



DEPARTMENT OF CITY PLANNING

APPEAL RECOMMENDATION REPORT

Date: May 9, 2019
Time: After 8:30 A.M.
Place: Los Angeles City Hall
200 N. Spring Street, Third Floor
Los Angeles, CA 90012

Case No.: VTT-74437-1A
CEQA No.: ENV-2016-2849-EIR
Related Case: CPC-2016-2848-VZC-HD-CUB-SPR

Public Hearing Completed: March 20, 2019
Appeal Status: Appealed
Expiration Date: May 9, 2019
Appeal Status: Pursuant to LAMC Section 17.03, the Tract Map is appealable to City Council

Council No.: 13 – O'Farrell
Plan Area: Hollywood
Certified NC: Central Hollywood
General Plan: Regional Center Commercial
Zone: Existing: C4-2D-SN, C4-2D
Proposed: (T)(Q)C4-2D-SN,
(T)(Q)C4-2D
Applicant: 6104 Hollywood, LLC
Representative: Edgar Khalatian,
Mayer Brown LLP
Appellant: Hollywood Residents
Association and Supporters
Alliance for Environmental
Responsibility
Representatives: Sarah Garcia-Rill
Michael Lozeau

PROJECT LOCATION: 6100-6116 W. Hollywood Boulevard, 1633-1649 N. Gower Street

PROPOSED PROJECT: The project is for the Deputy Advisory Agency approval of Vesting Tentative Tract Map for the merger and resubdivision of an approximately 1.0-acre site to create one master ground lot comprising the entire site and five above and/or below grade airspace lots, to effectuate a proposed vacation merger along Gower Street, and to grant approval of a haul route.

REQUESTED ACTIONS:

- 1) An appeal of the entire decision of the Advisory Agency in approving the following actions:
 - a. Pursuant to Sections 21082.1(c) and 21081.6 of the Public Resources Code, the Advisory Agency has reviewed and considered the information contained in the Environmental Impact Report prepared for this project, which includes the Draft EIR, No. ENV-2016-2849-EIR (SCH. No. 2008011113), the Final EIR, dated March, 2019 and Errata dated April, 2019 (Hollywood and Gower EIR), as well as the whole of the administrative record, and

Certified the following:

The Hollywood and Gower EIR has been completed in compliance with the California Environmental Quality Act (CEQA);
The Hollywood and Gower EIR was presented to the City Planning Commission as a decision-making body of the lead agency; and
The Hollywood and Gower EIR reflects the independent judgment and analysis of the lead agency.

ADOPTED the following:

The related and prepared Hollywood and Gower Environmental Findings;
The Statement of Overriding Considerations; and
The Mitigation Monitoring Program prepared for the Hollywood and Gower EIR.

- b. Deputy Advisory Agency approval of Vesting Tentative Tract Map for the merger and resubdivision of an approximately 1.0-acre site to create one master ground lot comprising the entire site and five above and/or below grade airspace lots, to effectuate a proposed vacation merger along Gower Street, and to grant approval of a haul route.

RECOMMENDED ACTIONS:

1. Pursuant to Sections 21082.1(c) and 21081.6 of the Public Resources Code, **find**, that the City Planning Commission, has reviewed and considered the information contained in the Environmental Impact Report No. ENV-2016-2849-EIR, SCH No. 2008011113, dated, September, 2018 and the Final EIR, dated March, 2019 (collectively, the Hollywood and Gower Project EIR) as well as the whole of the administrative record.

Certified that:

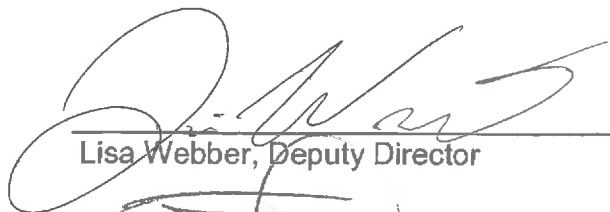
- a. The Hollywood and Gower EIR has been completed in compliance with the California Environmental Quality Act (CEQA);
- b. The Hollywood and Gower EIR was presented to the City Planning Commission as a decision-making body of the lead agency; and
- c. The Hollywood and Gower Project EIR reflects the independent judgment and analysis of the lead agency.

Adopted the following:

- a. The related and prepared Hollywood and Gower Project Environmental Findings;
- b. The Statement of Overriding Considerations; and,
- c. The Mitigation Monitoring Program prepared for the Hollywood and Gower Project EIR.

2. **Deny**, the appeal for VTT-74437, to recognize the Planning Department's denial of the Appeal.

3. **Approve** the Vesting Tentative Tract Map for the merger and resubdivision of an approximately 1.0-acre site to create one master ground lot comprising the entire site and five above and/or below grade airspace lots, to effectuate a proposed vacation merger along Gower Street, and to grant approval of a haul route.



Lisa Webber, Deputy Director



Heather Bleemers, Senior City Planner



Sergio Ibarra, City Planner
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ADVICE TO PUBLIC: *The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda. Written communications may be mailed to the *Commission Secretariat, 200 North Spring Street, Room 532, Los Angeles, CA 90012* (Phone No. 213-978-1300). While all written communications are given to the Commission for consideration, the initial packets are sent out the week prior to the Commission's meeting date. If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agendized herein, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability, and upon request, will provide reasonable accommodation to ensure equal access to this programs, services and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services may be provided upon request. To ensure availability of services, please make your request not later than three working days (72 hours) prior to the meeting by calling the Commission Secretariat at (213) 978-1300.

TABLE OF CONTENTS

Project Analysis	A-1
Project Summary	
Background	
Conclusion	

Appeal	B-1
Summary of Appellant Comments and Staff Response	

Exhibits:

A – Appeal Documents

Hollywood and Gower EIR Link:

https://planning.lacity.org/eir/Hollywood_and_Gower_2018/Deir/DEIR%20Website.html

https://planning.lacity.org/eir/Hollywood_and_Gower_2018/feir/FEIR%20Website.html

Project Summary

The project is for the Deputy Advisory Agency approval of a Vesting Tentative Tract Map for the merger and subdivision of an approximately 1.0-acre site to create one master ground lot comprising the entire site and five above and/or below grade airspace lots, to effectuate a proposed vacation merger along Gower Street, and to grant approval of a haul route.

The subdivision is in conjunction with a new mixed-use project on an approximately 44,782 square foot site located at 6100 West Hollywood Boulevard within the Hollywood Community Plan area of the City of Los Angeles. The site is currently occupied by paved parking areas, which would be removed to allow for the development of the Project. The Project will contain 220 apartment dwelling units, 5 percent (or 11 units) of which will be restricted to very low income households, as volunteering by the project, as well as approximately 3,270 square feet of ground-floor restaurant uses. The Project will include approximately 25,000 square feet of common open space, including a ground-level landscaped courtyard as well as extensive residential amenities consisting of a landscaped residential amenity deck at the 5th floor and a rooftop terrace. A minimum of 323 vehicular parking spaces will be provided in two subterranean levels as well as three above-grade parking levels. The Project would contain 22 above-grade stories, and have a maximum building height of approximately 252 feet. Upon completion, the Project would contain approximately 198,720 square feet of floor area, for a total maximum floor area ratio ("FAR") not to exceed 4.5:1.

Background

The Project Site is located in the Hollywood Community Plan (Community Plan) Area at the intersection of Hollywood Boulevard and Gower Street. The Project Site has a Regional Center Commercial land use designation and is primarily zoned C4-2D-SN and C4-2D, consistent with the range of zones under the associated land use designation. The Project Site consists of four adjoining parcels, which are associated with Los Angeles County Assessor Parcel Numbers 5546-027-004, -016, -017, and -018, comprising approximately one acre (44,782 square feet after dedications/mergers) and bound by Hollywood Boulevard to the north, Gower Street to the east, commercial/entertainment uses (Fonda Theatre) to the west, and commercial uses to the south. The Hollywood Freeway (US 101), the nearest freeway to the Project site, runs southeast-northwest in the Project area, and is approximately 0.3-mile to the north of the Project Site. The Project Site is relatively flat and currently developed as a surface parking lot, with a wrought-iron security fence running along the perimeter of the site along the adjacent roadways. No plantings or trees occur on site, and three City street trees are located off-site, adjacent to the Project Site to the north, to be removed as part of the project.

The subject property's westerly boundary is the adjacent lot occupied by the three-story Fonda Theater, its northern boundary has an approximately 192-foot frontage along Sunset Boulevard, its easterly boundary has an approximately 233-foot frontage along Gower Street, and its southern boundary has an approximately 162-foot frontage adjoining the adjacent lot. The subject property is legally described as Lot 1, 2, FR 15, 16, 17 and 18 of map reference M R 28-59/60 of the Hollywood Tract.

Land Use Designation and Zoning

The adopted Hollywood Community Plan designates the Project Site for Regional Center Commercial land uses, as shown in Exhibit B. The land uses within the general vicinity of the Project Site are characterized by a mix of low- to high-intensity commercial, institutional, and residential uses, which vary widely in architectural style and period of construction. The area surrounding the Project Site is developed with commercial land uses, including mixed-use commercial and residential mid-rise and high-rise buildings and entertainment uses along Hollywood Boulevard, and commercial and retail uses on Gower Street with nearby residential uses along Carlton Way.

The property across Hollywood Boulevard to the north of the Project Site is a PepBoys auto center. The property to the northeast of the Project Site is developed with a retail strip mall. Located to the east of the Project Site, across Gower Street, is a two-story and one-story commercial building. The adjoining property to the south is developed with a two-story commercial building. Located to the southwest is the Hollywood Legion Stadium, currently occupied by an LA Fitness health club and a 20-story high-rise residential building beyond Selma Avenue. The adjoining property to the west of the Project Site is developed with the Fonda Theatre. Commercial uses in the vicinity of the Project Site include local and regional serving retail and restaurant establishments, primarily concentrated along Hollywood Boulevard, Sunset Boulevard, Cahuenga Boulevard, and Vine Street. The section of Hollywood Boulevard that borders the Project Site to the north contains the easternmost section of the Hollywood Walk of Fame.

Several theaters and entertainment-oriented destinations are also located within the Project vicinity. The Fonda Theatre is immediately adjacent to the west of the Project Site. Within one-half mile of the Project Site are located the Pantages Theater and the Ricardo Montalban Theatre. The Hollywood Palladium is also within a one-quarter mile radius of the Project Site. ArcLight Cinerama Dome is located southwest of the Project Site, on the south side of Sunset Boulevard between Ivar Avenue and Vine Street. West of the Project Site, tourist attractions are concentrated along Hollywood Boulevard, including (Grauman's) Chinese Theater and the Hollywood and Highland retail and entertainment center.

The majority of parcels surrounding the Project Site have a Regional Center Commercial land use designation fronting Hollywood Boulevard, and slightly to the south, along Sunset Boulevard. To the south of the Regional Commercial Center land use designation along Sunset, the land use is Low Medium II Residential. Finally, the land use designation to the south along Highland Avenue is Highway Oriented Commercial. The proposed Project is consistent with the Regional Center Commercial land use.

Parcels under the Regional Center Land Use Designation of the Hollywood Community Plan have corresponding zones of C2, C4, P, PB, RAS3, and RAS4. The project site is not located in a Specific Plan Area. The project site contains 1.03 acres and is presently zoned C4-2D-SN and C4-2D. The Los Angeles Municipal Code ("LAMC") establishes the base zoning for the northern portion of the Site as C4-2D-SN (Commercial, Height District 2 with Development Limitation, Hollywood Signage Supplemental Use District ("SUD")). The southern portion of the Site is located outside of the SUD's boundaries, and has a base zoning of C4-2D. The C4 zone permits a wide array of land uses including commercial, office, residential, retail, and hotel uses. The Height District 2 designation, in conjunction with the C4 zone, does not impose a maximum building height limitation but does impose a maximum FAR of 6:1. The "D" limitation of the Site's zoning limits the total floor area contained in all buildings to a maximum FAR of 2:1 (per Ordinance No. 165,662, adopted in 1990). The C4 Zone also allows for any land use permitted in the R4 (Multiple Residential) Zone, which includes one-family dwellings, two-family dwellings, apartment houses, multiple dwellings, and home occupations at a maximum density of 108 dwelling units per acre (a minimum lot area of 400 square feet per dwelling unit). In addition, pursuant to LAMC Section 12.22-A,18(a), developments combining residential and commercial uses are also allowed to develop any land use permitted in the R5 Zone, which allows for residential development at a maximum density of 217 dwelling units per acre, based on a minimum lot area of 200 square feet per dwelling unit.

APPEAL ANALYSIS

Hollywood and Gower Project Appeal

On April 7 and April 8, 2019, two appeals were filed challenging the Advisory Agency's decision to approve a Vesting Tentative Tract Map for the merger and resubdivision of an approximately 1.0-acre site to create one master ground lot comprising the entire site and five above and/or below grade airspace lots, to effectuate a proposed vacation merger along Gower Street, and to grant approval of a haul route, in conjunction with a project consisting of 220 residential apartments, and 3,270 square feet of restaurant use.

The Appellants' statements have been summarized below, with the broad points addressed. (see attached Exhibits for the appellant's entire Appeal Applications).

Appeal No. 1 – Hollywood Residents Association

Appellant's Statements:

1. The following is an appeal of the Advisory Agency 's approval of the Hollywood Gower Project Vesting Tentative Tract Map 74437 Address: 6100-6116 W. Hollywood Blvd. 1633-1649 N. Gower Street, Los Angeles, California 90028, by the Hollywood Residents Association. The Project is inconsistent with the requirements of the California Subdivision Map Act, and with the California Environmental Quality Act (CEQA).

Staff Response:

This comment serves as an introduction to the appeal and claims that the Project is inconsistent with the California Subdivision Map Act and with CEQA. As described in detail in the below responses, the appellant fails to provide substantial evidence of any such inconsistency.

Appellant's Statements:

2. The Vesting Tentative Tract Map is not legal, and should not have been approved, for reasons including, but not limited to:

Government Code 66474:

A legislative body of a city or county shall deny approval of a tentative map, or a parcel map for which a tentative map was not required, if it makes any of the following findings:

(1) That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.

(2) That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.

(3) That the site is not physically suitable for the type of development.

(4) That the site is not physically suitable for the proposed density of development.

(5) That the design of the subdivision or type of improvements is likely to cause serious public health problems.

If the Hollywood Gower Project is allowed to go forward, the southwest corner of Hollywood Boulevard and Gower Street will contain a building rising 252 feet into the air. That is over 100 feet taller than any other building along Hollywood Boulevard. As of April 8th, 2019, no building on Hollywood Boulevard is taller than 150 feet. Furthermore the site is not physically suitable to build the tallest building on Hollywood Boulevard, nor is the site suitable to contain: 220 apartment residences, approximately 3,270 square feet of commercial space, 25,000 square feet of common open space, 22 above-grade stories, and 283 vehicular parking spaces. This is a 1.01 net-acre site, and they'd like one ground lot and 5 airspace lots. This is inconsistent with Government Code 66474, references 1 and 2.

See pictures of 6135 Hollywood Boulevard, facing east, and 6077 Hollywood Boulevard facing west, both with, and without Project:

Staff Response:

This comment cites a portion of Government Code Section 66474 and claims that due to the Project's height and proposed uses, the Project and the requested vesting tentative tract map would be inconsistent with City's General Plan (no specific plan applies to the Project Site).

As set forth in detail in Section IV.H, Land Use and Planning, of the Draft EIR prepared for the Project, as well as in the Subdivision Map Act findings adopted by the Advisory Agency, both the Project and its vesting tentative tract map are consistent with multiple goals, objectives, and policies of the City's General Plan. Specifically, the Project would be consistent with the General Plan Framework Element's Long-Range Land Use Diagram (Metro), which identifies the Project Site as being within a Regional Center. Regional Centers are usually major transportation hubs, and are areas targeted for high density development with a contemplated range of floor area ratios from 1.5:1 to 6:1. Regional Centers are also characterized by buildings that are 6- to 20-stories (or higher). In addition, the Project Site is located within the adopted Hollywood Community Plan, which also classifies the site as within a Regional Center Commercial land use designation, with corresponding zones of C2, C4, P, PB, RAS3, and RAS4. The Project Site is also located within walking distance from the Metro Red Line subway station at Hollywood/Vine, and fronts Hollywood Boulevard, a major commercial transportation corridor as envisioned by the Framework Element's Land Use chapter and the Hollywood Community Plan.

Furthermore, pursuant to Sections 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), the Deputy Advisory Agency is required to make the finding that the proposed project is consistent with applicable General and Specific Plans. As set forth in the findings, The merger and resubdivision of a 1.01 net-acre site into 1 ground lot and 5 airspace lots, in conjunction with the construction of a proposed mixed-use development, is consistent with the General Plan and demonstrates compliance with Sections 17.06 of the Los Angeles Municipal Code as well as with the intent and purpose of the General Plan, with regard to density and use. The project site is not governed by a specific plan. Furthermore, pursuant to Condition 20 of the Letter of Determination, in the event CPC-2016-2848-VZC-HD-CUB-SPR is not approved, the subdivider shall submit a tract modification.

The Project consists of a mix of multi-family residential units and ground-level commercial uses that would be developed in close proximity to extensive transit infrastructure. The residential density is consistent with the Project Site's zoning. The proposed FAR of 4.5:1 is consistent with the range of FARs contemplated by the Framework Element, and matches the FAR contemplated by the Hollywood Community Plan for the Regional Center Commercial designation. The proposed height of 22 stories is consistent with the Framework Element's range of building heights, and no height limit is imposed by the Project Site's zoning. Moreover, the Project's height is consistent with multiple other high-rise buildings in close proximity, including the 20-story Hollywood Proper Residences, the 20-story Sunset and Vine Tower and the 20-story Sunset Media Tower. Therefore, the Project's location, uses, density, FAR, and height are consistent with the land use policies and regulations of the City's General Plan, including the Hollywood Community Plan.

The comment also includes images purporting to depict the Project's massing along Hollywood Boulevard. These images do not accurately depict the Project's proposed height or massing, which are correctly depicted in the Project renderings contained in Section IV.A, Aesthetics, of the Draft EIR. Moreover, as described above, the Project's height and massing are consistent with the General Plan, Community Plan, and Project Site's zoning. Further, as set forth in Section IV.A, the Project's aesthetic impacts related to its height, including visual character, views, and shade and shadow, would be less than significant. As discussed in Section III (Environmental Setting), the Project Site is located within a Transit Priority Area. As such, in accordance with SB 743 and Section 21099(d)(1) of the Public Resources Code, the mixed-use residential Project's potential aesthetic impacts, including those impacts relating to visual quality/aesthetics, views, glare, and shade/shadow impacts,¹ shall not be considered a significant impact on the environment.

¹ CEQA Guidelines Appendix G, which includes a comprehensive list of environmental topics under CEQA, does not expressly list shade and shadow impacts. The L.A. CEQA Thresholds Guide (2006), however, considers shade and shadow impacts to be a type of aesthetic visual character impact under question 1c of CEQA Guidelines, Appendix G. The City has issued Zoning

Appellant's Statements:

3. The approval is also inconsistent with the Vesting Tentative Tract Map, Number 74437, that the City Planning department approved the maximum number of units under the tract action. However, the existing or proposed zoning may not permit this number of units. The City cannot approve the Project, and should deny it on that basis, and the height change should be denied on the basis of Government Code 66474, references 1, 2, 3, and 4. The project is not governed by a specific plan, and is not consistent with the General plan, because the Hollywood Gower project would rise 100 feet in the air above every other building on Hollywood Boulevard. This is inconsistent with Government Code 66474, reference 1.

Staff Response:

This comment recites a statement from the Advisory Agency's approval letter, which states that the existing or proposed zoning may not permit the proposed number of units. However, as detailed in Section IV.H, Land Use and Planning, of the Draft EIR, the Project's proposed 220 residential units are less than the maximum permitted density of 223 units under the Project Site's existing zoning.

The comment also claims that the City should deny a height change, and the Project's height is inconsistent with surrounding development. As described in Response to Appeal Point 1-2, there is no height limit for the Project Site, the Project's proposed height is consistent with both the General Plan and Community Plan, as well as existing nearby high-rise developments, and the Project's aesthetic impacts related to its height would be less than significant. Furthermore, pursuant to Condition 20 of the Letter of Determination, in the event CPC-2016-2848-VZC-HD-CUB-SPR is not approved, the subdivider shall submit a tract modification.

Appellant's Statement:

4. Additionally, the approval of the environmental impacts found not to be significant by the City prior to mitigation regarding aesthetics, a building over 100 feet higher than any other building along Hollywood Boulevard, is a significant aesthetic impact. This is inconsistent with Government Code 66474, reference 3.

Staff Response:

This comment contends that the Project's height constitutes a significant aesthetic impact. As described in Section IV.A, Aesthetics, of the Draft EIR, the Project Site is located within a Transit Priority Area. As such, in accordance with Senate Bill 743 and Section 21099(d)(1) of the Public Resources Code, the mixed-use Project's potential aesthetic impacts, including those impacts relating to visual quality, views, glare, and shade/shadow impacts, shall not be considered a significant impact on the environment as a matter of law. Nonetheless, Section IV.A. includes for informational purposes a detailed analysis of the Project's aesthetic impacts and concluded that such impacts would be less than significant. Moreover, as described in Response to Appeal Point 1-2, the Project's proposed height is consistent with both the General Plan and Community Plan, as well as existing nearby high-rise developments in Hollywood.

Appellant's Statements:

5. In the Notice of Completion and Availability of the Draft Environmental Impact Report- Case Number ENV-2016-2849-EIR, the anticipated significant environmental effects are listed as being related to: Noise, Construction On-Site, Cumulative Construction Noise, Construction Vibration, Traffic, and that all other impacts would be less than significant or mitigated to less-than-significant levels. The City must require a study of those impacts relating to public health impact, as is consistent with the requirements of Government Code 66474, reference 5.

Staff Response:

The comment requests that the City require a study of those impacts relating to public health. The Draft and Final EIR prepared for the Project analyze the Project's anticipated environmental effects, including potential effects pertaining to public health (see, e.g., Section IV.B, Air Quality; Section IV.F, Hazards; and Section IV.I,

Noise). As the commenter notes, the EIR properly identified those significant effects relating to the construction and operation of the Project and determined that all other impacts would be less than significant.

Appellant Statement:

6. In section IV-32 of the Draft EIR, subsection 4. Neighborhood Intrusion/Residential Street Segments, only LA CEQA Threshold Guidelines have been used to determine traffic and neighborhood impact. No analysis has been made into neighborhood intrusion, and a separate Traffic Study must be made to determine the actual impact to neighborhood traffic, and traffic in the surrounding area, before the appeal, irrespective of the City's guidelines. CEQA does not recognize missing data, and that data should be collected by the Project, and the impacts assessed, before appeal approval.

In addition to the factors above, a proper neighborhood intrusion plan would include Carlton Way, Gordon Street, and Carlos Avenue permit only parking for residents, and a discovery study to determine if speed humps are necessary on Carlton Way, as well as large-truck travel restrictions.

Staff Response:

The comment requests that a traffic study be performed to address traffic in the surrounding area, as well as potential neighborhood intrusion impacts. A full transportation impact study was prepared for the Project (included as Appendix I.1 of the Draft EIR). This study was prepared in accordance with the transportation impact study guidelines prepared by the Los Angeles Department of Transportation (LADOT), and LADOT reviewed and approved the Project's traffic study (see Appendix I.2 of the Draft EIR). As established by the City's CEQA Threshold Guide as well as LADOT's transportation impact study guidelines, an analysis of potential neighborhood intrusion impacts is only required for non-residential (and non-school) projects that could be accessed via alternative routes that include local residential streets. As discussed in Section IV.L, Transportation/Traffic of the Draft EIR, the Project is predominantly a residential project, and therefore no further analysis of potential neighborhood intrusion is required. Furthermore, the Project is located within a dense commercial center that is directly served by an existing freeway and multiple commercial streets and is not proximate to a network of residential streets that facilitate access to and from the Project Site (e.g., Carlton Way, Gordon Street, and Carlos Avenue do not directly access the Project Site, lead drivers away from major thoroughfares and freeway access points, and require drivers to make turns against traffic to access major thoroughfares), therefore discouraging use of these streets for access to and from the Project Site. Therefore, no residential street segment analysis was required to be performed under the City's applicable guidelines.

Appellant Statement:

7. Also stated in section cxxiv of The VTTM Number 7 4437, Cultural Resources- Historic Resources "because there are no buildings on the Project Site, construction activities would not directly impact any historical resources ... " and goes on to suggest in MM C-2 that "a structural engineer shall survey the Fonda Theatre to establish baseline conditions and provide shoring design." Under the current CEQA guidelines, this must be mitigated in advance of approval of the VTTM. Approval should be delayed on that basis.

Staff Response:

The comment correctly recites the fact that no historic resources are located on the Project Site. As described in the Draft EIR, the adjacent Fonda Theatre is a historic resource, and to avoid potential impacts during Project construction, mitigation measures were identified under Section IV.C, Cultural Resources and Section IV.I, Noise, of the Draft EIR. These mitigation measures include performing a pre-construction survey of the Fonda Theatre to establish baseline conditions, and a vibration monitoring program during construction activities to avoid building damage. As set forth in the Project's mitigation monitoring program, these mitigation measures are clearly defined and incorporate identifiable performance-based criteria. Performance-based mitigation has long been recognized as valid under CEQA. Therefore, these mitigation measures were properly defined and will be imposed as part of the Project's approval in accordance with the requirements of CEQA.

Appellant Statement:

8. *Under cxxxvii Hazards and Hazardous Materials, mitigation studies should have been carried out before approval, under CEQA guidelines to discover underground storage tanks of hazardous waste, as Government Code 66474, reference 5, "that the design of the subdivision or type of improvements is likely to cause serious public health problems."*

Staff Response:

The comment claims that mitigation studies should have been carried out to discover underground storage tanks (USTs). As described in Section IV.F, Hazards, of the Draft EIR, multiple Phase I and Phase II environmental site assessments have been performed for the Project Site. These studies did not identify the presence of any existing USTs or concentrations of soil contaminants above screening levels. However, based on the prior auto-related uses of the site and the potential to encounter previously identified USTs, other subsurface features, or areas of contaminated soils, the Draft EIR properly identified mitigation measures that require a geophysical survey to be performed prior to construction activities in order to identify potential subsurface features, and that require the preparation and implementation of a soils management plan to ensure that any encountered subsurface features or contaminated soil is handled and disposed of in accordance with all applicable regulatory requirements. With implementation of these mitigation measures, no public health problems relating to hazardous materials would occur.

Appellant Statement:

9. *The Hollywood Residents Association is in agreement with the City that the Project will have significant environmental impacts even after mitigation. In Section 1, Noise, the Project cited:*

"As discussed in the Draft EIR, Section IV.L (Transportation/Traffic) and in Chapter 12 of the Traffic Study (see Draft EIR, Appendix 1.2), while truck traffic would occur throughout the 24 to 26-month duration of Project construction, peak truck traffic would occur during the excavation and grading period (see Draft EIR, page IV.L-30 and Appendix 1.2, Traffic Study, page 134). During this period, there could be up to 130 truck trips per day to and from the Project Site, which would equate to approximately 22 trucks per hour in each direction during non-peak hours. That period is anticipated to last approximately 3 months, or approximately 65 work days. However, haul truck trips during this phase would occur during the hours of 9:00 AM to 3:00 PM (after the morning peak hour and before the afternoon peak hour) as is standard for development in Hollywood. Moreover, in conformance with typical construction site shifts, the majority of construction workers would arrive at the Project Site before the morning peak hour and depart before the afternoon peak hour. Accordingly, the Draft EIR concluded that Project construction is not expected to result in temporary traffic impacts to any study intersections or US-101, with the exception of the intersection of Hollywood and Gower, which is conservatively estimated to experience a temporary significant impact due to the extended temporary closure of one lane on Gower Street to accommodate the concrete pour for the Project."

The traffic impact will be significant, and Project has no proof that it won't be. They have not performed a traffic study. Also the determination letter states 89 days of hauling, not 65. Under Government Code 66474, reference 3, this project is not suitable to Hollywood Boulevard.

Staff Response:

The comment correctly notes that the Project will result in significant environmental impacts even after mitigation, and then cites a response provided in the Final EIR (see Response to Comment 3-3 in Section II, Responses to Comments) that describes the significant and unavoidable construction-period traffic impact at Hollywood and Gower, which is described in both the traffic study prepared for the Project as well as in Section IV.L, Transportation/Traffic, of the Draft EIR. Therefore, contrary to the commenter's claim, a traffic study has

been prepared for the Project, and this study and the Draft EIR disclose the relevant traffic-related significant impacts of the Project.

The comment also notes a discrepancy in Response to Comment 3-3 in the Final EIR. That response referred to an estimated 65 days of hauling activity, which was in error, as the Draft EIR and Project traffic study identified and analyzed up to 89 days of hauling, which is correctly reflected in the vesting tentative tract map's determination letter. The error in Response to Comment 3-3 in the Final EIR is being corrected in the Errata prepared for the Project and dated April 2019.

Appellant Statement:

10. Section cxxxix Operational Noise promises not to exceed sound levels above 85 dBA, however facilities open late in the Hollywood area operate until after 2am, and would cause severe sleep deprivation to residents near the Project Government Code 66474.; reference 5, "that the design of the subdivision or type of improvements is likely to cause serious public health problems." The zoning of a penthouse night club/bar/restaurant is inconsistent with Government Code 66474, references 3 and 4.

Staff Response:

The comment references the operational noise assumptions and project design features discussed in Section IV.I, Noise, of the Draft EIR and raises concerns regarding operational noise levels, implying that the Project may contain a penthouse nightclub/bar/restaurant. The only commercial space proposed for the Project is the ground-level 3,270 square foot retail/restaurant space along Hollywood Boulevard. The residential amenity areas at the 4th level and rooftop levels will be for residents only and will not contain nightclub/bar/restaurant uses. Moreover, as analyzed in the Draft EIR, even with the assumption that all outdoor residential amenity areas are concurrently fully occupied by residents and amplified sound systems are being utilized, the Project would not result in any significant operational noise impacts at any sensitive receptors, including the residential uses to the southeast of the Project.

Appellant Statement:

11. In section cli Transportation/Traffic, the Project states "the vast majority of construction workers would be expected to travel before the morning and afternoon peak hours, although a limited number of workers (approximately 10 percent, or approximately 32 vehicles) maybe on-site later and could leave during the afternoon peak commute hour." PDF L-1 is insufficient to prevent impact by construction worker parking. It only mentions where they cannot park, not how they will go about redirecting the worker's cars and traffic, and it makes no mention of where parking will be or if they have secured a distant parking lot. The Project should study the impact of workers that have to wait for vans, and the vans travel in and out of the Site, and the traffic caused by shuttle vans used for worker parking.

Staff Response:

The commenter speculates that the Project's construction worker parking would create impacts. However, as described in Section IV.L, Transportation/Traffic of the Draft EIR, the Project will incorporate Project Design Feature L-1, which requires the preparation of a Construction Traffic Management Plan, which will designate construction worker parking areas either on-site or in designated off-site public parking areas, require temporary traffic control during all construction activities to improve traffic flow on public roadways, and require the scheduling of construction vehicle movements to ensure that there are no vehicles waiting off-site and impeding public traffic flow on the surrounding streets. This Construction Traffic Management Plan will be reviewed and approved by LADOT prior to issuance of Project building permits. With implementation of this Project Design Feature, temporary impacts relating to construction worker parking will be less than significant.

Appellant Statement:

12. As a final note, if the Section 5 clxviii Alternatives 3 – Reduced Density/Height Alternative, the objection still stands that the Project would rise 189 feet in the air, which is still 39 feet taller than anything else existing on Hollywood Boulevard. Again, this is a 1.01 net-acre site, and they'd like one ground lot and 5 airspace lots. This is inconsistent with Government Code 66474, references 1 and 2, and would still require a zoning and height district change. The VTTM approval should be retracted, and further study should be made. Later

in the VTTM, it's made clear that this reduction would fail to mitigate multiple other infractions to Government Code 66474.

Staff Response:

The comment correctly notes the height of the contemplated building under Alternative 3 as studied in the Draft EIR, and also correctly notes that the development under Alternative 3 would also require a zone and height change, which would permit an FAR that would be consistent with the range of FARs contemplated by the General Plan and Community Plan. As noted in Response to Appeal Point 1-2, the Project's proposed height is consistent with the General Plan, Community Plan, and zoning, and therefore a reduced height under Alternative 3 would also be consistent. In addition, as noted in the Draft EIR, Alternative 3 would not avoid or substantially lessen the Project's construction-related noise, vibration, or traffic impacts.

Appellant Statement:

13. In the statement of overriding considerations, the summary notes that no effort will be made to mitigate noise from on and off site construction, as required by Government Code 66474, reference 3.

Staff Response:

The comment mistakenly claims that no effort will be made to mitigation construction noise impacts. As described in Section IV.I, Noise, of the Draft EIR, all feasible noise and vibration mitigation measures have been identified and will be implemented as part of the Project's conditions of approval and Mitigation Monitoring Program. However, even with incorporation of these mitigation measures, on- and off-site noise and vibration impacts may still occur during construction, and other potential mitigation measures (e.g., installation of a wave barrier, barricades along haul routes) are either technically infeasible or would result in similar or greater impacts.

Appellant Statement:

14. In conclusion, this project is too large, too loud, and too dense to be placed on a tiny, 1.01-acre lot. Nothing else on Hollywood Boulevard and Gower is taller than two stories. This building would be 20 stories taller than anything on the corner. Please see reference pictures on pages 3 and 4.

Staff Response:

This comment concludes the appellant's letter and reiterates the objections regarding the Project's height. As described in Response to Appeal Point 1-2, the Project's height is consistent with the General Plan, Community Plan, and zoning designation. Moreover, the Project's height is consistent with other high-rise development in close proximity of the Project Site. Further, as set forth in Section IV.A, Aesthetics, of the Draft EIR, the Project's aesthetic impacts related to its height, including visual character, views, and shade and shadow, would be less than significant.

Appeal No. 2 – Supporters Alliance for Environmental Responsibility

Appellant Statement:

2-1. REASON FOR THE APPEAL: The Environmental Impact Report ("EIR") prepared for the Hollywood & Gower Project (VTI Map No. 74437; ENV-2016-2849-EIR) ("Project") fails to comply with the California Environmental Quality Act (CEQA).

SPECIFICALLY THE POINTS IN ISSUE: The EIR fails to adequately analyze environmental impacts of the Project, fails to adequately describe the environmental setting of the Project, and fails to propose all feasible mitigation measures and alternatives to reduce Project impacts. Specifically, the EIR found potentially significant impacts in the following categories: biological resources, hazards and hazardous materials, noise, public services, transportation and traffic, and tribal cultural resources. It also found potentially significant impacts for one of the mandatory findings of significance required by CEQA. Appellant also believes the Project will have significant air quality impacts as well as greenhouse gas impacts. These potentially significant impacts must be analyzed in a revised EIR.

HOW YOU ARE AGGREIVED BY THE DECISION: Members of appellants Supporters Alliance for Environmental Rights live in the vicinity of the proposed Project. They breathe the air, suffer traffic congestion, and will suffer other environmental impacts of the Project unless it is properly mitigated. Members of SAFER will be directly affected by soil contamination, improperly controlled construction equipment, and other risks during Project construction.

WHY YOU BELIEVE THE DECISION-MAKER ERRED OR ABUSED THEIR DISCRETION: The Advisory Agency approved the EIR, the Mitigation Monitoring Program, and the Vesting Tentative Tract No. 74437 for the Project despite the fact that the EIR fails to comply with CEQA.

Staff Response:

The comment alleges that the Project's EIR fails to comply with CEQA, yet fails to provide any substantial evidence of any such failure to comply. The comment also lists various environmental topic areas for which the EIR allegedly identified potentially significant impacts, but this list contains errors (no potential impacts regarding biological resources were identified in connection with the Project's proposed redevelopment of a surface parking lot) and also omits multiple environmental topic areas for which the Draft EIR performed comprehensive analysis (including air quality and greenhouse gas impacts) and determined that no significant impacts would occur. As the comment does not include any details that are specific to the Project or to the EIR, and does not provide any substantial evidence regarding the claimed deficiencies of the EIR, it fails to raise any relevant issues under CEQA.

For the reasons articulated above, Staff makes the following recommendation:

1. **Find** that on March 20, 2019, the Advisory Agency Certified the following:

The Hollywood and Gower EIR has been completed in compliance with the California Environmental Quality Act (CEQA);
The Hollywood and Gower EIR was presented to the City Planning Commission as a decision-making body of the lead agency; and
The Hollywood and Gower EIR reflects the independent judgment and analysis of the lead agency.

ADOPTED the following:

The related and prepared Hollywood and Gower Environmental Findings;
The Statement of Overriding Considerations; and
The Mitigation Monitoring Program prepared for the Hollywood and Gower EIR..

2. **Deny**, the appeal for VTT-74437, to recognize the Planning Department's denial of the Appeal.
3. **Approve** the Vesting Tentative Tract Map for the merger and resubdivision of an approximately 1.0-acre site to create one master ground lot comprising the entire site and five above and/or below grade airspace lots, to effectuate a proposed vacation merger along Gower Street, and to grant approval of a haul route..

Exhibit A

4. JUSTIFICATION/REASON FOR APPEAL

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

Are specific conditions of approval being appealed? Yes No

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

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

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

5. APPLICANT'S AFFIDAVIT

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

Appellant Signature: Michael R. O'Keefe Date: 4/5/2019

6. FILING REQUIREMENTS/ADDITIONAL INFORMATION

- Eight (8) sets of the following documents are required for each appeal filed (1 original and 7 duplicates):
 - Appeal Application (form CP-7769)
 - Justification/Reason for Appeal
 - Copies of Original Determination Letter
- A Filing Fee must be paid at the time of filing the appeal per LAMC Section 19.01 B.
 - Original applicants must provide a copy of the original application receipt(s) (required to calculate their 85% appeal filing fee).
- All appeals require noticing per the applicable LAMC section(s). Original Applicants must provide noticing per the LAMC, pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of the receipt.
- Appellants filing an appeal from a determination made by the Department of Building and Safety per LAMC 12.26 K are considered Original Applicants and must provide noticing per LAMC 12.26 K.7, pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of receipt.
- A Certified Neighborhood Council (CNC) or a person identified as a member of a CNC or as representing the CNC may not file an appeal on behalf of the Neighborhood Council; persons affiliated with a CNC may only file as an individual on behalf of self.
- Appeals of Density Bonus cases can only be filed by adjacent owners or tenants (must have documentation).
- Appeals to the City Council from a determination on a Tentative Tract (TT or VTT) by the Area or City Planning Commission must be filed within 10 days of the date of the written determination of said Commission.
- A CEQA document can only be appealed if a non-elected decision-making body (ZA, APC, CPC, etc.) makes a determination for a project that is not further appealable. [CA Public Resources Code ' 21151 (c)].

This Section for City Planning Staff Use Only		
Base Fee: <u>\$89.00</u>	Reviewed & Accepted by (DSC Planner): <u>Anna Van</u>	Date: <u>04/08/2019</u>
Receipt No: <u>0105024 003</u>	Deemed Complete by (Project Planner):	Date:
<input checked="" type="checkbox"/> Determination authority notified		<input type="checkbox"/> Original receipt and BTC receipt (if original applicant)

Justification/Reason for Appeal

Hollywood & Gower Project

VTT Map No. 74437; ENV-2016-2849-EIR

6100-6116 W. Hollywood Blvd., 1633-1649 N. Gower Street, Los Angeles, CA 90028 (Project Site)

REASON FOR THE APPEAL: The Environmental Impact Report (“EIR”) prepared for the Hollywood & Gower Project (VTT Map No. 74437; ENV-2016-2849-EIR) (“Project”) fails to comply with the California Environmental Quality Act (CEQA).

SPECIFICALLY THE POINTS IN ISSUE: The EIR fails to adequately analyze environmental impacts of the Project, fails to adequately describe the environmental setting of the Project, and fails to propose all feasible mitigation measures and alternatives to reduce Project impacts. Specifically, the EIR found potentially significant impacts in the following categories: biological resources, hazards and hazardous materials, noise, public services, transportation and traffic, and tribal cultural resources. It also found potentially significant impacts for one of the mandatory findings of significance required by CEQA. Appellant also believes the Project will have significant air quality impacts as well as greenhouse gas impacts. These potentially significant impacts must be analyzed in a revised EIR.

HOW YOU ARE AGGREIVED BY THE DECISION: Members of appellants Supporters Alliance for Environmental Rights live in the vicinity of the proposed Project. They breathe the air, suffer traffic congestion, and will suffer other environmental impacts of the Project unless it is properly mitigated. Members of SAFER will be directly affected by soil contamination, improperly controlled construction equipment, and other risks during Project construction.

WHY YOU BELIEVE THE DECISION-MAKER ERRED OR ABUSED THEIR DISCRETION: The Advisory Agency approved the EIR, the Mitigation Monitoring Program, and the Vesting Tentative Tract No. 74437 for the Project despite the fact that the EIR fails to comply with CEQA.

4. JUSTIFICATION/REASON FOR APPEAL

Is the entire decision, or only parts of it being appealed? Entire Part
 Are specific conditions of approval being appealed? Yes No

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

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

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

5. APPLICANT'S AFFIDAVIT

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

Appellant Signature: _____

Date: 04/07/19

6. FILING REQUIREMENTS/ADDITIONAL INFORMATION

- Eight (8) sets of the following documents are required for each appeal filed (1 original and 7 duplicates):
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 - Justification/Reason for Appeal
 - Copies of Original Determination Letter
- A Filing Fee must be paid at the time of filing the appeal per LAMC Section 19.01 B.
 - Original applicants must provide a copy of the original application receipt(s) (required to calculate their 85% appeal filing fee).
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- Appeals of Density Bonus cases can only be filed by adjacent owners or tenants (must have documentation).
- Appeals to the City Council from a determination on a Tentative Tract (TT or VTT) by the Area or City Planning Commission must be filed within 10 days of the date of the written determination of said Commission.
- A CEQA document can only be appealed if a non-elected decision-making body (ZA, APC, CPC, etc.) makes a determination for a project that is not further appealable. [CA Public Resources Code ' 21151 (c)].

This Section for City Planning Staff Use Only		
Base Fee: \$89.00 ⁻	Reviewed & Accepted by (DSC Planner): <i>Anna Van</i>	Date: <i>04/08/2019</i>
Receipt No: <i>0103023888</i>	Deemed Complete by (Project Planner):	Date:
<input checked="" type="checkbox"/> Determination authority notified		<input type="checkbox"/> Original receipt and BTC receipt (if original applicant)

Hollywood Residents Association
5419 Hollywood Blvd. Suite C Unit #109
Los Angeles, CA 90027

City of Los Angeles, Planning Commission
200 N. Spring Street
Room 525
Los Angeles, CA 90012
(213) 978-1271

c/o Planning Department
Department of Building & Safety
201 N. Figueroa Street
4th Floor
Los Angeles, CA 90012

RE: Vesting Tentative Tract Map No: 74437
Address: 6100-6116 W. Hollywood Blvd, 1633-1649 N. Gower St.

APN: 5546-027-004, 5546-027-016, 5546-027-017, and 5546-027-018

Community Plan: Hollywood Plan Overlay:
Hollywood Sign District Zone [T][Q]C4-2D-SN/C4-2D-SN
and [T][Q]C4-2D/C4-2D

Proposed Zone: (T)(Q)C4-2D-SN/(T)(Q)C4-2D
Council District: 13 – Mitch O’Farrell

CEQA Number: ENV-2016-2849-EIR

The following is an appeal of the Advisory Agency ‘s approval of the Hollywood Gower Project Vesting Tentative Tract Map 74437 Address: 6100-6116 W. Hollywood Blvd. 1633-1649 N. Gower Street, Los Angeles, California 90028, by the Hollywood Residents Association. The Project is inconsistent with the requirements of the California Subdivision Map Act, and with the California Environmental Quality Act (CEQA).

The Vesting Tentative Tract Map is not legal, and should not have been approved, for reasons including, but not limited to:

Government Code 66474:

A legislative body of a city or county shall deny approval of a tentative map, or a parcel map for which a tentative map was not required, if it makes any of the following findings:

- (1) That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.
- (2) That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.
- (3) That the site is not physically suitable for the type of development.
- (4) That the site is not physically suitable for the proposed density of development.
- (5) That the design of the subdivision or type of improvements is likely to cause serious public health problems.

If the Hollywood Gower Project is allowed to go forward, the southwest corner of Hollywood Boulevard and Gower Street will contain a building rising 252 feet into the air. That is over 100 feet taller than any other building along Hollywood Boulevard. As of April 8th, 2019, no building on Hollywood Boulevard is taller than 150 feet. Furthermore the site is not physically suitable to build the tallest building on Hollywood Boulevard, nor is the site suitable to contain: 220 apartment residences, approximately 3,270 square feet of commercial space, 25,000 square feet of common open space, 22 above-grade stories, and 283 vehicular parking spaces. This is a 1.01 net-acre site, and they'd like one ground lot and 5 airspace lots. This is inconsistent with Government Code 66474, references 1 and 2.

See pictures of 6135 Hollywood Boulevard, facing east, and 6077 Hollywood Boulevard facing west, both with, and without Project:

View of 6135 Hollywood Boulevard, facing east, as it is now:



View of 6135 Hollywood Boulevard, facing east, with Project mockup:



View of 6077 Hollywood Boulevard, facing east, as it is now:



View of 6077 Hollywood Boulevard, facing east, with Project mockup:



The approval is also inconsistent with the Vesting Tentative Tract Map, Number 74437, that the City Planning department approved the maximum number of units under the tract action. However, the existing or proposed zoning may not permit this number of units. The City cannot approve the Project, and should deny it on that basis, and the height change should be denied on the basis of Government Code 66474, references 1, 2, 3, and 4. The project is not governed by a specific plan, and is not consistent with the General plan, because the Hollywood Gower project would rise 100 feet in the air above every other building on Hollywood Boulevard. This is inconsistent with Government Code 66474, reference 1.

Additionally, the approval of the environmental impacts found not to be significant by the City prior to mitigation regarding aesthetics, a building over 100 feet higher than any other building along Hollywood Boulevard, is a significant aesthetic impact. This is inconsistent with Government Code 66474, reference 3.

In the Notice of Completion and Availability of the Draft Environmental Impact Report – Case Number ENV-2016-2849-EIR, the anticipated significant environmental effects are listed as being related to: Noise, Construction On-Site, Cumulative Construction Noise, Construction Vibration, Traffic, and that all other impacts would be less than significant or mitigated to less-than-significant levels. The City must require a study of those impacts relating to public health impact, as is consistent with the requirements of Government Code 66474, reference 5.

In section IV-32 of the Draft EIR, subsection 4. Neighborhood Intrusion/Residential Street Segments, only LA CEQA Threshold Guidelines have been used to determine traffic and neighborhood impact. No analysis has been made into neighborhood intrusion, and a separate Traffic Study must be made to determine the actual impact to neighborhood traffic, and traffic in the surrounding area, before the appeal, irrespective of the City's guidelines. CEQA does not recognize missing data, and that data should be collected by the Project, and the impacts assessed, before appeal approval.

In addition to the factors above, a proper neighborhood intrusion plan would include Carlton Way, Gordon Street, and Carlos Avenue permit only parking for residents, and a discovery study to determine if speed humps are necessary on Carlton Way, as well as large-truck travel restrictions.

Also stated in section cxxiv of The VTTM Number 74437, Cultural Resources- Historic Resources “because there are no buildings on the Project Site, construction activities would not directly impact any historical resources...” and goes on to suggest in MM C-2 that “a structural engineer shall survey the Fonda Theatre to establish baseline conditions and provide shoring design.” Under the current CEQA guidelines, this must be mitigated in advance of approval of the VTTM. Approval should be delayed on that basis.

Under cxxxvii Hazards and Hazardous Materials, mitigation studies should have been carried out before approval, under CEQA guidelines to discover underground storage tanks of hazardous waste, as Government Code 66474, reference 5, “that the design of the subdivision or type of improvements is likely to cause serious public health problems.”

The Hollywood Residents Association is in agreement with the City that the Project will have significant environmental impacts even after mitigation. In Section 1, Noise, the Project cited:

“As discussed in the Draft EIR, Section IV.L (Transportation/Traffic) and in Chapter 12 of the Traffic Study (see Draft EIR, Appendix I.2), while truck traffic would occur throughout the 24 to 26-month duration of Project construction, peak truck traffic would occur during the excavation and grading period (see Draft EIR, page IV.L-30 and Appendix I.2, Traffic Study, page 134). During this period, there could be up to 130 truck trips per day to and from the Project Site, which would equate to approximately 22 trucks per hour in each direction during non-peak hours. That period is anticipated to last approximately 3 months, or approximately 65 work days. However, haul truck trips during this phase would occur during the hours of 9:00 AM to 3:00 PM (after the morning peak hour and before the afternoon

peak hour) as is standard for development in Hollywood. Moreover, in conformance with typical construction site shifts, the majority of construction workers would arrive at the Project Site before the morning peak hour and depart before the afternoon peak hour. Accordingly, the Draft EIR concluded that Project construction is not expected to result in temporary traffic impacts to any study intersections or US-101, with the exception of the intersection of Hollywood and Gower, which is conservatively estimated to experience a temporary significant impact due to the extended temporary closure of one lane on Gower Street to accommodate the concrete pour for the Project.”

The traffic impact will be significant, and Project has no proof that it won't be. They have not performed a traffic study. Also the determination letter states 89 days of hauling, not 65. Under Government Code 66474, reference 3, this project is not suitable to Hollywood Boulevard.

Section cxxxix Operational Noise promises not to exceed sound levels above 85 dBA, however facilities open late in the Hollywood area operate until after 2am, and would cause severe sleep deprivation to residents near the Project Government Code 66474:, reference 5, “that the design of the subdivision or type of improvements is likely to cause serious public health problems.” The zoning of a penthouse night club/bar/restaurant is inconsistent with Government Code 66474, references 3 and 4.

In section cli Transportation/Traffic, the Project states “the vast majority of construction workers would be expected to travel before the morning and afternoon peak hours, although a limited number of workers (approximately 10 percent, or approximately 32 vehicles) maybe on-site later and could leave during the afternoon peak commute hour.” PDF L-1 is insufficient to prevent impact by construction worker parking. It only mentions where they cannot park, not how they will go about redirecting the worker's cars and traffic, and it makes no mention of where parking will be or if they have secured a distant parking lot. The Project should study the impact of workers that have to wait for vans, and the vans travel in and out of the Site, and the traffic caused by shuttle vans used for worker

parking.

As a final note, if the Section 5 clxviii Alternatives 3 – Reduced Density/Height Alternative, the objection still stands that the Project would rise 189 feet in the air, which is still 39 feet taller than anything else existing on Hollywood Boulevard. Again, this is a 1.01 net-acre site, and they'd like one ground lot and 5 airspace lots. This is inconsistent with Government Code 66474, references 1 and 2, and would *still* require a zoning and height district change. The VTTM approval should be retracted, and further study should be made. Later in the VTTM, it's made clear that this reduction would fail to mitigate multiple other infractions to Government Code 66474.

In the statement of overriding considerations, the summary notes that no effort will be made to mitigate noise from on and off site construction, as required by Government Code 66474, reference 3. In conclusion, this project is too large, too loud, and too dense to be placed on a tiny, 1.01-acre lot. Nothing else on Hollywood Boulevard and Gower is taller than two stories. This building would be 20 stories taller than anything on the corner. Please see reference pictures on pages 3 and 4.

Thank you for your time. We reserve the right to submit further objections at a later date.

Sincerely and respectfully,

Hollywood Residents Association
5419 Hollywood Blvd. Suite C Unit #109
Los Angeles, CA 90027