodies as required by law and the Redevelopment Plan. The Project will comply with all applicable state laws and city ordinances and regulations and is thus consistent with Redevelopment Plan Section 510.

Redevelopment Plan Section 511 requires buildings listed as Cultural-Historic Monuments by the City and listed in, determined or appear to be eligible for listing in the National Register of Historic Places are determined to be of architectural and/or historic significance. To incentivize preservation and discourage the demolition of such historically important buildings, the Redevelopment Plan allows the City to deny requests that adversely affect any building or resource determined by the City to be historically or architecturally significant. The Project proposes to demolish existing surface parking lots, retail, and office uses to allow development of the Project. As evaluated in the EIR prepared for the Project, none of the existing buildings bear any architectural or historic significance or are listed as a Cultural-Historic Monument by the City and listed in, determined or appear to be eligible for listing in the National Register of

Historic Places are determined to be of architectural and/or historic significance. Therefore, the Project would be consistent with Section 511 of the Redevelopment Plan.

Redevelopment Plan Section 517 requires all utilities to be placed underground whenever physically and economically feasible, as determined by the City. The Project proposes to install the electrical distribution equipment and emergency generators for the Project on the De Longpre Lot, which would partially be located underground and partially at-grade surrounded by a protective 8-foot high fence with landscaped enhancements. As such, the Project complies with Redevelopment Section 517.

As pertinent, Redevelopment Plan Section 518.1 requires that any developments expected to have significant circulation impacts to discuss these impacts in the transportation assessment and to impose appropriate conditions of approval based upon the traffic mitigation measures identified. As part of its approval process, the Project's Draft EIR determined that the Project's transportation-related impacts would either be less than significant or less than significant with mitigation. Therefore, the Project complies with Redevelopment Plan Section 518.1.

Redevelopment Plan Section 518.2 states that parking spaces, parking facilities, and loading areas must be designed to promote public safety and to prevent an unsightly or barren appearance and lighting must be provided to promote public safety. The Project proposes to provide sufficient parking spaces for its uses. The Project has a combination of subterranean and above-grade parking to promote public safety by minimizing access from trespassers and prevents an unsightly or barren appearance by fully enclosing and mechanically ventilating its parking facilities, and by integrating external façades of the above-grade parking levels into the architectural design of the building as a whole. As such, the Project complies with Redevelopment Plan Section 518.1.

Lastly, Redevelopment Plan Section 519 states that setback areas not used for access, or when permitted parking, shall be landscaped and maintained. Setbacks are not required for commercial uses in the C4 or C2 zones for commercial uses per LAMC Sections 12.14 C and 12.16 C, therefore, the Project complies with Redevelopment Plan Section 519.

Public necessity, convenience, general welfare and good zoning practice

Public necessity, convenience and general welfare will be better served as a result of adopting the proposed Zone and Height District Change, as they allow a commercially zoned site along a main commercial corridor within a designated Regional Center to be redeveloped with a commercial use project that will provide new office and restaurant uses. The Project would provide for a public necessity, convenience, and general welfare by providing increased commercial activity and employment opportunities, supporting an emerging economic sector, and enhancing the neighborhood's pedestrian experience. The Project illustrates good zoning practice as it would be a more efficient use of land than the existing structures; and the proposed uses, intensity, and scale are in conformance with its surrounding neighborhood and projected growth.

The Project includes approximately 431,032 square feet of commercial space that would contribute to the growth in the neighborhood from the emergence of media and technology companies, creative offices, incubator spaces, and content production businesses. The infill project would replace a property that is not used with its highest and best use and currently consists of offices, retails, and surface parking lots, with a 15-story office building with ground floor restaurant uses. The requested change to Height District No. 2 would permit a FAR of 6:1. The Project's scale and density would be consistent with the existing development and projected growth in the surrounding area.

The Community Plan encourages the continued growth of Hollywood as both an employment center and the recognized international center for media production. Therefore, the entitlement requests for a Zone and Height District Change and the Project's use and scale are appropriate for this location. In addition, the Project's commercial uses including the office uses and ground floor restaurant uses would provide a variety of neighborhood resources to the Project's tenants and surrounding community. Further, the Project would provide increased opportunity for a variety of commercial uses that are centrally located in Hollywood, within a highly urbanized community in proximity to an increasing residential supply. The Project would locate a high-quality office space and associated restaurant spaces within an established and growing employment center near mass transit and increased housing production, which would help reduce commute distances and greenhouse gas emissions. As such, the Project would provide the opportunity to reduce transportation and energy costs and improve the quality of life of the surrounding households and area.

The Project also includes bicycle parking areas for patron and tenants conveniently located on the ground floor with shower and changing spaces located on the ground level. With a supportive pedestrian-oriented design, tenants and patrons are encouraged to engage in active transportation modes rather than vehicular trips. Patrons would be less likely to drive or would drive less often as the Project provides a variety of employment opportunities near mass transit and other complementary existing and proposed residential and commercial uses. Further, the Project is well-designed so that the ground floor commercial is pedestrian-oriented and aesthetically pleasing, while blending well with the commercial developments of the surrounding properties.

The commercial nature of the Project would contribute to the growth of an area that has recently received substantial development of several high-quality creative offices and innovative businesses. The Project would help support the recent increased housing production in the immediate area as it would offer a mix of uses for the convenience of the area's residents and the Project commercial tenants. The Project would provide additional employment opportunities proportionate to the recent housing growth in the immediate area and positively contribute to addressed jobs-housing ratio imbalances in the City.

The Project would serve a greater public necessity and convenience by locating a more intensive mix of uses within an established and growing regional commercial center near mass transit and near recent increased housing production. Located within the Hollywood Regional Center, the Project would greatly benefit the surrounding community by offering jobs close to home. The mix of commercial uses decreases the need for residents to drive, thereby contributing to the general welfare of future residents and the City.

In addition to the public necessity, the Project is an infill development within a well-established commercial center and active corridor. As stated in the Summary of Housing Issues in Chapter 4 of the City's Framework Element of the General Plan indicates, the City has a shortage of vacant land and to accommodate future growth and new development, "most likely it will require the recycling and/or intensification of existing developed properties or conversion of certain uses." Public necessity and convenience are also served by allowing for a more efficient use of land with an increased floor area on a property in the Community Plan area, from 2:1 FAR to 6:1 FAR. Permitting additional floor area would support the economic development goals for the City and the Community Plan area, especially for emerging new sectors that may not be accommodated in conventional business or commercial districts. This would help accommodate projected growth of businesses and contribute to the vitality of the community.

In addition, the Project would contribute to the general welfare and conform with good planning practices, as it would help meet regional and local goals on sustainability and smart growth. The proposed Zone and Height District Change for the Property would support good planning

practices beyond the Project and encourage redevelopment of infill land that contributes to a vibrant job center and supports an emerging economic sector of creative and innovative uses.

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

Additional Findings for a “D” Limited Classifications:

2. The project will protect the best interests of and assure a development more compatible with the surrounding property or neighborhood.

The proposed project is reflective of the character of development pattern and land use designations in the immediate vicinity, which support the goals and policies of the General Plan Framework Element. As described in the Framework Element, the Regional Center Commercial land use designation typically provides for high-density places whose physical form is substantially differentiated from the lower-density neighborhoods of the City. Generally, regional centers will range from FAR 1.5:1 to 6:1 and are characterized by six- to twenty-story (or higher) buildings as determined in the community plan. Their densities and functions support the development of a comprehensive and inter-connected network of public transit and services. Framework Element Goal 3F envisions regional centers as mixed-use centers that provide jobs, entertainment, culture, and serve the region. The project is consistent with the Framework Element through its provision of a 15-story, 443,418 square-foot office tower including ground-floor restaurant uses, for a 6:1 FAR, within the vicinity of rail transit as well as several Metro Local and Rapid bus stops.

The Project's ground floor commercial uses will be compatible and complementary with the commercial uses in the vicinity, including the prior ArcLight Complex, the ground floor restaurants within the CNN building directly across Cole Place to the east, and to the east and west of the project site along Sunset Boulevard, and commercial uses to the north along Cahuenga Boulevard. Across Sunset Boulevard to the north at 6407 Sunset Boulevard, a 19 story hotel has been approved for the site. In addition, the project's commercial office uses will be compatible and complementary with existing and proposed mixed-use buildings along Sunset Boulevard, which are discussed further below.

The project proposes a maximum FAR of 6:1 consistent with FAR permitted in Height District 2. The project is further restricted by a D-limitation affecting the C4-zoned portion of the site (Ordinance No. 165,661), which limits the FAR for the site to 2:1 but does not limit the height, and a Height District of 1XL on the C2-zoned portion of the site that limits the lot to a 1.5:1 FAR and a 30-foot and two-story height limit. The Project is conditioned to allow the 6:1 FAR averaged across the entire site that includes lots on either side of the alley with height limits for each lot listed in the D-Limitation contingent on a covenant being provided to the City that guarantees the development is a unified development.

While the project's increase in FAR is greater than the site's currently permitted 2:1 and 1.5 FAR, the proposed FAR and height of 15-stories is consistent with the nature of the surrounding area, specifically existing buildings in the immediate vicinity and adjacent to the east and west of the Project Site, such as the CNN office tower (14 stories), the prior ArcLight Cinema Complex, and a recently approved 19-story hotel directly across Sunset Boulevard from the project site at 6407 Sunset Boulevard. A seven-story hotel is located south of the project site at 1400 Cahuenga Boulevard. The Project Site is located to the north of a 20-story mixed-use complex at Vine Street and De Longpre Avenue, with up to 250 dwelling units, 100 hotel rooms, a restaurant, bar, market, and office. Further south, at the intersection of Fountain Avenue and Cahuenga Boulevard, there is a seven-story mixed use project consisting of 369 units and

commercial space. The project site is also located four blocks west of Sunset Boulevard and Vine Street, characterized by mid-rise and high-rise structures including the 23-story tower on Sunset Boulevard and Vine Street. The Project Site is surrounded by development with various heights and FAR, and the project podium is compatible with lower scale development directly adjacent structures to the east and west along Sunset Boulevard, while the tower scale and height is compatible with additional mid-rise to high-rise buildings along Sunset Boulevard. The Project Site is also located within 0.5 miles from both the Hollywood/Vine and Hollywood/Highland Metro B (Red) Line Stations. Therefore, the Project is consistent with nearby development thereby creating a consistent street wall and a prevailing sense of pedestrian-oriented scale along this stretch of Sunset Boulevard. Further, the proposed increase in FAR affords the square footage needed to provide commercial office space within a designated Regional Center in proximity to mass transit within a regional center land use designation.

The project focuses its mass and height along the major street to the north, Sunset Boulevard, where it will be consistent with the varied heights along Sunset Boulevard. The project has been designed such that the southern component of the project which houses the DWP equipment will be consistent with the varied heights to the south which range from one to three stories. Furthermore, the overall Project is consistent with the varied heights of other developments within the vicinity that range in height up to 20 stories, and are generally commercial or mixed-use in nature. Overall, the project height of 15-stories is consistent with the myriad heights of other proposed developments and existing improvements in the area. Lastly, the project will provide an improved and consistent streetscape along Sunset Boulevard, creating rhythm and responding to the adjacent CNN office tower. The more intense nature of development within the Hollywood regional center is reflected in the Project's overall height, while the podium reflects the existing low- to mid-rise structures in the vicinity, and improvement on the southern lot reflects the existing structures to the south.

The Project has been conditioned so that any development on the site will be compatible with existing and future development in the area. In addition, the "D" Limitation will ensure that the project is constructed to the height as approved herein.

3. That the project will secure an appropriate development in harmony with the objectives of the General Plan.

The Project's proposed commercial office and restaurant uses are consistent with the surrounding area and will secure an appropriate development in harmony with the objectives of the General Plan. The General Plan Framework Element establishes general principles to encourage growth and increase land use intensity around transit nodes. In particular, the General Plan Framework identifies Regional Centers as focal points of regional commerce, identity, and activity. The Framework Element further states that regional centers, typically, provide a significant number of jobs and many non-work destinations that generate and attract a high number of vehicular trips. The Project Site is designated as Regional Center Commercial in the Hollywood Community Plan. The proposed Zone and Height District Change is consistent with the principles of the General Plan, as it will allow a commercially zoned site along a main commercial corridor within a designated Regional Center to be redeveloped with new commercial uses. The Project will provide needed job opportunities in proximity to transit. The project site is approximately a half mile from the Metro B (Red) Line Hollywood and Vine Station and is served by multiple Metro bus lines.

The project is consistent with the Hollywood Community Plan's provisions to provide for economic well-being and public convenience. The Project will provide 443,418 square feet of new commercial office and restaurant space within a 15-story office project on an infill site. The Project avoids encroaching into lower-height neighborhoods to the south across De Longpre

Avenue by providing an 18-foot tall structure on the southern portion of the Project Site to house the LADWP equipment.

The proposed project is a 15-story building with a maximum height of 275 feet and is consistent with the surrounding built environment, which is developed and highly urbanized, and is characterized by a mix of low- to high-intensity multi-family and commercial buildings. Main thoroughfares such as Sunset Boulevard are generally developed with denser residential, commercial and mixed-use development, while lower-density commercial and residential areas are located along the adjacent collector streets. The proposed Project is consistent with this land use pattern and will provide a transition from the larger scale development along Sunset Boulevard to the less intense uses to the south of the Project Site. The Project orients the height and mass of the tower towards the major street, Sunset Boulevard, while the LADWP equipment structure responds to and reflects the lower scale of the neighborhood immediately south of De Longpre Avenue.

As such, and as described in additional detail under Finding No, 1, above, the Project will secure an appropriate development in harmony with the objectives of the General Plan.

Conditional Use Findings

The Main Conditional Use Permit (MCUP) is to allow a full-line of alcohol service for on-site and off-site consumption in conjunction with the three ground floor restaurants totaling approximately 12,386 square feet of floor area. The restaurant use includes approximately 1,800 square feet of outdoor dining areas adjacent to the restaurants.

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

LAMC Section 12.24 W.1 allows a Conditional Use Permit to be granted for the sale and dispensing of alcoholic beverages. The Project requests a Main Conditional Use to permit the sale and dispensing of a full line of alcoholic beverages for on-site and off-site consumption for up to three establishments with outdoor patio seating on the ground floor. The commercial establishments will be located at street level along existing commercial corridor along Sunset Boulevard.

The Hollywood Community Plan states that “the focal point of the Community is the Hollywood Center, located generally on both sides of Hollywood and Sunset Boulevards between La Brea and Gower Street.” Therefore, the Property is within the Hollywood Center. The Hollywood Community Plan then continues to state that the Hollywood Center would “function... 2) an entertainment center for the entire region.” The Project includes 12,386 square feet of restaurant uses (plus approximately 1,800 square feet of ground floor outdoor dining areas adjacent to these restaurants) to encourage residents, tourists, and employees to remain in the Community Plan Area to meet their dining/entertainment needs. The Project is located in a highly-urbanized area identified in the Hollywood Community Plan as an entertainment center for the entire region where residents, visitors, tourists and employees that are within walking distance to the Project Site from various Hollywood tourist attractions. Adjacent residential and hotel uses will also be able to take advantage of the retail and entertainment services included in the Project. Specifically, the proposed project is located within the Regional Commercial Center in the heart of Hollywood. The project is located a few blocks west of the intersection of Sunset Boulevard and Vine Street, and less than a half-mile from the Hollywood and Highland Complex and other entertainment destinations, which house multiple restaurants, theaters and bars. Neighboring uses include the former ArcLight Cinema Complex to the east, the CNN office tower to the east, and an approved 19-story hotel located across the street on the north side of

Sunset Boulevard at 6407 Sunset Boulevard. As the entertainment center of the Hollywood Community Plan Area, the project site and surrounding area are a destination for local workers, residents, visitors, and businesses, providing a 24-hour, seven days-a-week regional center of dining, entertainment, and activity.

The availability of alcoholic beverages are now customary and incidental components of the Project's proposed restaurant uses. For example, the grant to offer alcoholic beverages to patrons is essential in attracting top quality dining establishments to the Project and the Community because it is an essential service that must be provided in order to compete with other restaurants. The proposed restaurants will provide the desired food, beverage, and entertainment options for visitors to the Hollywood Center, tenants and employees of the Project, and residents of the Community.

The Main Conditional Use permit provides an umbrella entitlement with conditions that apply to all establishments within the Project. Specific physical and operational conditions will be included as part of the Approval of Plans determination required for each establishment pursuant to the Main Conditional Use permit provisions where conditions such as security measures, limited hours of operation, STAR training, inspections, and evaluations of any nuisance complaints would be imposed. The proposed commercial uses, in conjunction with the imposition of operational conditions as part of the Approval of Plans, will provide a service that is essential or beneficial to the community. As such, the grant for alcohol sales will be desirable to the public convenience and welfare and represents good zoning practice.

Therefore, as conditioned, the service of alcoholic beverages to permit the sale and dispensing of a full line of alcoholic beverages for on- and off-site consumption for up to three restaurant establishments will enhance the built environment in the surrounding neighborhood and provide a service that is beneficial to the community, city or region.

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

The Project proposes the construction of a commercial development that includes approximately 12,386 square feet of floor area, plus approximately 1,800 square feet of ground floor outdoor dining area within a 15-story office tower. The Hollywood Community Plan states that "the focal point of the Community is the Hollywood Center, located generally on both sides of Hollywood and Sunset Boulevards between La Brea and Gower Street." Therefore, the Property is within the Hollywood Center. The Hollywood Community Plan then continues to state that the Hollywood Center would "function as: 1) as the commercial center for Hollywood and surrounding communities and 2) an entertainment center for the entire region." The Project includes 12,386 square feet of restaurant uses plus approximately 1,800 square feet of ground floor outdoor dining patio to encourage residents, tourists, and employees to remain in the Community Plan Area to meet their dining/entertainment needs. In addition, the Project is located in a highly urbanized area identified in the Hollywood Community Plan as an entertainment center for the entire region where residents, visitors, tourists and employees that are within walking distance to the Project Site from various Hollywood tourist attractions. Nearby residential and hotel uses will also be able to take advantage of the retail and entertainment services included in the Project. Specifically, the proposed project is located within the Regional Commercial Center in the heart of Hollywood.

As the entertainment center of the Hollywood Community Plan Area, the project site and surrounding area are a destination for local workers, residents, visitors, and businesses, providing a 24-hour, seven days-a-week regional center of dining, entertainment, and activity.

Specifically existing buildings neighboring the Project Site, such as the 14-story CNN office tower, the prior ArcLight Cinema Complex, and an approved 19-story hotel across Sunset Boulevard from the project site at 6407 Sunset Boulevard (a determination letter was issued on March 1, 2017). A four-story hotel is located south of the project site at 1400 Cahuenga Boulevard. Additionally, the project site is located to the north of a 20-story mixed use complex at Ivar Avenue and De Longpre Avenue, with up to 250 dwelling units, and 100 hotel rooms, a restaurant, bar, market, and office. Further south, at the intersection of Fountain Avenue and Cahuenga Boulevard, there is a 7-story mixed-use project consisting of 369 units and commercial space. The project site is also located west of Sunset Boulevard and Vine Street, characterized by mid-rise and high-rise structures including the recently completed 23-story residential tower at Vine Street and Sunset Boulevard. Finally, a 26-story mixed-use building containing 200 dwelling units and 7,000 square feet of commercial floor area located at 6400 Sunset Boulevard was entitled by the City Planning Commission on March 14, 2019. The Project Site is also located within 0.5 miles from both the Hollywood and Vine, and Hollywood and Highland Metro B (Red) Line Stations. The Project will be compatible with the current arrangement, uses, and urban context of Hollywood. The 15-story tower will be similar in design, with a north-south arrangement to facilitate views of the Hollywood Hills, and height with other developments in the area. Specifically, new development listed above, as well as recently completed construction, as tall as 21 stories, as well as existing development buildings which have similar heights, from eight stories to 14 stories, the Project will integrate into the existing development pattern. The surrounding area is generally zoned C4-2D, C4-2D-SN, PF-1XL, RD1.5-1XL and R4-2D, and is generally designated Regional Commercial Center land use to the north and east, and Low Medium II Residential to the west and south. Directly to the east, designated Regional Commercial Center, is the prior ArcLight Complex, historically a major entertainment destination. The nearest public school, Selma Avenue Elementary, is located one quarter mile northwest from the Project Site, the next closest school, Hollywood High School, is located one half mile west from the Project Site.

No evidence was presented at the Hearing Officer hearing or in writing that the sale of alcoholic beverages for on- and off-site consumption will be materially detrimental to the immediate neighborhood. The sales of alcohol will not be detrimental to nearby schools, since as conditioned, the establishments serving alcohol will be carefully controlled and monitored and will be located a half mile away from the Project Site and buffered throughout this distance by a wide variety of existing commercial and residential uses.

The Project has been designed in a manner to enhance the public realm and improve the aesthetics and safety of the surrounding area. The proposed sale of alcoholic beverages will be desirable to the public convenience and welfare because the restaurants the Project can attract with its zoning grant for alcohol service would help the City achieve the Community Plan's vision for Hollywood Center to be an area that is the commercial and entertainment center of the Community Plan Area. The restaurants will activate the sidewalks of Sunset Boulevard during the day and evening hours, contributing toward making this the commercial and entertainment center of the region. The restaurants are convenient locations for residents, visitors, and employees who can patronize the uses.

Additionally, the conditions recommended herein will ensure that the establishment will not adversely affect or further degrade the surrounding neighborhood, or the public health, welfare, and safety. Approval of the conditional use will contribute to the success and vitality of the commercial development and help to reinvigorate the site and vicinity. The alcohol sales will be in conjunction with ground floor restaurant uses, and permitting alcohol sales for these three establishments will not be detrimental to the development of the community.

Thus, as conditioned, the Project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent

properties, the surrounding neighborhood, or the public health, welfare, and safety. Furthermore, this grant also includes conditions of approval intended to address alcohol-related issues to safeguard public welfare and enhance public convenience, such as proper employee training. In addition, as each operator comes in, they will be required to file a plan approval to allow for the Zoning Administrator to review the floor plan and impose any other conditions as deemed appropriate.

The location of the project's alcohol-sale will continue to add to the diversification of commercial activities being conducted in the area and will not adversely affect the surrounding neighborhood. As mentioned, the alcohol-sales will be compatible and complement the Hollywood Center, further contributing to the vitality and attractiveness of the regionally significant area. The proposed sale of alcohol is in conjunction with restaurant uses. Therefore, as conditioned, it is anticipated that the project features and uses will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or public health, welfare, and safety.

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

The elements of the General Plan establish policies that provide for the regulatory environment in managing the City and for addressing concerns and issues. The majority of the policies derived from these Elements are in the form of Code Requirements of the Los Angeles Municipal Code (LAMC). The Land Use Element of the City's General Plan divides the city into 35 Community Plans. The Hollywood Plan Community Plan Map designates the property for Regional Center Commercial land use with the corresponding zones of C2, C4, P, PB, RAS3, and RAS4. The project is consistent with the underlying C4-2D-SN and C4-2D Zones, which are intended to provide for commercial uses, including residential uses. The Hollywood Community Plan text is silent with regards to alcohol sales. In such cases, the decision-maker must interpret the intent of the plan.

The proposed project will provide 443,418 square feet of commercial space comprised of 431,032 square feet of office and 12,386 square feet of restaurant uses plus approximately 1,800 square feet of ground floor outdoor dining patio area along with required parking facilities. The sale of a full line of alcoholic beverages are consistent with the following objectives of the Community Plan and of the General Plan Framework Element:

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

Framework Element Objective No. 3.1: Accommodate a diversity of uses that support the needs of the City's existing and future residents, businesses, and visitors.

Framework Element Objective No. 3.2: To provide for the spatial distribution of development that promotes an improved quality of life by facilitating a reduction of vehicle trips, vehicle miles traveled, and air pollution.

Framework Element Objective No. 3.14: Provide land and supporting services for the retention of existing and attraction of new industries.

Framework Element Policy No. 3.14.2: Provide flexible zoning to facilitate the clustering of industries and supporting uses, thereby establishing viable "themed" sectors (e.g., movie/television/media production, set design, reproductions, etc.).

Hollywood Community Plan Objective No. 4: To promote economic well-being and public convenience through allocating and distributing commercial lands for retail service and office facilities in quantities and patterns based on accepted planning principles and standards.

The Community Plan encourages new uses which strengthen the economic well-being and promote development of Hollywood as a major center of population, employment, retail service and entertainment. The project is located within the Hollywood Center, as identified by the Hollywood Community Plan, which includes Hollywood attractions such as the Hollywood & Highland complex, the Hollywood Walk of Fame, TCL Chinese Theatre, Dolby Theatre, etc., promoting visitors to Hollywood for business, entertainment events such as the Academy Awards, and tourism. Objective No. 4 also encourages the promotion of retail and office services, and the Project will provide commercial uses and restaurants with alcohol to further the existing activity within the heart of Hollywood. The request achieves the objectives of the Hollywood Community Plan, which seeks to promote the development of Hollywood as a major center of population, employment, retail service and entertainment, and that promotes the economic well-being and public convenience through allocating and distributing commercial lands for retail service.

The Project's restaurant uses would reduce trips by further synergizing with the office-related uses and would be located near the significant increase of residential uses planned within its immediate surroundings in Hollywood. As a result, the Project would "accommodate a diversity of uses that support the needs of the City's existing and future residents, businesses, and visitors." The Project is also consistent with the type of developments the City encourages as it places new development in an existing commercial area (the Hollywood Regional Center) while preserving the surrounding neighborhoods. With 12,386 square feet of new restaurant space (plus approximately 1,800 square feet of ground floor outdoor dining areas adjacent to these restaurants), the Project provides job opportunities for the City's residents, which would maintain the City's fiscal viability.

The Project also includes bicycle parking facilities for patrons and tenants conveniently located on the ground floor. With a supportive design, tenants are also encouraged to engage in active transportation modes rather than vehicular trips. They would be less likely to drive or drive less as the Project would include a wide range of uses, have neighborhood resources located within the building or nearby, and provide employment opportunities within a growing employment center near mass transit and increased housing production. Further, the Project is well-designed so that the ground floor commercial is pedestrian-oriented and aesthetically pleasing, while blending well with the office developments of the surrounding properties.

The proposed sale of alcoholic beverages will be desirable to the public convenience and welfare because the restaurants the Project can attract with its zoning grant for alcohol service would help the City achieve the Community Plan's vision for Hollywood Center to be an area that is the commercial and entertainment center of the Community Plan Area. The restaurants will activate the sidewalks of Sunset Boulevard during the day and evening hours, contributing toward making this the commercial and entertainment center of the region. The restaurants are convenient locations for residents, visitors, and employees who can patronize the uses. Furthermore, the availability of alcoholic beverages are now customary and incidental components of the Project's proposed restaurant uses. For example, the grant to offer alcoholic beverages to patrons is essential in attracting top quality dining establishments to the Project and the Community because it is an essential service that must be provided in order to compete with other restaurants. The proposed restaurants will provide the desired food, beverage, and entertainment options for visitors to the Hollywood Center, tenants and employees of the Project, and residents of the Community.

The Project's proposed restaurant uses are designed to attract and increase pedestrian activity. The commercial component would be located on the ground floor and front the Sunset Boulevard frontage, which would activate and attract pedestrian interest. Interest at the street level is created by providing pedestrian-oriented commercial uses along the Sunset Boulevard frontage.

Additional Findings for Alcohol Sales Pursuant to LAMC Section 12.24 W.1 (Conditional Use for Alcoholic Beverages)

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

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

As part of the Approval of Plans process, each individual venue will have additional conditions imposed and tailored towards the specific use. Such impositions of conditions will make the use a more compatible and accountable neighbor to the surrounding uses. Conditions are intended to integrate the use into the community as well as protect community members from potential adverse impacts associated with alcohol sales. Furthermore, employees are required to undergo training on the sale of alcohol including training provided by the Los Angeles Police Department Standardized Training for Alcohol Retailers (STAR) Program. Other conditions related to hour of operation, excessive noise, litter, and noise prevention will safeguard the residential community. Therefore, with the imposition of such conditions the sale of a full line of alcoholic beverages for on-site and off-site consumption at this location will further support and augment the Hollywood Center, and not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.

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

The project site is located within Census Tract No. 1908.02. According to the ABC licensing criteria, two (2) on-sale and one (1) off-sale alcoholic beverage licenses are allocated to subject

Census Tract No. 1908.02. Data provided on the ABC's License Query System indicates that there are currently 34 existing on-site and one (1) existing off-site licenses within this Census Tract.

As reported by the Los Angeles Police Department, within Crime Reporting District No. 0666, which has jurisdiction over the subject property, a total of 315 crimes were reported in 2021, compared to the citywide average of 149 crimes and the high crime reporting district average of 179 crimes for 2021. In 2021, there were 29 Narcotics, 7 Liquor Law, 0 Public Drunkenness, 0 Disturbing the Peace, 1 Disorderly Conduct, 1 Gambling, and 41 DUI related arrests. These numbers do not reflect the total number of arrests in the subject reporting district over the accountable year. Arrests for this calendar year may reflect crimes reported in previous years.

Concentration can be undue when the addition of a license will negatively impact a neighborhood. Concentration is not undue when the approval of a license does not negatively impact an area, but rather such license benefits the public welfare and convenience.

The grant further incorporates numerous operational conditions that address noise, safety and security to ensure the proposed use is conducted with due regard for surrounding properties and to reduce any potential crime issues or nuisance activity. As a result, the instant grant is not anticipated to result in an undue concentration of licenses after giving consideration to the State's guidelines and to the crime rates in the area.

The application is for sale and dispensing of a full line of alcoholic beverages for on-site and off-site consumption in conjunction with three (3) restaurants totaling 12,386 square feet of area plus approximately 1,800 square feet in ground floor outdoor dining patio and being secondary to the sale of food. It is not anticipated that the authorization for the existing restaurant will have any adverse impact on the community. The subject location is within a highly developed commercial corridor which has a variety of restaurants and entertainment establishments with on-site and off-site sales, thus, accounting for the active ABC licenses within the subject census tract.

The project will not adversely affect community welfare because the three proposed restaurants would provide a desirable service in an area designated for Regional Commercial uses within the Hollywood Center. In this case, the proposed project will provide a convenience to the restaurant patrons through the sale of alcohol incidental to the use. Conditions of the grant address noise, security and loitering and require the installation of surveillance cameras. The conditions will safeguard the welfare of the community. The property must abide by the conditions that are a part of this grant, helping to ensure that operation of this property will not negatively affect the community. The approval of the request will not result in a net increase in the number of existing ABC licenses within the census tract. Therefore, given the data provided by LAPD and ABC, there are no indications that the approval of this entitlement will cause undue concentration of alcohol establishments in this area or that criminal activity will be affected.

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

The Project Site is zoned for commercial uses and will continue to be utilized as such with the development of new restaurant uses on the project site. With regard to surrounding sensitive uses, there are the following within a 1,000-foot radius of the site:

- MS Huda Daycare, 1330 N. June Street
- Hollywood's Young Stars Child Care, 6556 Fountain Avenue
- L.A.C.E.R. Afterschool Program, 1277 Wilcox Avenue, #2
- After School Stars, 6501 Fountain Avenue
- YMCA, 1553 Schrader Boulevard
- Selma Park, Selma Avenue and Schrader Boulevard
- B.H. RC School, 6550 Fountain Avenue
- L.A. Fire Department Historic Society Museum, 1355 Cahuenga Boulevard
- Frances Howard Goldwyn-Hollywood Regional Branch Library, 1623 Ivar Avenue
- Academy's Pickford Cultural Center, 1313 Vine Street

Consideration has been given to the distance of the subject establishment from the above-referenced sensitive uses. Residential uses are separated by a block of structures and additional uses, creating a buffer between the project site and sensitive uses. Additionally, the restaurant uses are facing Sunset Boulevard and away from the residential uses. Further, the Frances Howard Goldwyn – Hollywood Regional Branch Library and LA Film School are located over a block to the north, separated by Sunset Boulevard and multiple structures and uses. As conditioned, the Project would protect the health, safety and welfare of the surrounding neighbors. The potential effects of excessive noise or disruptive behavior have been considered and addressed by imposing conditions related to noise and loitering. The Project is consistent with the zoning and in keeping with the existing uses adjacent to the development and will contribute to a neighborhood and will serve the neighboring residents and the local employees as well as visitors. Therefore, as conditioned, the Project will not detrimentally affect residentially zoned properties or any other sensitive uses in the area.

Site Plan Review Findings

In order for the Site Plan Review to be granted, all three of the legally mandated findings delineated in LAMC Section 16.05 F must be made in the affirmative.

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

The Los Angeles General Plan sets forth goals, objectives, and programs that guide both Citywide and community specific land use policies. The General Plan is comprised of a range of State-mandated elements including, but not limited to, Land Use, Housing, Transportation/Mobility, Noise, and Safety. The City's Land Use Element is divided into 35 community plans that establish parameters for land use decisions. The proposed Height District Change changes the Property's Height Districts from No. 2D and 1XL to Height District 2 with a new D Limitation. The Property is not in a specific plan area. The Project is also in conformance with purpose and intent of the various elements of the General Plan, including the Framework Element that sets forth a strategy for long-range growth and development providing a context for updates to community plans and citywide elements. Many of the Project's characteristics are in line within the objectives from the various chapters of the Framework Element.

As discussed in Finding No. 1 above, the Project would be consistent with the purposes, intent and provisions of the General Plan and its elements, including the Framework Element, Mobility Element, Health and Wellness Element and Air Quality Element, and the Land Use Element – Hollywood Community Plan and Hollywood Redevelopment Plan, including provisions that relate to commercial and economic vitality. Approval of the Project would enhance the built environment in the surrounding neighborhood and would provide a function that is fitting and

compatible with the character of the surrounding community and commercial viability of the region as a whole.

Based on the above, the Project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and any applicable specific plan.

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

The Project's arrangement of buildings, off-street parking facilities, loading areas, lighting, landscaping, trash collection is compatible with the existing and future development on adjacent properties and neighboring properties. The Project's use and scale is compatible with surrounding uses within this area of the Hollywood. The Project's commercial nature would blend well with the uses within the area. The Project's uses would include office and neighborhood-serving uses in the form of restaurants, which would activate the ground floor and contribute to the neighborhood's commercial activity.

Height Bulk and Mass

The Project at its tallest point would be approximately 275 feet to the top of the mechanical equipment level and approximately 251 feet to the top of the 14th floor (the last occupiable level). The Project's heights are permitted as there are no height restrictions for the C2 or C4 zones within both the existing and proposed height districts for the Site, or the Regional Center Commercial land use designation within this area of Hollywood Community Plan. The land uses within the general vicinity of the Property are characterized by a mix of low- to high-intensity commercial and mixed-use buildings, which vary widely in building style and period of construction. The surrounding properties include industrial, creative office, innovation campuses, commercial retail, office, restaurant, residential bungalows, multi-family residential buildings, and surface parking lots, ranging from low-rise to high-rise buildings.

The Project Site is located near several large-scale projects, including the Harlow, a 106,124 square-foot, five-story office building as part of the Sunset Las Palmas Studios; the Kilroy Academy Square, a mixed-use development with 335,000 square feet of office space and 13,000 square feet of retail space; and, Epic Hollywood, a 17-story mixed-use with 274,000 square feet of office space and 26,000 square feet of retail space, in addition to the existing 14-story CNN building immediately to the east of the Project across Cole Place. These projects have also been able to support the increase in jobs and production uses in the Hollywood Community Plan area. Specifically existing buildings neighboring the Project Site, such as the 14-story CNN office tower, and an approved 19-story hotel across Sunset Boulevard from the project site at 6407 Sunset Boulevard (a determination letter was issued on March 1, 2017). A four-story hotel is located south of the project site at 1400 Cahuenga Boulevard. Additionally, the project site is located to the north of a 20-story mixed use complex at Ivar Avenue and De Longpre Avenue, with up to 250 dwelling units, and 100 hotel rooms, a restaurant, bar, market, and office. Further south, at the intersection of Fountain Avenue and Cahuenga Boulevard, there is a 7-story mixed-use project consisting of 369 units and commercial space. The project site is also located west of Sunset Boulevard and Vine Street, characterized by mid-rise and high-rise structures including the recently completed 23-story tower on Sunset Boulevard and Vine Street. Finally, a 26-story mixed-use building containing 200 dwelling units and 7,000 square feet of commercial floor area located at 6400 Sunset Boulevard was entitled by the City Planning Commission on March 14, 2019. The Project Site is also located within 0.5 miles from both the Hollywood and Vine, and Hollywood and Highland Metro B (Red) Line Stations. The

Project will be compatible with the current arrangement, uses, and urban context of Hollywood. The 15-story tower will be similar in design, with a north-south arrangement to facilitate views of the Hollywood Hills, and height with other developments in the area. Specifically, new development listed above, as well as recently completed construction, as tall as 21 stories, as well as existing development buildings which have similar heights, from eight stories to 14 stories, the Project will integrate into the existing development pattern. Similarly, the Project Site is within walking distance of many restaurants, cafes, and developing uses in the Hollywood Community Plan area, and it would further Hollywood's economic growth.

Therefore, the Project would be compatible in height, bulk, and scale to existing and future proposed development in the area.

Setbacks

The Project will provide the required setbacks per the Los Angeles Municipal Code. As such the project is not required to provide setbacks pursuant to the C4 or C2 Zones and, accordingly, no setbacks are provided. Therefore, the Project would be compatible with the required setbacks.

Off-Street Parking and Loading Area

The Project would provide vehicular parking for all of its uses in its subterranean and fully enclosed, mechanically ventilated above-grade parking structure; and, surface parking lot. The 1,179 parking spaces would be located on three subterranean, one at-grade, a mezzanine, and two above-grade levels, and the surface parking on the De Longpre Lot. The five parking spaces on the De Longpre Lot are intended to be used to access and maintain the LADWP equipment located on that lot.

There would be primary vehicular access points into the Project Site with two main points of ingress and egress lead to a ramp into the subterranean parking garage and the other ramp to the upper levels of the parking garage off Wilcox Avenue and Cole Place. The valet pickup and drop off area is also located on-site and is accessed via the vehicular entry points. Valets would be able to move cars from the valet drop-off to the parking garage and back from the parking garage to the valet pick-up while remaining on-site.

The Project is located in a commercial zoned property and contains commercial uses, and therefore, the Project is required to provide a loading zone. The at-grade and screened loading zone for loading and trash operations has a tertiary driveway located further north along Cole Place from the tenant and guest parking. Loading would also be screened with glazed or frosted glass consistent with the rest of the ground floor design and conducted on-site to minimize the impact on the pedestrian experience and would therefore have no visual impact at the street level. In addition, the Project would also provide 141 bicycle parking spaces, comprised of 49 spaces for short term use and 92 spaces for long term use.

The Project's off-street parking and loading facilities would be located further from the pedestrian-oriented portions of the Project and closer to the parking garage, making it easier to access the Project's uses. The vehicular driveways are the minimum width required to be as efficient as possible and all driveways will be at a sufficient distance from adjacent intersections to not interfere with driver and pedestrian visibility and safety in accordance with Los Angeles Department of Transportation standards and approvals.

Lighting

The Project would integrate lighting throughout the Project Site, including at the ground floor, to enhance the pedestrian experience and to define architectural features while being energy

efficient and shielded to minimize light spillage. The Project would also prioritize and enhance the pedestrian experience around the building's perimeter through lighting. The Project Site would be accessible through pedestrian points of entry along Sunset Boulevard and Wilcox Avenue. The Project would provide exterior low-level lighting to both the office building and the LADWP equipment area, and along pathways that would serve to enhance the safety of pedestrians at night integrating lighting throughout the Project Site. Additionally, the Project's exterior and interior lighting would meet the requirements of the California Energy Commission Building Energy Efficiency Standards – Title 24, version 2016 (or the applicable version at the time of building permits), and the National Electrical Code. Any new street and pedestrian lighting within the public right-of-way will comply with applicable City regulations and would be approved by the Bureau of Street Lighting to maintain appropriate and safe lighting levels on both sidewalks and roadways while minimizing light and glare on adjacent properties. The Project has been conditioned so that outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties, the public right-of-way, nor from above.

Landscaping

Although the LAMC does not require any open space for commercial uses, the Project would include several open space areas, including landscaped outdoor terraces on the various upper floors. The Project would provide 61,449 square feet of open space, of which 12,290 square feet would be landscaped and 49,159 square feet would be hardscaped. Although open space is not required for the Project because there are no residential uses proposed, 32,077 square feet of the provided open space complies with LAMC provisions that would be necessary to qualify as private open space. The Project would enhance the streetscape around the Project Site by including outdoor dining areas along the Sunset Boulevard frontage, as well as making landscaping enhancements along Sunset Boulevard, Wilcox Avenue, and Cole Place, with new street trees and protected planters with public benches for pedestrians to rest in a shaded area. In addition, the Project includes 1,800 square feet of ground floor outdoor on-site dining as part of the restaurant space on the ground floor along Sunset Boulevard further enhancing the pedestrian experience. Furthermore, the Project has been conditioned to include a native and drought tolerate plant palette, a permanent trellis along the south façade at the alley, and a minimum of 30 trees: four on-site trees for the office tower, 24 street trees, and two trees on the De Longpre Lot, as well as being conditioned to provide public benches along Sunset Boulevard, Wilcox Avenue, and Cole Place. The Project is providing a total of 32 trees including both those on-site and in the public right-of-way.

Trash

The on-site trash collection and storage area is located within the fully enclosed and screened loading area off Cole Place. The trash area is not visible from the public right-of-way. The Project has been conditioned to ensure that the trash and recycling containers are locked when not in use, are stored in a fully enclosed structure at all times and are located on-site and not visible for the public right-of-way.

Signage

Project signage will be compatible with the commercial and entertainment-oriented uses of the Project Site and the Project vicinity. The signs include: four identification wall signs along the Sunset Boulevard frontage; two identification blade signs, one identification canopy sign, one identification high rise sign, and six identification wall signs along the Wilcox Avenue frontage; two identification blade signs, one identification high rise sign, and seven identification wall signs along the Cole Place frontage; and two wall signs along the Alley. The Project's Sunset Boulevard frontage is located within the boundaries of the Hollywood Signage Supplemental

Use District (Sign District), Ordinance Number 181,340. There are seven signs that are located within the boundaries of the Signage Supplemental Use District. All signs located within the Sign District are consistent with the standards set forth in the Signage Supplemental Use District, all other signs are consistent with LAMC Section 14.4.

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

The Project is a commercial development with no residential uses and therefore, this finding does not apply. Nevertheless, the Project would include several open space areas, including landscaped outdoor terraces on the various upper floors. Additionally, the Project is conditioned to provide both street and on-site trees as well as to provide benches along the street frontages. The Project would provide 61,449 square feet of open space, of which 12,290 square feet would be landscaped and 49,159 square feet would be hardscaped. Although open space is not required for the Project because there are no residential uses proposed, 32,077 square feet of the provided open space complies with LAMC provisions that would be necessary to qualify as private open space. Furthermore, in addition to adding new street trees, the Project is conditioned to provide public benches along Sunset Boulevard, Wilcox Avenue, and Cole Place.

Project Permit Compliance Review Findings for the Hollywood Signage Supplemental Use District Sign District

The Project Site is partially located within the Hollywood Signage Supplemental Use District, Ordinance No. 181,340 (Sign District), and therefore, Project signage within the Sign District area is subject to the regulations identified therein. The Project's Sign Program is included on Sheets 51-58 of the design plans (Exhibit A). The Sign District states that when certain sign types are proposed on a building within the Sign District, Project Permit Compliance approval is required pursuant to Sections 6.C and 6.G of the Sign District Ordinance. The Sign Program includes signs that require Project Permit Compliance Review approval (wall signs larger than 75 square feet), and therefore, pursuant to Section 6.G of the Sign District Ordinance, the following findings must be made by the decision-maker for Project Permit Compliance approval:

13. For signage propose on Historic Cultural Monuments, Historic Buildings or buildings identified in a historic survey established by the Director or the CRA, the Cultural Heritage Commission has found the project to be in conformance with Article 22.171 of the LAAC.

The Project proposes to demolish existing surface parking lots, retail, and office uses to allow development of the Project. As set forth in detail in the Environmental Impact Report prepared for the Project, none of the existing buildings on the Project Site bear any architectural or historic significance or are listed as a Cultural-Historic Monument by the City and listed in, determined, or appear to be eligible for listing in the National Register of Historic Places are determined to be of architectural and/or historic significance. Therefore, no signage is proposed on historic structures.

14. All existing and proposed signs do not obscure street view of Character Defining Features of Historic Buildings, Historic signage; the Hollywood Hills and the Hollywood Sign.

All proposed signs would be located directly upon the building facades. Moreover, as identified on page IV.B-34 in Section IV.B, Cultural Resources, of the Draft EIR prepared for the Project, the Project would not cause a substantial adverse change in the significance of historic resources, and therefore, impacts to historical resources would be less than significant.

Accordingly, no individual signs would have the capacity to obscure street views of Character Defining Features of Historic Buildings, Historic signage, the Hollywood Hills, or the Hollywood Sign.

15. All proposed signage complies with the applicable regulations found in Sections 5 and 7 of this Ordinance.

The Sign Program would comply with the applicable regulations of Sections 5 and 7 of the Sign District. The Sign Program does not include any of the prohibited signs identified in Section 5.B of the Sign District. Moreover, the Sign Program does not include any off-site signage on Ledge Signs, Awning Signs, Monuments Signs, Pedestrian Signs, or Wall Signs pursuant to Sign District Section 5.D. Furthermore, the Sign Program does not include any digital signs.

The Sign Program would comply with the maximum allowable sign area for the portions of the Project Site located within the Sign District – Sunset Boulevard has a maximum sign area of 310 square feet (155 linear feet x 2), Wilcox Avenue has a maximum sign area of 340 square feet (170 linear feet x 2), and Cole Place has a maximum sign area of 340 square feet (170 linear feet x 2) pursuant to Sign District Section 5.E. Lastly, the Sign Program would comply with the standards for specific sign types identified in Section 7 of the Sign District as shown on Exhibit A and discussed below (Section 7.L, Standards for Wall Signs). The table below shows the type, number, and area of the signs located within the Sign District.

Although allowed under the Sign District, there are no Digital Displays or off-site signage proposed by the Project.

Signs Located Within the Hollywood Sign District					
Street Frontage	Sign Type	Quantity	Dimensions	Area	Total
Sunset Blvd	Wall Sign Tenant ID <i>Max area 300sf</i>	3	10 ft x 8.75 in	7.3 sf	22 sf
	Wall Sign <i>Max area 300sf</i>	1	20 ft x 14 ft-5 in	228 sf	228 sf
310 sf allowed					310 sf
Wilcox Ave	Wall Sign Tenant ID <i>Max area 300sf</i>	2	20 ft x 18 in	30 sf	60 sf
	Projecting Sign – Blade Sign	1	3 ft x 9 ft	27 sf	54 sf ¹
340 sf allowed					60 sf
Cole Pl	Wall Sign Tenant ID <i>Max area 300sf</i>	1	20 ft x 18 in	30 sf	30 sf
	Wall Sign <i>Max area 300sf</i>	1	20 ft x 15 ft	300 ft	300 sf
340 sf allowed					330 sf
¹ Projecting Signs – Blade Signs are not counted toward the maximum sign area per Sign District Section 5.E					

Sign District Section 5.G Fire Safety: New signs shall be constructed of noncombustible materials.

The proposed signage would be constructed to the standards of the Los Angeles Fire Department and the Department of Building and Safety.

Sign District Section 5.H Illumination: Illuminated signs shall be designed, located or screened so as to minimize direct light sources onto walls of residential units and into windows of commercial buildings.

The proposed signage would not direct light sources onto any exterior walls of residential units or into the window of any commercial buildings, in compliance with Section 5.H.

Sign District Section 7.L Standards for Wall Signs:

a. Location:

- i. Notwithstanding the provisions of Section 14.4.10 of the Code to the contrary, no portion of any Wall Sign shall be located above the second story of the building on which it is placed or higher than 35 feet above grade as measured vertically, whichever is lower.
- ii. A Wall Sign shall not cover the exterior of windows, doors, vents, or other openings that serve occupants of buildings.

The Wall Signs located along Sunset Boulevard, Wilcox Boulevard, and Cole Place are all located on the first-floor façades, and no Wall sign is located higher than 35 feet above grade as measured vertically. The Wall Signs are located above entry doors and above windows so that no Wall Sign covers the exterior of windows, doors, vents, or other openings that serve occupants of buildings. The Project has been conditioned so that Wall Signs be located below the second level and that they do not cover the windows, doors, vents, or other openings.

b. Area: A single Wall Sign shall not exceed 300 square feet in area.

The Project is allowed a maximum of 300 square feet in area per Wall Sign. There are three (3) proposed Wall Signs along Sunset Boulevard that are all tenant identification signs. The signs measure 10 feet by 9 inches, or 7.75 square feet per sign which is less than the otherwise allowed 300 square feet per sign. There is one (1) additional Wall Sign proposed along Sunset Boulevard that is 228 feet in area, in compliance with this requirement. There are two (2) Wall Signs along Wilcox Avenue that are tenant identification signs. The signs are 20 feet by 18 inches, or 30 square feet in area each which is less than the allowed 300 square feet per sign. There are two (2) Wall Signs proposed along Cole Place. One (1) Wall Sign is a tenant identification sign that measures 20 feet by 18 inches, or 30 square feet in area. The second Wall Sign measures 21.5 feet by 14 feet, or 300 square feet in area. Therefore, each sign is equal to or less than the allowed 300 square feet per sign. The Project is conditioned so that a Wall Sign shall not be greater than 300 square feet.

16. That the project incorporates mitigations measures, monitoring measures when necessary, or alternatives identified in the environmental review which would mitigate the negative environmental effects of the project, to the extent physically feasible.

As identified on page IV.B-34 in Section IV.B, Cultural Resources, of the Draft EIR prepared for the Project, the Project (including the Sign Program) would not cause a substantial adverse change in the significance of a historic resources, and therefore, impacts to historical resources would be less than significant. The project-level EIR prepared for the proposed Project has adequately analyzed all potential environmental impacts of the Project, evaluated potentially feasible alternatives, and imposed mitigation measures where necessary.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS

The City, as Lead Agency, has evaluated the environmental impacts of the Sunset Wilcox Project by preparing an environmental impact report (EIR) ENV-2020-1930-EIR (SCH No. 2020120005). The EIR was prepared in compliance with the California Environmental Quality Act of 1970, Public Resources Code Section 21000 et seq. (CEQA) and the California Code of Regulations Title 14, Division 6, Chapter 3 (the “CEQA Guidelines”).

The Sunset Wilcox Project, consisting of the Draft EIR and Final EIR, is intended to serve as an informational document for public agency decision-makers and the general public regarding the objectives and impacts of the Sunset Wilcox Project (Project), located at 6450-6462 W. Sunset Boulevard; 1420-1454 N. Wilcox Avenue; 1413-1447 N. Cole Place; and 6503 W. De Longpre Avenue (Project Site). The Project as analyzed in the EIR, proposes up to 443,418 square feet of commercial space consisting of 431,032 square feet of office and 12,386 square feet of ground floor restaurant space, plus an additional 1,800 square feet of ground floor outdoor dining areas adjacent to the restaurants. The proposed building would include 15 stories and would measure approximately 275 feet in height. The Project would include three (3) levels of subterranean parking and at-grade and mezzanine levels, and two (2) above grade levels of vehicular parking.

The Draft EIR was circulated for a 46-day public comment period beginning on June 16, 2022 and ending on August 1, 2022. A Notice of Completion and Availability (NOC/NOA) was distributed on June 16, 2022, to all property owners within 500 feet of the Project Site, public agencies, and interested parties, which informed them of where they could view the document and how to comment. The Draft EIR was available to the public at the City of Los Angeles, Department of City Planning, and could be accessed and reviewed by members of the public by appointment with the Planning Department. Additionally, due to the circumstances created by the COVID-19 pandemic, copies of the Draft EIR were made available to the public on CD-ROM or in hard copy upon request to the Department of City Planning at the contact information listed on the NOC/NOA. A copy of the document was also posted online at <https://planning.lacity.org>. Notices were filed with the County Clerk on June 16, 2022.

The Final EIR was then distributed on August 26, 2022. The Advisory Agency certified the EIR on September 9, 2022 (Certified EIR) in conjunction with the approval of the Project’s Vesting Tentative Tract Map (VTT-83088). In connection with the certification of the EIR, the Advisory Agency adopted CEQA findings and a Mitigation Monitoring Program as a condition of approval. This decision was appealed and is pending decision by the City Planning Commission concurrent with the subject case. All mitigation measures in the Mitigation Monitoring Program are also imposed on the Project through Conditions of Approval of CPC-2020-1929-ZC-HD-MCUP-SPP-SPR, to mitigate or avoid significant effects of the Project on the environment and to ensure compliance during implementation of the Project.

NO SUPPLEMENTAL OR SUBSEQUENT REVIEW IS REQUIRED

CEQA and the State CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3, Sections 15000-15387) allow the City to rely on the previously certified EIR unless a Subsequent or Supplemental EIR is required. Specifically, CEQA Guidelines Sections 15162 and 15163 require preparation of a Subsequent or Supplemental EIR when an EIR has been previously certified or a negative declaration has previously been adopted and one or more of the following circumstances exist:

- 1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant

environmental effects or a substantial increase in the severity of previously identified significant effects;

- 2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- 3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
 - A. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - B. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - C. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

None of the above changes or factors has arisen since the approval of the Project. There are no substantial changes to the Project, and it is substantially the same as the approved project. No substantial changes have been identified to the surrounding circumstances, and no new information of substantial importance has been identified since the approval of the Project. There is no evidence of new or more severe significant impacts, and no new mitigation measures are required for the project.

Accordingly, there is no basis for changing any of the impact conclusions referenced in the certified EIR's CEQA Findings. Similarly, there is no basis for changing any of the mitigation measures referenced in the certified EIR's CEQA Findings, all of which have been implemented as part of the conditions of approval. There is no basis for finding that mitigation measures or alternatives previously rejected as infeasible are instead feasible. There is also no reason to change the determination that the overriding considerations referenced in the certified EIR's CEQA Findings, and each of them considered independently, continue to override the significant and unavoidable impacts of the Project.

Therefore, as the Project was assessed in the previously certified EIR, and pursuant to CEQA Guidelines Section 15162, no supplement or subsequent EIR or subsequent mitigated negative declaration is required, as the whole of the administrative record demonstrates that no major revisions to the EIR are necessary due to the involvement of new significant environmental effects or a substantial increase in the severity of a previously identified significant effect resulting from changes to the project, changes to circumstances, or the existence of new information. In addition, no addendum is required, as no changes or additions to the EIR are necessary pursuant to CEQA Guidelines Section 15164.

RECORD OF PROCEEDINGS

The record of proceedings for the decision includes the Record of Proceedings for the original CEQA Findings, including all items included in the case files, as well as all written and oral information submitted at the hearings on this matter. The documents and other materials that constitute the record of proceedings on which the City of Los Angeles' CEQA Findings are based are located at the Department of City Planning, 221 N. Figueroa Street, Suite 1350, Los Angeles, CA 90021. This information is provided in compliance with CEQA Section 21081.6(a)(2).

In addition, copies of the Draft EIR, Final EIR, and Erratum, are available on the Department of City Planning's website at <https://planning.lacity.org/development-services/eir> (to locate the documents, search for the environmental case number). Due to government facility closures as a result of the COVID-19 crisis, the Draft and Final EIR documents were made available at local public libraries. Consistent with state emergency orders, the public was notified of an ability to call or email the City for alternative modes to access the documents or to schedule an appointment to review the documents at the City of Los Angeles, Department of City Planning, 221 North Figueroa Street, Suite 1450, Los Angeles, CA 90012, during office hours Monday - Friday, 9:00 a.m. – 4:00 p.m.

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