



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 01 2022**

Case No. CPC-2020-3253-DB-SPR-HCA

Council District: 13 – O'Farrell

CEQA: ENV-2020-3254-CE

Plan Area: Hollywood

Related Cases: VTT-82714-HCA-1A; ZA-1997-797-ZV-PA1-1A

Project Site: 1121 – 1149 North Gower Street; 6104 – 6124 West Lexington Avenue;
1124 – 1150 North Lodi Place

Applicant: 1149 Gower Street Hollywood, LLC
Representative: Jim Ries, Craig Lawson & Co., LLC

At its meeting of **September 22, 2022**, the Los Angeles City Planning Commission took the actions below in conjunction with the approval of the following Project:

Demolition of two existing connected surface parking lots for the construction, use, and maintenance of a new five-story and a new six-story residential building with a total of 169 units, of which 19 will be reserved for Very Low Income households. The Project proposes to provide 278 vehicle parking spaces in a three-level subterranean parking garage. The Project also proposes a haul route for the export of approximately 66,000 cubic yards of soil. An existing two-story commercial office building on the property will be maintained and unaltered, with vehicle parking to be provided in the new subterranean parking garage.

1. **Determined**, that based on the whole of the administrative record, the Project is exempt from CEQA pursuant to CEQA Guidelines, Article 19, Section 15332 (Class 32), and that there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies;
2. **Approved**, pursuant to Section 12.22 A.25 of the Los Angeles Municipal Code (LAMC), a Density Bonus Compliance Review to permit a housing development project consisting of 169 dwelling units, of which 19 will be set aside for Very Low Income households, with the following two Off-Menu Incentives:
 - a. An Off-Menu Incentive to allow maximum building heights of 73 feet six inches in lieu of the otherwise permitted 45 feet in the R3-1 Zone and 58 feet six inches in lieu of the otherwise permitted 30 feet in the R3-1XL Zone (with up to 10 additional feet in height permitted for mechanical equipment, stairways, elevator towers, etc. as permitted by LAMC Section 12.21.1 B.3); and
 - b. An Off-Menu Incentive to allow an eastern side yard setback of six feet six inches in lieu of the otherwise required eastern side yard setback of nine feet;
3. **Approved**, pursuant to LAMC Section 16.05, a Site Plan Review for a development project creating 50 or more residential dwelling units;
4. **Adopted** the attached Conditions of Approval; and
5. **Adopted** the attached Findings.

The vote proceeded as follows:

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

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 related to the Off-Menu Density Bonus Incentives are not appealable. All remaining actions are appealable to City Council within 15 days after the mailing date of this determination letter. Any appeal not filed within the 15-day period shall not be considered by the Council. All appeals shall be filed on forms provided at the Planning Department's Development Service Centers located at: 201 North Figueroa Street, Fourth Floor, Los Angeles; 6262 Van Nuys Boulevard, Suite 251, Van Nuys; or 1828 Sawtelle Boulevard, West Los Angeles.

FINAL APPEAL DATE: NOV 16 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: Conditions of Approval, Findings, Interim Appeal Filing Procedure

c: Heather Bleemers, Senior City Planner
More Song, City Planner

CONDITIONS OF APPROVAL

Pursuant to Sections 12.22 A.25 and 16.05 of the LAMC, the following conditions are hereby imposed upon the use of the subject property:

Development Conditions

1. **Site Development.** Except as modified herein, the project shall be in substantial conformance with the architectural plans, landscape plan, renderings, and materials submitted by the applicant, stamped "Exhibit A", and attached to the subject case file.
2. **Related Case.** The grant herein shall only be effectuated after Case No. ZA-1997-797-ZV-PA1 is fully approved and effectuated.
3. **Residential Density.** The project shall be limited to a maximum density of 169 dwelling units.
4. **Affordable Units:** 19 units shall be reserved as Very Low Income units, as defined by the State Density Bonus Law per Government Code Section 65915(c)(2), to meet the requirements of the requests herein and as volunteered by the applicant. In the event of deviations to the requests that change this number of restricted affordable units, the composition/typology of units, and/or vehicle parking numbers, such changes shall be consistent with LAMC Section 12.22 A.25.
5. **Housing Requirements.** Prior to issuance of a building permit, the owner shall execute a covenant to the satisfaction of LAHD to make 19 units available to Very Low Income households, for sale or rental as determined to be affordable to such households by LAHD for a period of 55 years. In the event the applicant reduces the proposed density of the project, the number of required reserved on-site Restricted Units may be adjusted, consistent with LAMC Section 12.22 A.25, to the satisfaction of LAHD, and in consideration of the project's SB 330 Determination Letter, dated February 25, 2020. Enforcement of the terms of said covenant shall be the responsibility of LAHD. The applicant will present a copy of the recorded covenant to the Department of City Planning for inclusion in this file. The project shall comply with the Guidelines for the Affordable Housing Incentives Program adopted by the City Planning Commission and with any monitoring requirements established by LAHD.
6. **Incentives:**
 - a. **Height.** The project is permitted a maximum building height of 73 feet six inches in lieu of the otherwise permitted 45 feet in the R3-1 Zone and a maximum building height of 58 feet six inches in lieu of the otherwise permitted 30 feet in the R3-1XL Zone. Up to 10 additional feet in height may be permitted for mechanical equipment, stairways, elevator towers, etc. per LAMC Section 12.21.1 B.3, and to the satisfaction of the Los Angeles Department of Building and Safety.
 - b. **Side Yard Setback.** The project is permitted to provide an eastern side yard setback of six feet six inches in lieu of the otherwise required eastern side yard setback of nine feet.
7. **Parking:**

- a. Minimum residential automobile parking shall be provided consistent with the provisions of Section 65915 of the California Government Code, as amended by Assembly Bill 744, and/or the LAMC.
- b. Minimum commercial automobile parking shall be provided consistent with the provisions of the LAMC, including the provisions of the Los Angeles State Enterprise Zone.
- c. In the event that the composition of residential units and/or commercial uses (i.e. the number of bedrooms or square footage of certain commercial uses) changes, or the applicant selects a different Parking Option as provided by State Density Bonus law and the LAMC and no other Condition of Approval or incentive is affected, then no modification of this determination shall be necessary, and the number of parking spaces shall be re-calculated by the Department of Building and Safety based upon the ratios set forth by Section 65915 of the California Government Code and/or LAMC Section 12.22 A.25.
- d. Bicycle Parking. Residential bicycle parking shall be provided consistent with LAMC 12.21 A.16.
- e. Unbundling. Required parking may be sold or rented separately from the units, with the exception of all Restricted Affordable units which shall include any required parking in the base rent or sales price, as verified by LAHD.
- f. 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.

Site Plan Review Conditions

8. Design:

- a. All building façades shall utilize a minimum of two different materials. Windows, doors, balcony railings, decorative features (such as light fixtures, planters, etc.), and perimeter walls (e.g. walls along a street or alley that are not a part of the building) are excluded from meeting this requirement.
- b. Along the project's ground floor street frontage along Gower Street, there shall be no less than a total of 75 horizontal feet of doors, windows, and/or other transparent glazing. To meet these requirements, glazing shall be a minimum of six feet in height. Vehicle gates and non-transparent doors shall not count towards meeting these requirements.
- c. Outdoor private patios serving individual residential units shall total a minimum of 250 feet in width along the project's ground floor street frontage along Lodi Place.
- d. The project shall provide a central open courtyard of at least 3,000 square feet between the existing office building and proposed residential buildings, as depicted in the plans in Exhibit A. The project shall provide a minimum of 3,450 square feet of residential amenity spaces within the ground floor of the proposed residential buildings, including but not limited to coworking space, fitness center, lounge, and lobby, as depicted in the plans in Exhibit A.

- e. All mechanical equipment on the roof shall be screened from view by any abutting properties. The transformer, if located in the front yard, shall be screened with landscaping on all exposed sides (those not adjacent to a building wall).
- 9. **Circulation.** The applicant shall submit a parking and driveway plan to the Los Angeles Department of Transportation (LADOT) for approval. The project shall minimize the number of curb cuts on the subject property, to the satisfaction of LADOT.
- 10. **Landscaping:**
 - a. All open areas not used for buildings, driveways, parking areas, or walkways shall be attractively landscaped and maintained in accordance with a landscape plan and an automatic irrigation plan, prepared by a licensed Landscape Architect and to the satisfaction of the Department of City Planning.
 - b. The project shall plant a minimum of 43 trees on-site and in the public right-of-way, as depicted on the plans in Exhibit A.
- 11. **Signage.** On-site signs shall comply with the Municipal Code. Signage rights are not part of this approval.
- 12. **Lighting.** Outdoor lighting shall be designed and installed with shielding, such that the light source does not illuminate adjacent residential properties or the public right-of-way, nor the above night skies.
- 13. **Trash.** Trash receptacles shall be stored within a fully enclosed portion of the building at all times. Trash/recycling containers shall be locked when not in use and shall not be placed in or block access to required parking.
- 14. **Solar Energy Infrastructure.** The Project shall comply with the Los Angeles Municipal Green Building Code, Section 99.05.211, to the satisfaction of the Department of Building and Safety.
- 15. **Maintenance.** The subject property, including any trash storage areas, associated parking facilities, sidewalks, driveways, yard areas, parkways, and exterior walls along the property lines, shall be maintained in an attractive condition and shall be kept free of trash and debris.
- 16. **Inadvertent Discovery.** In the event that any archaeological, paleontological, cultural, or historic resources are encountered during the course of any ground disturbance activities, all such activities shall temporarily cease on the project site and no archaeological and/or associated materials may be collected or moved until the potential resources are properly assessed and addressed by a qualified archaeologist and/or paleontologist pursuant to all applicable regulatory guidelines and procedures, including those set forth in California Public Resources Code Section 21083.2.

Administrative Conditions

- 17. **Approvals, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, reviews or approval, plans, etc, as may be required by the subject conditions, shall be provided to the Department of City Planning for placement in the subject file.

18. **Building Plans.** A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.
19. **Notations on Plans.** Plans submitted to the Department of Building and Safety for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet and shall include any modifications or notations required herein.
20. **Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building and Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building and Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building and Safety shall be stamped by Department of city Planning staff "Final Plans". A copy of the Final Plans, supplied by the applicant, shall be retained in the subject case file.
21. **Code Compliance.** All area, height and use regulations of the zone classification of the subject property shall be complied with, except wherein these conditions explicitly allow otherwise.
22. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assign. The agreement must be submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.
23. **Corrective Conditions.** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if, in the Commission's or Director's opinion, such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
24. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public offices, legislation or their successors, designees or amendment to any legislation.
25. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
26. **Expedited Processing Section.** Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
27. **Indemnification and Reimbursement of Litigation Costs**

Applicant shall do all of the following:

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

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

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

For purposes of this condition, the following definitions apply:

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

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

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

FINDINGS

Density Bonus / Affordable Housing Incentives Findings

1. Pursuant to Section 12.22 A.25(g)(2)(i)(c) of the LAMC and Section 65915(e) of the California Government Code, the Director shall approve a density bonus and requested incentive(s) unless the Director of Planning finds that¹:
 - a. *The Incentive does not result in identifiable and actual cost reductions to provide for affordable housing costs as defined in California Health and Safety Code Section 50052.5 or Section 50053 for rents for the affordable units.*

The record does not contain substantial evidence that would allow the Director to make a finding that the requested incentives do not result in identifiable and actual cost reductions to provide for affordable housing costs per State Law. The California Health & Safety Code Sections 50052.5 and 50053 define formulas for calculating affordable housing costs for very low, low, and moderate income households. Section 50052.5 addresses owner-occupied housing and Section 50053 addresses rental households. Affordable housing costs are a calculation of residential rent or ownership pricing not to exceed 25 percent gross income based on area median income thresholds dependent on affordability levels.

In exchange for reserving at least 10 percent of the base density for Very Low Income households, the applicant is entitled to two Incentives under both Government Code Section 65915 and the LAMC. The project proposes to reserve at least 11 percent of the base density of 125 units for Very Low Income households; accordingly, the project is entitled to the two requested Off-menu Incentives. These requested Incentives provide cost reductions that provide for affordable housing costs because the incentives by their nature increase the scale of the project, which facilitates the creation of more affordable housing units.

Height

The subject property is zoned R3-1 and R3-1XL; developments in the R3-1 Zone are limited to a maximum height of 45 feet, while developments in the R3-1XL Zone are limited to a maximum height of 30 feet. The applicant is requesting an increase in building height of 28 feet six inches across the entire project site, for a maximum building height of 73 feet six inches in the R3-1 Zone and a maximum building height of 58 feet six inches in the R3-1XL Zone. This increase enables the project to expand the building envelope and provide additional floor space and residential building levels, thus enabling the provision of more dwelling units. The additional building height facilitates the creation of more residential units of all types, including market-rate units which enable the applicant to subsidize and reserve more residential units for lower income levels. Therefore, the incentive supports the applicant's decision to set aside 19 dwelling units for Very Low Income households as proposed. The requested Incentive provides actual and identifiable cost reductions that provide for affordable housing costs because the incentive by nature increases the building envelope of the project so that additional residential units can be provided, resulting in additional affordable housing units.

¹ Pursuant to LAMC Section 12.22 A.25(g)(3), the City Planning Commission is considered the decision-maker for Off-menu density bonus requests. The findings referenced in LAMC Section 12.22 A.25(g)(2)(i)(c) apply to Off-menu requests.

Eastern Side Yard Setback

The eastern portion of the subject property is zoned R3-1; developments in this zone are required to maintain an eastern side yard of at least five feet, with one additional foot for each additional building level above the second story. With six stories proposed in this zone, the project would be required to provide an eastern side yard setback of nine feet; the applicant is proposing to provide an eastern side yard setback of six feet six inches in lieu of this requirement. This reduction enables the project to expand the building envelope and provide additional floor space and residential units, thus enabling the provision of more dwelling units. The larger building footprint facilitates the creation of more residential units of all types, including market-rate units which enable the applicant to subsidize and reserve more residential units for lower income levels. Therefore, the incentive supports the applicant's decision to set aside 19 dwelling units for Very Low Income households as proposed. The requested Incentive provides actual and identifiable cost reductions that provide for affordable housing costs because the incentive by nature increases the building envelope of the project so that additional residential units can be provided, resulting in additional affordable housing units.

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

There is no substantial evidence in the record that the proposed Incentives will have a specific adverse impact upon public health and safety or the physical environment, or any real property that is listed in the California Register of Historical Resources. A "specific adverse impact" is defined as "a significant, quantifiable, direct and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete" (LAMC Section 12.22 A.25(b)). The project does not involve a contributing structure in a designated Historic Preservation Overlay Zone or on the City of Los Angeles list of Historical-Cultural Monuments. The property is not located on a substandard street in a Hillside area and is not located in a Liquefaction Zone, a Special Grading Area, a Very High Fire Hazard Severity Zone, a Methane Zone, or any other special hazard area. Therefore, there is no substantial evidence that the proposed project, and thus the requested Incentives, will have a specific adverse impact on the physical environment, on public health and safety or the physical environment, or on any Historical Resource. Based on the above, there is no basis to deny the requested Incentives.

- c. The Incentives are contrary to State/federal law.***

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

Site Plan Review Findings**2. The project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and does not conflict with any applicable regulations, standards, and any applicable specific plan.**

The project site is located within the Hollywood Community Plan, one of 35 Community Plans which form the land use element of the General Plan. The subject property is split-zoned, with the eastern portion fronting Gower Street zoned R3-1 and the western portion fronting Lodi Place zoned R3-1XL. The Community Plan designates the entirety of the subject property for Medium Residential land uses corresponding to the R3 Zone; thus, the subject property is consistent with the existing land use designation. The project site is also located within a Transit Priority Area in the City of Los Angeles as well as the Los Angeles State Enterprise Zone. The project site is not subject to any other overlay or located within any other special hazard zone, methane zone, liquefaction zone, or flood, landslide, or tsunami inundation zone.

The project site is located within the Hollywood Redevelopment Project Area; accordingly, the project has been reviewed for consistency and compliance with the Hollywood Redevelopment Plan. The project is consistent with the goals of the Redevelopment Plan, which seeks to preserve and increase commercial development, promote Hollywood as a commercial core and employment hub, and provide and increase the supply and quality of housing in the area, among other goals. Specifically, the project is consistent with the relevant land use and development regulations of the Redevelopment Plan. The project is calculating its base density in accordance with Section 505 of the Redevelopment Plan and is seeking Density Bonus incentives pursuant to State law. The project is further consistent with Section 505.4 of the Redevelopment Plan, which permits commercial uses in residentially designated areas. The project proposes to maintain an existing commercial office building on the project site, thereby supporting the retention of jobs and the commercial base in the area and maintaining a desirable use in close proximity to other similar facilities less than one block south of the project site along Santa Monica Boulevard. Therefore, the project will not conflict with the Hollywood Redevelopment Plan. There are no specific plans or any other overlays pertaining to the project site.

With the exception of the requests herein, which enable the provision of affordable housing units, the proposed project is otherwise consistent with the requirements of the underlying zones. The project proposes a new residential development on a site designated for such uses, as well as the maintenance of an existing office building onsite. The requested Incentives are permissible by the provisions of Density Bonus law and the project is requesting a Plan Approval to a previously granted Zone Variance as permitted by the LAMC; the project will comply with all other applicable provisions of the zoning code.

The project is also consistent with the goals of the Hollywood Community Plan, which seeks 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",
- "Make provision for the housing required to satisfy the varying needs and desires of all economic segments of the Community, maximizing the opportunity for individual choice",
- Emphasize "the retention and development of the entertainment industry", and
- Encourage "the revitalization of the motion picture industry", among other goals.

The project is further consistent with other elements of the General Plan, including the Framework Element, the Housing Element, and the Mobility Element. The Framework Element was adopted by the City of Los Angeles in December 1996 and re-adopted in August 2001. The Framework Element provides guidance regarding policy issues for the entire City of Los Angeles, including the project site. The Framework Element also sets forth a Citywide comprehensive long-range growth strategy and defines Citywide policies regarding such issues as land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services. The project supports the following goals and objectives of the Framework Element:

GOAL 4A: "AN EQUITABLE DISTRIBUTION OF HOUSING OPPORTUNITIES BY TYPE AND COST ACCESSIBLE TO ALL RESIDENTS OF THE CITY."

Objective 4.1: "Plan the capacity for and develop incentives to encourage production of an adequate supply of housing units of various types within each City sub-region to meet the projected housing needs by income level of the future population..."

Objective 7.3: "Maintain and enhance the existing businesses in the City."

The Housing Element of the General Plan provides land use policies and programs that encourage development of affordable housing across the City. The project also supports the following goals and objectives of the Housing Element:

GOAL 1: "HOUSING PRODUCTION AND PRESERVATION."

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

GOAL 2: "SAFE, LIVEABLE, AND SUSTAINABLE NEIGHBORHOODS."

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

Objective 2.5: "Promote a more equitable distribution of affordable housing opportunities throughout the City."

The Mobility Element of the General Plan, also known as Mobility Plan 2035, provides policies with the ultimate goal of developing a balanced transportation network for all users. The project supports the following policies of the Mobility Element:

Policy 3.3: "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 5.2: "Support ways to reduce vehicle miles traveled (VMT) per capita."

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

The project proposes the maintenance of an existing office use and the development of a new multi-family development that will provide much-needed housing, including affordable housing, and neighborhood-serving commercial uses. Accordingly, the project fulfills the Community Plan, Framework Element, and Housing Element goals and objectives of

providing quality housing for all persons in the community, including those at all income levels. The project utilizes development incentives to provide a higher number of residential units than would otherwise be permitted, thereby facilitating the creation of a higher number of affordable units and addressing the need for affordable housing in the City. Additionally, the project is a Density Bonus development located near the core of Hollywood, a heavily urbanized and bustling area developed with extensive jobs, services, and transit. Thus, by locating higher-density development along major transit corridors and by providing commercial services and jobs in proximity to residences, the project will contribute towards the creation of sustainable neighborhoods and a reduction in vehicle trips and VMT. The project will further promote mobility and sustainable environments by providing active and transparent building facades, amenities such as a shared outdoor courtyard, and incorporating new and additional landscaping, all of which will significantly improve pedestrian movement and the quality of the streetscape in the area. The proposed improvements represent a significant improvement over the existing site conditions which consist of an aging surface parking lot and help realize the City's goals. The project will also implement any dedications and improvements as required by the Bureau of Engineering, which will further facilitate and enhance movement of all forms across the neighborhood.

In addition, the project has been conditioned to include all required sustainability features as mandated by Code, including automobile parking spaces both ready for immediate use by electric vehicles (e.g. with electric vehicle chargers installed) and capable of supporting electric vehicles in the future, as well as solar infrastructure. Together, these conditions further support applicable policies in the Health and Wellness Element, Air Quality Element, and Mobility Element of the General Plan by reducing the level of pollution/greenhouse gas emissions, ensuring new development is compatible with alternative fuel vehicles, and encouraging the adoption of low emission fuel sources and supporting infrastructure. These conditions also support good planning practice by promoting overall sustainability and providing additional benefits and conveniences for residents, workers, and visitors.

The project contributes to and furthers the relevant goals, objectives, and policies of the plans that govern land use and development in the City. In addition, the project does not substantially conflict with any applicable plan or other regulation. Therefore, the project substantially conforms with the purpose, intent, and provisions of the General Plan, the applicable Community Plan, and the applicable redevelopment plan.

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

The project site consists of 17 existing contiguous lots encompassing a total of approximately 100,695 square feet of lot area. The property occupies most of the rectangular city block bounded by Gower Street to the east, Lexington Avenue to the north, and Lodi Place to the west; Santa Monica Boulevard is located just south of the property.

The subject property is currently developed with an existing two-story commercial office building surrounded by a surface parking lot. The proposed project involves the maintenance of the existing office building and the demolition of the surface parking lot for the construction, use, and maintenance of a new residential apartment complex with a total of 169 units. The project proposes to provide a total of 278 vehicle parking spaces in three levels of subterranean parking.

The project and all of its pertinent improvements will be compatible with neighboring properties. The project is a desirable multi-family residential development in a location and

neighborhood zoned and designated for such uses. The project site is located in a heavily urbanized and centrally located area developed with a variety of other similar/compatible uses, including a variety of multi-family residences. The project will improve an existing aging property and will not preclude any future development on the subject property or on any adjacent property. Accordingly, the project has been designed such that its significant features and improvements will be compatible with the surrounding area, as follows:

Height, Bulk, Setbacks

As depicted in Exhibit "A", the proposed project consists of the maintenance of the existing office building and the demolition of the existing surface parking lot on the subject property for the construction of a new multi-family residential complex consisting of two connected buildings forming an L-shape. At completion, the new residential buildings will rise to a maximum height of 73 feet six inches (with limited exceptions for roof structures, per the LAMC) and will add approximately 185,357 square feet of floor area to the existing approximately 64,384 square feet of commercial office floor area, resulting in a total FAR of approximately 2.85:1.

The City's zoning regulations, specifically those that govern building height, mass, and location on a property, are intended to ensure that a development is compatible with its surroundings and is appropriate for its location. The underlying R3-1 Zone on the eastern portion of the subject property limits the project to a maximum building height of 45 feet in this zone, while the underlying R3-1XL Zone on the western portion of the subject property limits the project to a maximum building height of 30 feet in this zone; both zones limit the project to a total FAR of 3:1 across the entirety of the subject property. However, as a Density Bonus development the project is eligible for Incentives to increase the building height and FAR; accordingly, the project is seeking an Incentive to permit the maximum building height as proposed.

The R3-1 and R3-1XL Zones also prescribe yard requirements of 15 feet each for the front and rear yard and a minimum of five feet for each side yard plus one additional foot for each building level above the second story. Accordingly, the project would be required to provide front and rear yard setbacks of 15 feet each, and side yard setbacks of 9 feet each. The project proposes to meet these requirements with the exception of the eastern side yard setback, for which the project is seeking an Incentive to permit a reduced side yard setback of six feet six inches.

The proposed building height, mass, and setbacks are all consistent/permissible with all applicable zoning regulations and State and City Density Bonus law, and as a result will be compatible with adjacent properties. The project will be similar in scale to existing developments in the area and represents an appropriate and desirable transition between commercial and industrial uses to the south along Santa Monica Boulevard and various multi-family uses in the residential neighborhoods to the north, east, and west. The proposed building's active and transparent facades and landscaping along Gower Street, Lexington Avenue, and Lodi Place will enhance the neighborhood while minimizing potential impacts on adjacent residences; in addition, the project's facades along Lodi Place and part of Lexington Avenue are lined with street-facing townhouse-style units with open patios, thereby facilitating interaction with and enhancing the streetscapes in the surrounding neighborhood. Therefore, the project is an appropriate development in this location and will be compatible with developments in the surrounding area. The project further varies building mass with interesting architectural features connecting the two proposed residential buildings as well as the provision of open space, including an outdoor central courtyard. Additionally, the project includes landscaped open space areas and/or planters and trees along the southern property

line which will provide attractive and functional buffering to adjacent properties. Therefore, the project's height, mass, and setbacks will be compatible with adjacent properties.

Site Layout – Parking, Trash Collection, Landscaping, and Lighting

At the ground floor, the project proposes residential units, including street-facing townhouse-style units, and a prominent residential lobby in the eastern proposed building, while various residential amenity spaces and a second prominent residential lobby are proposed for the western proposed building. The project also proposes a shared outdoor courtyard in between the existing office building and the proposed residential buildings, as well as landscaping/open space areas along the southern property line. Vehicle parking will be provided in three subterranean levels, with access provided via a ramp off of Lexington Avenue to the north and a second ramp off of Lodi Place to the west. Trash collection will be provided on the first subterranean level right next to the vehicle ramp off of Lexington Avenue.

The proposed site layout is thoughtful and will minimize any potential impacts to the project's surroundings. The proposed trash collection location is also easily accessible yet fully enclosed within the building footprint, thereby shielding the trash enclosures from view by adjacent properties. Short-term bicycle parking is proposed in multiple locations at the ground level and along the project's street frontages, thereby facilitating access, while long-term bicycle parking is primarily stored in dedicated enclosures in the subterranean parking levels.

The project includes several distinct outdoor open space areas, including a ground floor courtyard, various landscaped and open space areas along the perimeter, and a rooftop patio and pool deck. Not only will these areas be landscaped with planters and provide outdoor recreation and amenity spaces, but they will provide buffering and shielding, especially along the southern property line which is the only property line that directly abuts adjacent properties. As the existing site conditions consist of aging surface parking lot, the project will significantly enhance the physical appearance of the property as well as the relationship of the subject property to adjacent properties. All of the proposed recreation spaces and landscaping will enhance both the project and the greater neighborhood as a whole, and as a result the project will be cohesive and integrate well with the surrounding community. Accordingly, all of the proposed open spaces and landscaping will enhance the property and will be compatible with other improvements on the subject property and abutting properties. In addition, the project has been designed and conditioned to provide extensive transparency and glazing along the primary street frontages, which will further enhance the project's surroundings and promote the project's compatibility with the surrounding neighborhood.

Furthermore, appropriate lighting and additional landscaping have been conditioned and will be provided in accordance with the requirements of the LAMC. The project has been designed to provide adequate lighting for operation and safety and to meet all regulations while limiting potential impacts. Additional landscaping such as street trees will be provided throughout the property per the requirements of the applicable City agencies. Therefore, for all of these reasons, the project will significantly improve the physical appearance of the property and will be compatible with existing and future development on the subject property and on surrounding properties.

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

The project proposes 20,400 square feet of useable common open space to meet the requirements of the LAMC, although the project will provide a larger amount of total useable open space (with the excess amount not included in zoning requirements, per the LAMC). Proposed recreation and amenity spaces include a shared outdoor courtyard in between the

existing office building and proposed residential buildings; various lounge/amenity/multi-purpose rooms and lobby spaces on the ground floor of the proposed residential buildings; an outdoor pet-run; a rooftop landscaped pool and patio deck; and various private patios and balconies.

The project will provide a wide array of high-quality recreational and service amenities for residents, users of the existing office building, and the broader community alike. The shared outdoor courtyard will provide shade, seating, casual dining, and other amenities for both residents and users of the office building. The private outdoor open spaces and interior common rooms will offer residents and guests a wide variety of amenities; in particular, the multiple interior common rooms can be configured for the provision of many different services, such as a movie screening room, lounge, library, or conference room/work space. In addition, all of the outdoor spaces will be landscaped and planted with a variety of trees and other plants, which will provide shade and greenery for residents and patrons of the project, enhance the physical environment, and reduce potential impacts on adjacent properties. Therefore, the project provides many different recreational and service amenities which will improve habitability for residents and the community alike, and will minimize impacts on neighboring properties.

Environmental Findings

- 5. Environmental Finding.** The project has been determined to be categorically exempt from CEQA, pursuant to State CEQA Guidelines, Section 15332 (Class 32), and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies. The Categorical Exemption Study dated August 2021 and attached to the subject environmental case file (ENV-2020-3254-CE) provides the full analysis and justification.
- 6. Flood Insurance.** The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone C, areas outside of a flood zone.

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