

VESTING TENTATIVE TRACT MAP NO. 74371 (stamped map-dated August 24, 2018)

HEARING DATE: August 12, 2020, 10:30 A.M., Electronic Meeting

### PLANNING DEPARTMENT STAFF REPORT

PURSUANT TO ORDINANCE NO. 164,845, IF A CERTIFICATE OF POSTING HAS NOT BEEN SUBMITTED BEFORE THE DATE OF THE PUBLIC HEARING, IT MUST BE PRESENTED AT THE HEARING, OR THE CASE MUST BE CONTINUED.

### REQUEST

The Advisory Agency will consider:

1. Pursuant to Section 21082.1(c)(3) of the California Public Resources Code the consideration and certification of the Environmental Impact Report (EIR), ENV-2016-3177-EIR (SCH No. 2017051079) prepared for this Project, which includes the Draft EIR, ENV-2016-3177-EIR (SCH No. 2017051079, dated February 27, 2020; Final EIR, dated July 31, 2020, and Errata, dated August 6, 2020 (Hollywood & Wilcox Project EIR), as well as the whole of the administrative record;
2. Pursuant to the Los Angeles Municipal Code (LAMC) Sections 17.06 and 17.15, Vesting Tentative Tract Map (VTTM) No. 74371 for the merger and re-subdivision of a 1.38 net-acre site into three (3) ground floor commercial lots and three condominium lots with a maximum number of 260 residential apartment units, up to 10 percent (26 units) of which would be set aside for workforce housing, and 17,800 square feet of commercial space in the C4 Zone and a merger of an existing street easement along Wilcox Avenue; and
3. A Haul Route for the export of up to 58,000 cubic yards of soil.

### PROJECT ADDRESS

6430-6440 West Hollywood Boulevard and 1624-1648 North Wilcox Avenue

### APPLICANT

6436 Hollywood Blvd., LLC and 1624 Wilcox  
Dave Twerdun  
40 West 57<sup>th</sup> Street, 15<sup>th</sup> Floor  
New York, NY 10019

### REPRESENTATIVE

Armbruster Goldsmith & Delvac, LLP  
Mark Armbruster  
12100 Wilshire Blvd  
Los Angeles, CA 90028

### RELEVANT CASES

ON-SITE:

CPC-2016-3176-VZC-HD-VCU-MCUP-SPR: A concurrent request for a Vesting Zone Change and Height District Change to modify the Development Limitation (per Ordinance No. 165,660-SA220 & SA90) and allow a maximum floor area ratio (FAR) of 4.5:1 in lieu of the otherwise permitted 2:1

FAR; a Vesting Conditional Use Permit to allow floor area ratio averaging in a Unified Development; a Master Conditional Use Permit to allow the sale and dispensing of a full line of alcoholic beverages for on and off-site consumption within 3 restaurants and/or retail stores; and Site Plan Review for the development of a project that results in an increase of 50 or more dwelling units.

ENV-2016-3177-EIR: The information contained in the Environmental Impact Report (EIR) prepared for this Project, which includes the Draft EIR, ENV-2016-3177-EIR (SCH No. 2017051079), dated February 22, 2020; and Final EIR, dated July 31, 2020, as well as the whole of the administrative record.

Ordinance No. 165,660 (Subareas 220 & 90): Effective May 6, 1990, an Ordinance establishing a Development Limitation that limits the total FAR contained in all buildings on said parcels to a maximum 2:1 FAR and imposes a maximum height of 45 feet for parcels along Hollywood Boulevard. A project could exceed the 2:1 FAR subject to certain conditions.<sup>1</sup>

#### OFF-SITE:

VTT-74521: On August 03, 2018, the Advisory Agency approved Vesting Tentative Tract Map No. 74521, for the merger of five (5) lots and re-subdivision into one (1) ground lot and five (5) airspace lots, for a project consisting of an 11-story mixed-use hotel containing 198 guest rooms and 5,557 square feet of commercial uses; restoration of a 12-unit apartment building; and the demolition and replacement of an accessory building, located at 1600-1616 ½ North Schrader Boulevard and 6533 Selma Avenue.

VTT-82829-CN: On October 23, 2019, a Vesting Tentative Tract No. 82829-CN was filed, for the subdivision of 152 residential condominium units and 6,586 square feet of commercial retail space and 2 levels of subterranean parking, maximum height of 83 feet or 7 story, located at 1630 North Schrader Boulevard. This case is still being processed.

VTT-68839: On March 11, 2008, the Advisory Agency approved Vesting Tentative Tract Map No.68839, for the merger of two (2) lots and re-subdivision into one (1) ground lot, for a project consisting of a 7-story office building containing 50 units of office condominiums (72,576 square feet); and a 2 story building that will remain; and the demolition of a surface parking lot, located at 6516-6526 West Selma Avenue.

#### PUBLIC RESPONSES

After the distribution of the notice of public hearing, Planning Staff received four emails regarding the Project, with issues including the height, size, relation to historic structures, and nearby historic district, Air Quality impacts, Noise Impacts, Historic impacts, Police impacts, Solid Waste Impacts and one phone message from a member of the public regarding the Project. No other written responses were submitted to the Los Angeles City Planning Department.

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<sup>1</sup> A project could exceed the permitted 2:1 FAR if certain conditions are met. The conditions are: a) The Community Redevelopment Agency Board finds that the project conforms to: (1) the Hollywood Redevelopment Plan, (2) a Transportation Program adopted by the Community Redevelopment Agency Board pursuant to Section 518.1 of the Redevelopment Plan, (3) the Hollywood Boulevard District urban design plan as approved by the City Planning Commission and adopted by the CRA Board pursuant to Sections 501 and 506.2.1 of the Hollywood Redevelopment Plan; and, If applicable, (4) any Designs for Development adopted pursuant to Section 503 of the Redevelopment Plan; and b) The project complies with the following two requirements: A Disposition and Development Agreement or Owner Participation Agreement has been executed by the Community Redevelopment Agency Board; and the Project is approved by the City Planning Commission, or the City Council on appeal, pursuant to the procedures set forth In Municipal Code Section 12.24 B.3.

## GENERAL COMMENTS

### *Project Summary*

The request before the Deputy Advisory Agency is a Vesting Tentative Tract Map for a Project that includes the demolition of three buildings totaling 20,200 square feet of floor area, the restoration of the existing two-story, 9,000 square foot Attie Building located at 6440 Hollywood Boulevard, and the construction of a mixed-use building, comprised of 260 residential dwelling units, up to 10 percent (26 units) of which would be set aside for workforce housing, and 17,800 new square feet of commercial uses, comprised of 11,020 square feet of retail, 3,580 square feet of office, and 3,200 square feet of restaurant uses. In total, the Project would include up to 278,892 square feet of floor area, with a maximum FAR of 4.5:1. New development would range in height from one to 15 stories with a maximum building height of 160 feet. The subject Vesting Tentative Tract Map includes the merger and re-subdivision of a 1.38 net-acre site into three (3) ground floor commercial lots and three condominium lots with a maximum number of 260 residential apartment units and 17,800 square feet of commercial space in the C4 Zone, a merger of an existing street easement along Wilcox Avenue, and a Haul Route for the export of up to 58,000 cubic yards of soil.

### *Environmental Leadership Development Project*

The Project Applicant submitted an application to the Governor for certification of the Project as a leadership project under AB 900, as amended by AB 246, and the application was subject to public review from February 2, 2019, through March 7, 2019. On March 13, 2019, the California Air Resources Board issued Executive Order G-18-122, determining that the Project would not result in any net additional GHG emissions for purposes of certification under AB 900. On October 10, 2019, the Governor certified the Project as an eligible project under AB 900, and the Governor's Office of Planning and Research (OPR) forwarded the Governor's determination to the Joint Legislative Budget Committee. According to PRC Section 21184(b)(2)(C), if "the Joint Legislative Budget Committee fails to concur or nonconcur on a determination by the Governor within 30 days of the submittal, the leadership project is deemed to be certified." The Joint Legislative Budget Committee issued a concurrence letter on November 8, 2019, and as a result, the Project has been deemed certified. The Governor's certification and Joint Legislative Budget Committee's concurrence letter are provided in Appendix B of the Draft EIR.

As part of the ELDP certification requirements, the Project will be conditioned to provide an energy efficient building which reduces consumption by 22 percent below LEED baseline, outdoor water use 30 percent below code required baseline, indoor water use 35 percent below code required baseline, transportation efficiencies with result in a 15 percent reduction in VMT, a minimum of 105 kilowatts of solar energy generation on site, and the purchase of carbon credits with offset operation and construction. The Project would also be required to pay prevailing wages for construction workers, as well as contributing \$100 Million to the California economy upon completion of construction.

### *Project Site Location and Characteristics*

The Project Site is a relatively flat, irregular shaped site, comprised of six (6) parcels consisting of 79,890 gross square feet, or 59,933 net square feet after dedication, with approximately 100 feet of frontage along Hollywood Boulevard and 345 feet of frontage along Wilcox Avenue. The Project Site is designated for Regional Center Commercial land uses and zoned for commercial uses. The three lots that front Hollywood Boulevard (Parcels 4, 4A, and 5) are zoned C4-2D-SN (Commercial Zone, Height District 2 with a Development Limitation, that limits the total FAR contained in all buildings on parcels fronting Hollywood Boulevard to a maximum 2:1 FAR and maximum height of 45 feet, and Hollywood Signage Supplemental Use District [HSSUD]). The three lots (Parcels 1, 2, and 3) that front Wilcox Avenue are zoned C4-2D (Commercial, Height District 2 with Development Limitation that limits the total FAR contained in all buildings on said parcels to a maximum 2:1 FAR and

maximum height of 45 feet). Commercial zones permit a wide array of land uses including commercial, office, residential, retail, and hotel uses. Pursuant to LAMC Section 12.22 A.18, parcels located in a C4 Zone and designated Regional Center Commercial are permitted to use R5 density (200 square feet of lot area per dwelling unit). In conjunction with the C4 Zone, Height District 2, does not restrict the number of stories or height, and permits a maximum FAR of 6:1, however as stated above the Site's Development Limitation limits the total floor area contained in all buildings on to a maximum FAR of 2:1 and maximum height of 45 feet for the parcels along Hollywood Boulevard.

The Project Site is currently developed with four low-rise commercial buildings, including the Attie Building located at 6440 Hollywood Boulevard, that comprise a total of 29,200 square feet of floor area as well as surface parking. The 9,000-square-foot Attie Building located at the corner of Hollywood Boulevard and Wilcox Avenue is a contributing structure to the Hollywood Boulevard Commercial and Entertainment District and would be restored as part of the Project. Landscaping within the Project Site is limited, two (2) ornamental trees located along Hollywood Boulevard and two (2) ornamental trees are located within the surface parking lot.

The Project Site is located in the Hollywood Community Plan area, the Hollywood Boulevard Commercial and Entertainment District, a Los Angeles State Enterprise Zone, a Los Angeles Promise Zone, the Hollywood Entertainment District Business Improvement District, and a Transit Priority Area pursuant to SB 743.

The Project Site is located approximately six miles northwest of Downtown Los Angeles and approximately 12 miles northeast of the Pacific Ocean. Primary regional access is provided by the Hollywood Freeway (US-101) located approximately 0.4 miles east of the Project Site. Major arterials providing regional access to the Project Site include Hollywood Boulevard, Cahuenga Boulevard, Vine Street, and Sunset Boulevard. The Project Site is approximately 0.25 miles west of the Los Angeles County Metropolitan Transportation Authority (Metro) Hollywood/Vine Red Line Station of the Red Line and is served by several bus lines with stops along Hollywood Boulevard.

### *Adjacent Uses*

North: Properties located to the north of the Project Site along Hollywood Boulevard are zoned C4-2D-SN, and improved with the five-story Hollywood Pacific Theater (also known as the Warner Pacific Theatre or Warner Hollywood Theatre) at 6433 Hollywood Boulevard. Other properties located to the north are primarily two- and one-story retail uses including coffee shops and eateries.

South: Properties located to the south of the Project Site are zoned (T)(Q)C2-2D, C4-2D-SN and C4-2D, and improved with a three-story building, the Mark Twain Hotel at 1622 Wilcox Avenue (C4-2D). Additionally, the newly constructed 10-story Dream Hotel is located southeast of the Project Site within the same block at 6417 Selma Avenue.

East: Properties located to the east of the Project Site are zoned C4-2D-SN and include a one-story retail building immediately east on Hollywood Boulevard. A four-story retail building is located at 6400 West Hollywood Boulevard.

West: Properties located to the west of the Project Site along Wilcox Avenue are zoned C4-2D-SN and C4-2D and include a two-story building, The Sayers Club at 1607 North Wilcox Avenue. Other properties facing Hollywood Boulevard are single-story commercial buildings with surface parking lots including the Los Angeles Contemporary Exhibitions at 6522 Hollywood Boulevard.

### *Streets and Circulation*

Wilcox Avenue, adjoining the Project Site to the west, is a designated Modified Avenue III per the Mobility Plan, requiring a 35-foot half-width right-of-way within a 20-foot half-width right-of-way. Wilcox Avenue is improved with paved roadway, concrete curb, gutter, and sidewalk.

Hollywood Boulevard, adjoining the Project Site to the north, is a designated Avenue I per the Mobility Plan, requiring a 35-foot half-width roadway within a 50-foot half-width right-of-way. Hollywood Boulevard is improved with paved roadway, concrete curb, gutter, and sidewalk.

Selma Avenue, is located south of the Project Site, is designated a Local Street per the Mobility Plan, requiring an 18-foot half-width roadway with a 30-foot half-width right-of-way. Selma Avenue is improved with paved roadway, concrete curb, gutter, and sidewalk.

Cahuenga Boulevard, is located east of the Project Site and a designated Modified Avenue II south of Franklin Avenue and a designated Avenue I north of Franklin Avenue per the Mobility Plan requiring a 28-foot half-width roadway with an 40-foot half-width right-of-way. Cahuenga Boulevard is improved with paved roadway, concrete curb, gutter, and sidewalk.

## REPORTS RECEIVED

BUREAU OF ENGINEERING: Recommends that the Project be subject to conditions stated in the memo dated December 18, 2018. See recommended conditions in **Draft Vesting Tentative Tract Report with Conditions** under department.

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION: Recommends conditions in the memo dated November 14, 2018. See recommended conditions in **Draft Vesting Tentative Tract Report with Conditions** under department.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION: A clearance letter will be issued stating that no Building and Zoning Code violations exist on the Project Site once the items identified in the memo dated November 9, 2018 have been satisfied. See recommended conditions in **Draft Vesting Tentative Tract Report with Conditions** under department.

DEPARTMENT OF TRANSPORTATION: Recommends that the Project be subject to conditions stated in the memo dated August 4, 2020. See recommended conditions in the **Draft Vesting Tentative Tract Report with Conditions** under this department.

FIRE DEPARTMENT: Recommends that the Project be subject to conditions stated in the memo dated November 28, 2018. See recommended condition in **Draft Vesting Tentative Tract Report with Conditions** under department.

DEPARTMENT OF WATER AND POWER: Reports that all required water mains have been installed and that the tract can be supplied with water from the municipal system subject to the LADWP's Water System Rules and upon payment of regular service connection charges, as stated in the memo dated January 22, 2019. See recommended conditions in **Draft Vesting Tentative Tract Report with Conditions** under department.

BUREAU OF STREET LIGHTING: Recommends that the Project be subject to conditions stated in the memo dated November 7, 2018. See recommended conditions in **Draft Vesting Tentative Tract Report with Conditions** under department.

DEPARTMENT OF RECREATION AND PARKS: A memo dated December 7, 2018, stated that the RAP recommends that, as the application for the vested tentative tract map was deemed complete on September 12, 2016, that the Quimby Fees be based on the C4 Zone. See recommended conditions in **Draft Vesting Tentative Tract Report with Conditions** under department.

BUREAU OF SANITATION: Wastewater Collection System Division of the Bureau of Sanitation has reviewed the sewer/storm drain lines serving the subject tract and found no potential problems to

their structures or potential maintenance problems, as stated in the memo dated November 14, 2018. See recommended condition in **Draft Vesting Tentative Tract Report with Conditions** under department.

LOS ANGELES UNIFIED SCHOOL DISTRICT: No comments were available at the writing of the staff report.

### ENVIRONMENTAL CLEARANCE

The information contained in the Environmental Impact Report (EIR) prepared for this Project, which includes the Draft EIR, ENV-2016-3177-EIR (SCH No.2017051079), dated February 27, 2020 and the Final EIR, dated July 31, 2020, and Errata, dated August 6, 2020 (Hollywood & Wilcox Project EIR), as well as the whole of the administrative record.

### STAFF RECOMMENDATIONS

Planning Department staff recommends that ENV-2016-3177-EIR be certified, and that Vesting Tentative Tract Map No. 74371 (map stamp-dated August 24, 2018) and the request for a haul route be approved with conditions. If approved, the tract would be subject to the standard conditions and the additional conditions in the Draft Vesting Tentative Tract Report with Conditions.

Prepared by:  
Jason McCrea  
Planning Assistant  
(213) 847-3672

Note: Recommendation does not constitute a decision. Changes may be made by the Advisory Agency at the time of the public hearing.

**DRAFT TENTATIVE TRACT REPORT WITH CONDITIONS**

**FIND**, that the Advisory Agency has reviewed and considered the information contained in the Environmental Impact Report ENV-2016-3177 (SCH No. 2017051079), dated April 16, 2020, and the Final EIR, dated July 31, 2020, and Errata, dated August 6, 2020 (collectively, Hollywood Wilcox Project EIR), as well as the whole of the administrative record, and

**CERTIFIED** the following:

- 1) The Hollywood Wilcox Project EIR has been completed in compliance with the California Environmental Quality Act (CEQA);
- 2) The Hollywood Wilcox Project EIR was presented to the Advisory Agency as a decision-making body of the lead agency; and
- 3) The Hollywood Wilcox Project EIR reflects the independent judgment and analysis of the lead agency.

**ADOPTED** the following:

- 1) The related and prepared Hollywood Wilcox Project EIR Environmental Findings;
- 2) The Statement of Overriding Considerations; and
- 3) The Mitigation Monitoring Program prepared for the Hollywood Wilcox Project EIR.

Pursuant to Section 17.15 of the Los Angeles Municipal Code (LAMC), the Advisory Agency **DENIED/APPROVED:**

Vesting Tentative Tract Map No. 74371 for the merger and re-subdivision of a 1.38 net-acre site into three (3) ground floor commercial lots and three condominium lots with a maximum number of 260 residential apartment units, up to 10 percent (26 units) of which would be set aside for workforce housing and 17,800 square feet of commercial space in the C4 Zone; a merger of an existing street easement along Wilcox Avenue; and a Haul Route for the export of up to 58,000 cubic yards of soil, located at 6430-6440 West Hollywood Boulevard and 1624-1648 North Wilcox Avenue, for the development of a mixed-use project (Project) consisting of 260 residential units, up to 17,800 square feet for ground floor commercial uses and up to 420 parking spaces, as shown on the map stamped August 24, 2018 in the Hollywood Community Plan area.

The sub-divider is hereby advised that the LAMC may not permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety, which will legally interpret the Zoning Code as it applies to this particular property.

The Advisory Agency's approval is subject to the following conditions:

The final map must record within 36 months of this approval, unless a time extension is granted before the end of such period.

**NOTE** on clearing conditions: When two or more **agencies** must clear a condition, subdivider should follow the sequence indicated in the condition. For the benefit of the Project Applicant, subdivider shall maintain record of all conditions cleared, including all material supporting clearances and be prepared to present copies of the clearances to each reviewing agency as may be required by its staff at the time of its review.

Pursuant to Section 12.32 G of the Municipal Code, the (T) Tentative Classification shall be removed by the recordation of a final parcel or tract map or by posting of guarantees through the B-permit process of the City Engineer to secure the following without expense to the City of Los Angeles, with

copies of any approval or guarantees provided to the Department of City Planning for attachment to the planning case file.

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

### **BUREAU OF ENGINEERING - SPECIFIC CONDITIONS**

*(Additional BOE Improvement Conditions are listed in "Standard Condition" section)*

1. That the City Department of Transportation in a letter to City Engineer shall determine that the merger areas is not necessary for current and future Public Street.
2. That the Department of City Planning in a letter to the City Engineer also determine that the proposed merger areas are consistent with all applicable General Plan Elements of Highway and Circulation Elements for LA Mobility Plan.
3. In the event that Department of Transportation and Department of City Planning have no objections to the street mergers than an excess street right-of-way beyond 35-foot measured from centerline of Wilcox Avenue adjoining the tract be permitted to be merged with the remainder of the tract map pursuant to Section 66499.20.2 of the State Government Code, and in addition, the following conditions be executed by the applicant and administered by the City Engineer:
  - a. That consents to the street being merged and waivers of any damages that may accrue as a result of such mergers be obtained from all property owners who might have certain rights in the area being merged.
  - b. That satisfactory arrangements be made with all utility agencies maintaining existing facilities within the area being merged.
4. That variable width public sidewalk easement be provided within the merger area to complete a 15-foot wide concrete public sidewalk in accordance with Modified Avenue III Standards of the LA Mobility Plan.
5. That any surcharge fee in conjunction with the street merger requests be paid.
6. That the subdivider make a request to the Central District Office of the Bureau of Engineering to determine the capacity of the existing sewers in this area.
7. That a certified Survey Plan be submitted showing the area being merged including the proposed public sidewalk easement for the final map check.

### **DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION**

8. Comply with any requirements with the Department of Building and Safety, Grading Division for recordation of the final map and issuance of any permit.
9. Per LAMC Sec. 17.56, the Tract Map recorded with the County Recorder shall contain the following statement; "The approval of this Tract Map shall not be construed as having been



based upon geological investigation such as will authorize the issuance of building permits on the subject property. Such permits will be issued only at such time as the Department of Building and Safety has received such topographic maps and geological reports as it deems necessary to justify the issuance of such building permits.”

#### **DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION**

10. Prior to recordation of the final map, the Department of Building and Safety, Zoning Division shall certify that no Building or Zoning Code violations exist on the subject site. In addition, the following items shall be satisfied:
- a. Provide copy of building records, plot plan, and certificate of occupancy of all existing structures to verify the last legal use and the number of parking spaces required and provided on each site.
  - b. Required parking spaces are required to remain for the remaining structure on the site. Show location of all parking spaces and access driveways. Provide copies of permits and final inspection cards, for any new garages or carports.
  - c. Obtain permits for the demolition or removal of all existing structures on the site. Accessory structures and uses are not permitted to remain on lots without a main structure or use. Provide copies of the demolition permits and signed inspection cards to show completion of the demolition work.
  - d. Specify on the map the proposed uses and the number of condominium units of the project.
  - e. Provide a copy of D condition(s). Show compliance with the above condition as applicable or Department of City Planning approval is required.
  - f. Provide a copy of affidavit AFF-26214. Show compliance with all the conditions/requirements of the above affidavit(s) as applicable. Termination of above affidavit(s) may be required after the Map has been recorded. Obtain approval from the Department, on the termination form, prior to recording.
  - g. Provide a copy of CPC case CPC-2016-3176-VZC-HD-CU-MCUP-SPR. Show compliance with all the conditions/requirements of the CPC case(s) as applicable.
  - h. Provide a copy of the application or resolution for street vacation. The street vacation shall be completed prior to or concurrently with the Map recording.
  - i. Show all street dedication(s) as required by Bureau of Engineering and provide net lot area after all dedication. “Area” requirements shall be re-checked as per net lot area after street dedication. Front and side yard requirements shall be required to comply with current code as measured from new property lines after dedication(s).
  - j. Submit a revised Map that dimensions each air space lot with a finite width, length, and upper and lower elevations. The final Map shall be based upon a site plan which accurately describes the location of such lots.
  - k. Record a Covenant and Agreement to treat the buildings and structures located in an Air Space Subdivision as if they were within a single lot.

Notes:

Each Air Space lot shall have access to a street by one or more easements or other entitlements to use in a form satisfactory to the Advisory Agency and the City Engineer.

The submitted Map may not comply with the number of parking spaces required by Section 12.21 A 4 (a) based on number of habitable rooms in each unit. If there are insufficient numbers of parking spaces, obtain approval from the Department of City Planning.

The submitted Map may not comply with the number of guest parking spaces required by the Advisory Agency.

The existing or proposed building plans have not been checked for and shall comply with Building and Zoning Code requirements. With the exception of revised health or safety standards, the subdivider shall have a vested right to proceed with the proposed development in substantial compliance with the ordinances, policies, and standards in effect at the time the subdivision application was deemed complete. Plan check will be required before any construction, occupancy or change of use.

If the proposed development does not comply with the current Zoning Code, all zoning violations shall be indicated on the Map.

Backup space for parking space with less than 26'-8" shall provide sufficient parking stall width and garage door opening width to comply with the current Zoning Code requirement.

An appointment is required for the issuance of a clearance letter from the Department of Building and Safety. The applicant is asked to contact Eric Wong at (213) 482-6876 to schedule an appointment.

## DEPARTMENT OF TRANSPORTATION

11. That prior to recordation of the final map, satisfactory arrangements shall be made with the Department of Transportation to assure:

1. Recommended Haul Route:  
**Option 1 (For Ten Wheeler Dumps):**

Loaded Truck: Exit jobsite onto Wilcox Ave (Northbound); Right onto Hollywood Blvd (Eastbound); Left onto Cahuenga Blvd (Northbound); Continue straight onto Cahuenga Blvd (Northbound); Merge onto N/B Hollywood Fwy (US-101); continue onto N/B Hollywood Fwy (CA-170); Merge onto N/B Golden State Freeway (I-5); Continue to disposal site outside of city limits.

Empty Truck: Enter S/B Golden State Fwy (I-5); Merge onto S/B Hollywood Fwy (CA-170); Continue onto S/B Hollywood Fwy (US-101); Exit towards Cahuenga Blvd (Southbound); Right onto Cahuenga Blvd (Southbound); Right onto Selma Ave (West Bound); Right onto Wilcox Ave (Northbound) towards job site: 1624-1648 North Wilcox Ave.

- Option 2 (For Trucks Larger Than a Ten Wheeler Dump):**

Loaded Truck: Exit jobsite onto Wilcox Ave (Northbound); Right onto Hollywood Blvd (Eastbound); Left onto Cahuenga Blvd (Northbound); Continue straight onto Cahuenga Blvd (Northbound); Merge onto N/B Hollywood Fwy (US-101); continue onto N/B Hollywood Fwy (CA-170); Merge onto N/B Golden State Freeway (I-5); Continue to disposal site outside of city limits.

Empty Truck: Enter S/B Golden State Fwy (i-5); Merge onto S/B Hollywood Fwy (CA-170); Continue onto S/B Hollywood Fwy (US-101); Exit towards Cahuenga Blvd (Southbound); Right onto Cahuenga Blvd (Southbound); Right onto Sunset Blvd (West Bound); Right onto Wilcox Ave (Northbound) towards job site: 1624-1648 North Wilcox Ave.

2. Days and Hours of Hauling Operation:
  - a. Hauling shall be from 9 AM to 3 PM weekdays, and 8 AM to 4 PM on Saturdays. No hauling shall be performed on Sundays and holidays.
3. Staging Area:
  - a. No staging on Wilcox Avenue. All trucks shall be staged on the jobsite. No interference to traffic, access to driveways must be maintained at all times.
4. Additional Comments and/or Requirements:
  - a. Contractor shall contact LADOT at (213) 485-2298 at least four business days prior to hauling to post "Temporary Tow Away Stopping" signs along Wilcox Ave., adjacent to jobsite if needed for hauling.
  - b. Flagger control should be provided during the hauling operations to assist with ingress/egress of truck traffic and pedestrian traffic on Wilcox Ave. Should the sidewalk need to be closed during hauling, a permit and approval from the Department of Public Works, Bureau of Street Services is required, and the proper sidewalk detour shall be implemented per CA MUTCD TA-28 or page 48 of the WATCH Manual. If you have any questions, please call Jedah Mosqueda at (323) 957-6823.

## **FIRE DEPARTMENT**

12. Prior to the recordation of the final map, a suitable arrangement shall be made satisfactory to the Fire Department, binding the sub-divider and all successors to the following:
  - a. Access for Fire Department apparatus and personnel to and into all structures shall be required.
  - b. One or more Knox Boxes will be required to be installed for LAFD access to the project. Location and number to be determined by LAFD Field Inspector (Refer to FPB Req #75).
  - c. 505.1 Address identification. New and existing buildings shall have approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property.
  - d. The entrance to the Residential lobby must be within 50 feet of the desired street address curb face.
  - e. Where above ground floors are used for residential purposes, the access requirement shall be interpreted as being the horizontal travel distance from the street, driveway, alley, or designated fire lane to the main entrance of individual units.
  - f. The entrance or exit of all ground dwelling units shall not be more than 150 feet from

the edge of a roadway or an improved street, access road, or designated fire lane.

- g. No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
- h. The Fire Department may require additional vehicular access where buildings exceed 28 feet in height.

**2014 CITY OF LOS ANGELES FIRE CODE, SECTION 503.1.4 – (EXCEPTION)**

- i. When this exception is applied to a fully fire sprinkler-ed residential building equipped with a wet standpipe outlet inside an exit stairway with at least a 2 hour rating the distance from the wet standpipe outlet in the stairway to the entry door of any dwelling unit or guest room shall not exceed 150 feet of horizontal travel AND the distance from the edge of the roadway of an improved street or approved fire lane to the door into the same exit stairway directly from outside the building shall not exceed 150 feet of horizontal travel.

It is the intent of this policy that in no case will the maximum travel distance exceed 150 feet inside the structure and 150 feet outside the structure. The term “horizontal travel” refers to the actual path of travel to be taken by a person responding to an emergency in the building.

- j. This policy does not apply to single family dwelling or to non-residential buildings.
- k. Building designs for multi-storied residential buildings shall incorporate at least one access stairwell off the main lobby of the building; But, in no case greater than 150 ft horizontal travel distance from the edge of the public street, private street or Fire Lane. The stairwell shall extend onto the roof.
- l. Entrance to the main lobby shall be located off the address side of the building.
- m. Any required Fire Annunciator panel or Fire Control Room shall be located within 20ft visual line of site of the main entrance stairwell or to the satisfaction of the Fire Department.
- n. Fire lane width shall not be less than 20 feet. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width.
- o. The width of private roadways for general access use and fire lanes shall not be less than 20 feet, and the fire lane must be clear to the sky.
- p. Fire lanes, where required and dead ending streets shall terminate in a cul-de-sac or other approved turning area. No dead ending street or fire lane shall be greater than 700 feet in length or secondary access shall be required.
- q. Submit plot plans indicating access road and turning area for Fire Department approval.
- r. All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.
- s. Plans showing areas to be posted and/or painted, “FIRE LANE NO PARKING” shall be submitted and approved by the Fire Department prior to building permit application

sign-off.

- t. Electric Gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety granting a Certificate of Occupancy.
- u. All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.
- v. Adequate off-site public and on-site private fire hydrants may be required. Their number and location to be determined after the Fire Department's review of the plot plan.
- w. The Fire Department may require additional roof access via parapet access roof ladders where buildings exceed 28 feet in height, and when overhead wires or other obstruction block aerial ladder access.

#### **SECTION 5101.1 – EMERGENCY RESPONDER RADIO COVERAGE IN NEW BUILDINGS**

- x. Emergency responder radio coverage in new buildings. All new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building. This section shall not require improvement of the existing public safety communication systems.
- y. Recently, the Los Angeles Fire Department (LAFD) modified Fire Prevention Bureau (FPB) Requirement 10. Helicopter landing facilities are still required on all High-Rise buildings in the City. However, FPB's Requirement 10 has been revised to provide two new alternatives to a full FAA-approved helicopter landing facilities.
- z. Each standpipe in a new high-rise building shall be provided with two remotely located FDC's for each zone in compliance with NFPA 14-2013, Section 7.12.2.
- aa. During demolition, the Fire Department access will remain clear and unobstructed.
- bb. The Fire Department has no objection to the Airspace Vacation.

Note: The Applicant is further advised that all subsequent contact regarding these conditions must be with the Hydrant and Access Unit. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished **BY APPOINTMENT ONLY**, in order to assure that you receive service with a minimum amount of waiting please call **(213) 482-6509**. You should advise any consultant representing you of this requirement as well.

#### **DEPARTMENT OF WATER AND POWER**

- 13. Arrangements shall be made for compliance with the Los Angeles Department of Water and Power (LADWP Water System Rules and requirements, satisfactory to the LADWP memo dated January 22, 2019. Upon compliance with these conditions and requirements, LADWP's Water Services Organization will forward the necessary clearances to the Bureau of Engineering. (This condition shall be deemed cleared at the time the City Engineer clears Conditions No. S-1(c)).

**BUREAU OF STREET LIGHTING**

14. No street lighting improvements if no street widening per BOE improvement conditions. Otherwise relocate and upgrade street lights; (3) on Wilcox Ave. and one (1) on Hollywood Bl. See Condition S-3(c) for Street Lighting Improvement conditions.

## Notes:

The quantity of street lights identified may be modified slightly during the plan check process based on illumination calculations and equipment selection.

Conditions set: 1) in compliance with a Specific Plan, 2) by LADOT, or 3) by other legal instrument excluding the Bureau of Engineering conditions, requiring an improvement that will change the geometrics of the public roadway or drive way apron may require additional or the reconstruction of street lighting improvements as part of that condition.

**BUREAU OF SANITATION**

15. Wastewater Collection Systems Division of the Bureau of Sanitation has inspected the sewer/storm drain lines serving the subject tract and found no/or potential problems to their structure or potential maintenance problem, as stated in the memo dated November 14, 2018. Upon compliance with its conditions and requirements, the Bureau of Sanitation, Wastewater Collection Systems Division will forward the necessary clearances to the Bureau of Engineering. (This condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1. (d)).

**INFORMATION TECHNOLOGY AGENCY**

16. That satisfactory arrangements be made in accordance with the requirements of the Information Technology Agency to assure that cable television facilities will be installed in the same manner as other required improvements. Refer to the LAMC Section 17.05 N. Written evidence of such arrangements must be submitted to the Information Technology Agency, 200 North Main Street, 12th Floor, Los Angeles, CA 90012, (213) 922-8363.

**DEPARTMENT OF RECREATION AND PARKS**

17. That the Quimby fee be based on the C4 Zone.

Note: As the application for the Vesting Tentative Tract map was deemed complete on September 12, 2016, the Project is not subject to the update in RAP fees per Ordinance No. 184,505.

**URBAN FORESTRY DIVISION AND THE DEPARTMENT OF CITY PLANNING**

18. Prior to the issuance of a grading permit, a plot plan prepared by a reputable tree expert, indicating the location, size, type, and condition of all existing trees on the site shall be submitted for approval by the Department of City Planning. All trees in the public right-of-way shall be provided per the current Urban Forestry Division standards.

Note: Removal of all trees in the public right-of-way shall require approval of the Board of Public Works. Contact: Urban Forestry Division at: (213) 485-5675. Failure to comply with this condition as written shall require the filing of a modification to this tract map in order to clear the condition.

**DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONS**

19. Prior to the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:
- a. Limit the proposed development to three (3) ground lots and three (3) commercial condominiums.
  - b. Off-street parking for residential and commercial uses shall comply with the requirements of Case No. CPC-2016-3176-VZC-HD-VCU-MCUP-SPR. In the event that Case No. CPC-2016-3176-VZC-HD-VCU-MCUP-SPR is not approved; the Project shall comply with LAMC Section 12.21 A.4.  
  
In addition, prior to issuance of a building permit, a parking plan showing off-street parking spaces, as required by the Advisory Agency, be submitted for review and approval by the Department of City Planning (221 North Figueroa Street, Suite 1350).
  - c. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
  - d. That the subdivider considers the use of natural gas and/or solar energy and consults with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.
  - e. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.
  - f. The Applicant shall install shielded lighting to reduce any potential illumination affecting adjacent properties.
  - g. The owner/contractor shall notify the Street Services Investigation and Enforcement Division, (213) 847-6000, at least 72 hours prior to the beginning of hauling operations and shall also notify the Division immediately upon completion of hauling operations. Any change to the prescribed routes, staging and/or hours of operation must be approved by the concerned governmental agencies. Contact the Street Services Investigation and Enforcement Division prior to effecting any change.
20. Prior to the issuance of the building permit or the recordation of the final map, a copy of CPC-2016-3176-VZC-HD-VCU-MCUP-SPR shall be submitted to the satisfaction of the Advisory Agency. In the event that CPC-2016-3176-VZC-HD-VCU-MCUP-SPR is not approved, the subdivider shall submit a tract modification.
21. Tribal Cultural Resource Inadvertent Discovery. In the event that objects or artifacts that may be tribal cultural resources are encountered during the course of any ground disturbance activities<sup>2</sup>, all such activities shall temporarily cease on the Project Site until the potential tribal cultural resources are properly assessed and addressed pursuant to the process set forth below:
- a. Upon a discovery of a potential tribal cultural resource, the Project Permittee shall immediately stop all ground disturbance activities and contact the following: (1) all

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<sup>2</sup> Ground disturbance activities shall include the following: excavating, digging, trenching, plowing, drilling, tunneling, quarrying, grading, leveling, removing peat, clearing, pounding posts, augering, backfilling, blasting, stripping topsoil or a similar activity.

California Native American tribes that have informed the City they are traditionally and culturally affiliated with the geographic area of the proposed Project; (2) and the Department of City Planning.

- b. If the City determines, pursuant to Public Resources Code Section 21074 (a)(2), that the object or artifact appears to be tribal cultural resource, the City shall provide any effected tribe a reasonable period of time, not less than 14 days, to conduct a site visit and make recommendations to the Applicant and the City regarding the monitoring of future ground disturbance activities, as well as the treatment and disposition of any discovered tribal cultural resources.
- c. The Applicant shall implement the tribe's recommendations if a qualified archaeologist and a culturally affiliated tribal monitor, both retained by the City and paid for by the Applicant, reasonably concludes that the tribe's recommendations are reasonable and feasible.
- d. The Applicant shall submit a tribal cultural resource monitoring plan to the City that includes all recommendations from the City and any effected tribes that have been reviewed and determined by the qualified archaeologist to be reasonable and feasible. The Applicant shall not be allowed to recommence ground disturbance activities until this plan is approved by the City.

## 22. 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 includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

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

#### **DEPARTMENT OF CITY PLANNING-ENVIRONMENTAL MITIGATION MEASURES.**

21. The project shall be in substantial conformance with the mitigation measures in the MMP from the Project's Final Environmental Impact Report, and attached to the subject case file. The implementing and enforcing agencies may determine substantial conformance with mitigation measures in the MMP. If substantial conformance results in effectively deleting or modifying the mitigation measure, the Director of Planning shall provide a written justification supported by substantial evidence as to why the mitigation measure, in whole or in part, is no longer needed and its effective deletion or modification will not result in a new significant impact or a more severe impact to a previously identified significant impact.

If the Project is not in substantial conformance to the adopted mitigation measures or MMP, a modification or deletion shall be treated as a new discretionary action under CEQA Guidelines, Section 15162(c) and will require preparation of an addendum or subsequent CEQA clearance. Under this process, the modification or deletion of a mitigation measure shall not require a Tract Map Modification unless the Director of Planning also finds that the change to the mitigation measures results in a substantial change to the Project or the non-environmental conditions of approval.

#### **BUREAU OF ENGINEERING - STANDARD CONDITIONS**

- S-1. (a) That the sewerage facilities charge be deposited prior to recordation of the final map over all of the tract in conformance with Section 64.11.2 of the LAMC.
- (b) That survey boundary monuments be established in the field in a manner satisfactory to the City Engineer and located within the California Coordinate System prior to recordation of the final map. Any alternative measure approved by the City

Engineer would require prior submission of complete field notes in support of the boundary survey.

- (c) That satisfactory arrangements be made with both the Water System and the Power System of the Department of Water and Power with respect to water mains, fire hydrants, service connections and public utility easements.
  - (d) That any necessary sewer, street, drainage and street lighting easements be dedicated. In the event it is necessary to obtain off-site easements by separate instruments, records of the Bureau of Right-of-Way and Land shall verify that such easements have been obtained. The above requirements do not apply to easements of off-site sewers to be provided by the City.
  - (e) That drainage matters be taken care of satisfactory to the City Engineer.
  - (f) That satisfactory street, sewer and drainage plans and profiles as required, together with a lot-grading plan of the tract and any necessary topography of adjoining areas be submitted to the City Engineer.
  - (g) That any required slope easements be dedicated by the final map.
  - (h) That each lot in the tract complies with the width and area requirements of the Zoning Ordinance.
  - (i) That one-foot future streets and/or alleys be shown along the outside of incomplete public dedications and across the termini of all dedications abutting non-subdivided property. The 1-foot dedications on the map shall include a restriction against their use of access purposes until such time as they are accepted for public use.
  - (j) That any one-foot future street and/or alley adjoining the tract be dedicated for public use by the tract, or that a suitable resolution of acceptance be transmitted to the City Council with the final map.
  - (k) That no public street grade exceeds 15%.
  - (l) That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 1990.
- S-2. That the following provisions be accomplished in conformity with the improvements constructed herein:
- (a) Survey monuments shall be placed and permanently referenced to the satisfaction of the City Engineer. A set of approved field notes shall be furnished, or such work shall be suitably guaranteed, except where the setting of boundary monuments requires that other procedures be followed.
  - (b) Make satisfactory arrangements with the Department of Transportation with respect to street name, warning, regulatory and guide signs.
  - (c) All grading done on private property outside the tract boundaries in connection with public improvements shall be performed within dedicated slope easements or by grants of satisfactory rights of entry by the affected property owners.
  - (d) All improvements within public streets, private streets, alleys and easements shall be constructed under permit in conformity with plans and specifications approved by

the Bureau of Engineering.

- (e) Any required bonded sewer fees shall be paid prior to recordation of the final map.

S-3. That the following improvements shall be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:

- (a) Construct on-site sewers to serve the tract as determined by the City Engineer.
- (b) Construct any necessary drainage facilities.
- (c) Improvement Condition: No street lighting improvements if no street widening per BOE improvement conditions. Otherwise relocate and upgrade street lights; (3) on Wilcox Ave. and one (1) on Hollywood Bl.

Notes:

The quantity of streetlights identified may be modified slight during the plan check process based on illumination calculations and equipment selection.

Conditions set: 1) in compliance with a Specific Plan, 2) by LADOT, or 3) by other legal instrument excluding the Bureau of Engineering conditions, requiring an improvement that will change the geometrics of the public roadway or drive way apron may require additional or the reconstruction of street lighting improvements as part of that condition.

- (d) Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Street Tree Division of the Bureau of Street Maintenance. All street tree plantings shall be brought up to current standards. When the City has previously been paid for tree planting, the subdivider or contractor shall notify the Street Tree Division (213-485-5675) upon completion of construction to expedite tree planting.
- (e) Repair or replace any off-grade or broken curb, gutter and sidewalk satisfactory to the City Engineer.
- (f) Construct access ramps for the handicapped as required by the City Engineer.
- (g) Close any unused driveways satisfactory to the City Engineer.
- (h) Construct any necessary additional street improvements to comply with the Americans with Disabilities Act (ADA) of 1990.
- (i) That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
- a. Improve Wilcox Avenue adjoining the subdivision by the construction of a new 15-foot full width concrete sidewalk with tree wells together with any necessary removal and construction of existing improvements.

Notes:

Approval from Board of Public Works may be necessary before removal of any street trees in conjunction with the improvements in this tract map through Bureau of Street

Services Urban Forestry Division.

Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power, Power System, to pay for removal, relocation, replacement or adjustment of power facilities due to this development. The subdivider must make arrangements for the underground installation of all new utility lines in conformance with LAMC Section 17.05-N.

The final map must record within 36 months of this approval, unless a time extension is granted before the end of such period.

The Advisory Agency hereby finds that this tract conforms to the California Water Code, as required by the Subdivision Map Act.

The subdivider should consult the Department of Water and Power to obtain energy saving design features that can be incorporated into the final building plans for the subject development. As part of the Total Energy Management Program of the Department of Water and Power, this no-cost consultation service will be provided to the subdivider upon his request.

## **FINDINGS OF FACT (CEQA)**

### **I. INTRODUCTION**

This Environmental Impact Report (EIR), consisting of the Draft EIR and the Final EIR, is intended to serve as an informational document for public agency decision-makers and the general public regarding the objectives and components of The Hollywood and Wilcox project (Project), located at 6430-6440 W. Hollywood Boulevard and 1624-1648 N. Wilcox Avenue, Los Angeles, California (Site or Project Site), consisting of a mixed-use development consisting of a mixed-use building, comprised of 260 multi-family residential dwelling units, up to 10 percent (26 units) of which would be set aside for workforce housing and 17,800 square feet of commercial uses, 11,020 square feet of retail, 3,580 square feet of office, and 3,200 square feet of restaurant uses and the existing two-story, 9,000-square foot Attie Building which will be rehabilitated and restored and continued to be used as commercial space. Upon completion, the Project would include approximately 278,892 square feet of floor area, with a maximum floor area ratio (FAR) of up to 4.5 to 1. The Project is also an Environmental Leadership Development Project (ELDP) under Assembly Bill (AB) 900, certified by the Governor's Office on October 10, 2019.

The City of Los Angeles (the City), as Lead Agency, has evaluated the environmental impacts of implementation of the Project by preparing an EIR (Case Number ENV-2016-3177-EIR/State Clearinghouse No. 2017051079). The EIR was prepared in compliance with the California Environmental Quality Act of 1970, Public Resources Code (PRC) Section 21000 et seq. (CEQA) and the California Code of Regulations Title 15, Chapter 6 (the CEQA Guidelines). The findings discussed in this document are made relative to the conclusions of the EIR.

CEQA Section 21002 provides that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]" The procedures required by CEQA "are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects." CEQA Section 21002 goes on to state that "in the event [that] specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof."

The mandate and principles announced in CEQA Section 21002 are implemented, in part, through the requirement that agencies must adopt findings before approving projects for which EIRs are required. (See CEQA Section 21081[a]; CEQA Guidelines Section 15091[a].) For each significant environmental impact identified in an EIR for a proposed project, the approving agency must issue a written finding, based on substantial evidence in light of the whole record, reaching one or more of the three possible findings, as follows:

- 1) Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant impacts as identified in the EIR.
- 2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been, or can or should be, adopted by that other agency.
- 3) Specific economic, legal, social, technological, other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the EIR.

The findings reported in the following pages incorporate the facts and discussions of the environmental impacts that are found to be significant in the Final EIR for the Project as fully set forth therein. Although Section 15091 of the CEQA Guidelines does not require findings to address environmental impacts that an EIR identifies as merely “potentially significant,” these findings nevertheless fully account for all such effects identified in the Final EIR for the purpose of better understanding the full environmental scope of the Project. For each environmental issue analyzed in the EIR, the following information is provided:

The findings provided below include the following:

- Description of Significant Effects – A description of the environmental effects identified in the EIR.
- Project Design Features – A list of the project design features or actions that are included as part of the Project.
- Mitigation Measures – A list of the mitigation measures that are required as part of the Project to reduce identified significant impacts.
- Finding – One or more of the three possible findings set forth above for each of the significant impacts.
- Rationale for Finding – A summary of the rationale for the finding(s).
- Reference – A reference of the specific section of the EIR which includes the evidence and discussion of the identified impact.

With respect to a project for which significant impacts are not avoided or substantially lessened either through the adoption of feasible mitigation measures or feasible environmentally superior alternatives, a public agency, after adopting proper findings based on substantial evidence, may nevertheless approve the project, if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the project’s benefits rendered acceptable its unavoidable adverse environmental effects. (CEQA Guidelines §15093, 15043[b]; see also CEQA § 21081[b].)

## II. ENVIRONMENTAL REVIEW PROCESS

For purposes of CEQA and these Findings, the Record of Proceedings for the Project includes (but is not limited to) the following documents:

**Initial Study.** The Project was reviewed by the Los Angeles Department of City Planning (serving as Lead Agency) in accordance with the requirements of CEQA (PRC 21000 et seq.). The City prepared an Initial Study in accordance with CEQA Guidelines Section 15063(a).

**Notice of Preparation.** Pursuant to CEQA Guidelines Section 15082, the City then circulated a Notice of Preparation (NOP) to State, regional and local agencies, and members of the public for a 30-day period commencing on May 26, 2017. The purpose of the NOP was to formally inform the public that the City was preparing a Draft EIR for the Project, and to solicit input regarding the scope and content of the environmental information to be included in the Draft EIR. In addition, a public scoping meeting was held regarding the Project on June 8, 2017. Written comment letters responding to the NOP were submitted to the City by various public agencies and interested organizations. The NOP, Initial Study, and comment letters are included in Appendix A of the Draft EIR.

**Draft EIR.** The Draft EIR evaluated in detail the potential effects of the Project. It also analyzed the effects of a reasonable range of four alternatives to the Project, including a “No Project” alternative. The Draft EIR for the Project (State Clearinghouse No. 2017051079), incorporated herein by reference in full, was prepared pursuant to CEQA and the CEQA Guidelines. The Draft EIR was circulated for a 46-day public comment period beginning on February 27, 2020, and ending on April 13, 2020. In response to the Mayor’s “Safer at Home” Order issued March 19, 2020, an additional notice was issued March 24, 2020, which included instructions for accessing files digitally and to request accommodations for accessing files be made as result of the closure of libraries and City offices. The notice was issued to interested parties and owners and occupants in the immediate vicinity. Copies of the written comments received are provided in the Final EIR. Pursuant to CEQA Guidelines Section 15088, the City, as Lead Agency, reviewed all comments received during the review period for the Draft EIR and responded to each comment in Section II of the Final EIR.

**Notice of Completion.** A Notice of Completion was sent with the Draft EIR to the Governor’s Office of Planning and Research State Clearinghouse for distribution to State Agencies on February 27, 2020, and notice was provided in newspapers of general and/or regional circulation.

**Final EIR.** The City published a Final EIR for the Project on July 31, 2020, which is hereby incorporated by reference in full. The Final EIR is intended to serve as an informational document for public agency decision-makers and the general public regarding objectives and components of the Project. The Final EIR addresses the environmental effects associated with implementation of the Project, identifies feasible mitigation measures and alternatives that may be adopted to reduce or eliminate these impacts, and includes written responses to all comments received on the Draft EIR during the public review period. Responses were sent to all public agencies that made comments on the Draft EIR at least 10 days prior to certification of the Final EIR pursuant to CEQA Guidelines Section 15088(b). In addition, all individuals that commented on the Draft EIR also received a copy of the Final EIR. The Final EIR was also made available for review on the City’s website. Notices regarding availability of the Final EIR were sent to those within a 500-foot radius of the Project Site, as well as individuals who commented on the Draft EIR, provided comments during the NOP comment period, or requested notice.

**Errata.** The City published an Errata on August 6, 2020. The Errata corrected some typographical errors, and included an inadvertently omitted updated noise calculation worksheet. The Errata was made available on the City’s website.

**Public Hearing.** A duly noticed public hearing for the Project was held by the Hearing Officer on behalf of the City Planning Commission on August 12, 2020. The notice was mailed on July 17, 2020, and posted on the Department’s website in the administrative record for the Project, posted on the Commissions, Boards, and Hearing section of the website, and posted on-site.

### III. RECORD OF PROCEEDINGS

For purposes of CEQA and these Findings, the Record of Proceedings for the Project includes (but is not limited to) the following documents and other materials that constitute the administrative record upon which the City approved the Project. The following information is incorporated by reference and made part of the record supporting these Findings of Fact:

- All Project plans and application materials including supportive technical reports;
- The Draft EIR and Appendices, Final EIR and Appendices, (if applicable: Addenda, Errata, etc.), and all documents relied upon or incorporated therein by reference;
- The Mitigation Monitoring Program (MMP) prepared for the Project;
- The City of Los Angeles General Plan and related EIR;
- The Southern California Association of Governments (SCAG)'s 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) and related EIR (SCH No. 2015031035);
- Municipal Code of the City of Los Angeles, including, but not limited, to the Zoning Ordinance and Subdivision Ordinance;
- All records of decision, resolutions, staff reports, memoranda, maps, exhibits, letters, minutes of meetings, summaries, and other documents approved, reviewed, relied upon, or prepared by any City commissions, boards, officials, consultants, or staff relating to the Project;
- Any documents expressly cited in these Findings of Fact, in addition to those cited above; and
- Any and all other materials required for the record of proceedings by PRC Section 21167.6(e).

Pursuant to CEQA Section 21081.6(a)(2) and CEQA Guidelines Section 15091(e), the documents and other materials that constitute the Record of Proceedings upon which the City has based its decision are located in and may be obtained from the Department of City Planning, as the custodian of such documents and other materials that constitute the record of proceedings, located at the City of Los Angeles, Figueroa Plaza, 221 North Figueroa Street, Room 1350, Los Angeles, CA 90012.

In addition, copies of the Draft EIR, Final EIR, and errata are available on the Department of City Planning's website at <http://planning.lacity.org> (to locate the documents click on the "Environmental Review" tab on the left-hand side, then "Final EIR," and click on the Project title, where the Draft and Final EIR are made available). The Draft and Final EIR are also available at the following three Library Branches:

- Los Angeles Central Library – 630 West Fifth Street, Los Angeles, CA 90071
- Francis Howard Goldwyn – Hollywood Regional Library – 1623 North Ivar Avenue, Los Angeles, CA 90028
- Will & Ariel Durant Branch Library – 7140 West Sunset Boulevard, Los Angeles, CA 90046

#### **IV. DESCRIPTION OF THE PROJECT**

The Project Site is an approximately 1.4-acre site (59,933 square feet) currently occupied by four low-rise commercial buildings that comprise a total of 29,200 square feet of floor area, as well as surface parking. Included in this floor area is the 9,000-square-foot Attie Building located at the corner of Hollywood Boulevard and Wilcox Avenue. The Attie Building is a contributing structure to the Hollywood Boulevard Commercial and Entertainment District. Vehicular access to the surface parking is provided via a driveway on Wilcox Avenue.

The Project includes the development of a mixed-use building, comprised of 260 multi-family residential dwelling units, up to 10 percent (26 units) of which would be set aside for workforce housing and 17,800 square feet of commercial uses, comprised of 11,020 square feet of retail, 3,580 square feet of office, and 3,200 square feet of restaurant uses, within the Hollywood Community Plan area of the City. The subject property is comprised of approximately 1.4 acres located at 6430–6440 Hollywood Boulevard and 1624–1648 Wilcox Avenue. As part of the Project, the existing two-story, 9,000-square-foot Attie Building, a contributing structure to the Hollywood Boulevard Commercial and Entertainment District, located at the corner of Hollywood Boulevard and Wilcox Avenue, would be rehabilitated and restored, while maintaining its current use as commercial space. New development would range in height from one to 15 stories with a maximum building height of 160 feet. Upon completion, the Project would include approximately 278,892 square feet of floor area, with a maximum FAR of up to 4.5 to 1. A total of 420 parking spaces would be provided within five parking levels comprised of two subterranean, one at-grade level, and two above-grade levels. The Project would also include 33,750 square feet of open space, including 6,745 square feet of common planted open space.

The Project Applicant submitted an application to the Governor for certification of the Project as a leadership project under AB 900, as amended by AB 246, and the application was subject to public review from February 2, 2019, through March 7, 2019. On March 13, 2019, the California Air Resources Board issued Executive Order G-18-122, determining that the Project would not result in any net additional GHG emissions for purposes of certification under AB 900. On October 10, 2019, the Governor certified the Project as an eligible project under AB 900, and the Governor's Office of Planning and Research (OPR) forwarded the Governor's determination to the Joint Legislative Budget Committee. According to PRC Section 21184(b)(2)(C), if "the Joint Legislative Budget Committee fails to concur or nonconcur on a determination by the Governor within 30 days of the submittal, the leadership project is deemed to be certified." The Joint Legislative Budget Committee issued a concurrence letter on November 8, 2019, and as a result, the Project has been deemed certified. The Governor's certification and Joint Legislative Budget Committee's concurrence letter are provided in Appendix B of the Draft EIR.

##### **1. Project Site Zoning**

The Project Site has two zoning designations. The two lots that front on Hollywood Boulevard (the Hollywood Parcels) are zoned C4-2D-SN (Commercial, Height District 2 with Development Limitation, Hollywood Signage Supplemental Use District). The balance of the Project Site (the Wilcox Parcels) is zoned C4-2D (Commercial, Height District 2 with Development Limitation). Pursuant to the Los Angeles Municipal Code (LAMC), the C4 Zone permits a wide array of land uses, including commercial, office, residential, retail, and hotel uses. The C4 Zone, in conjunction with the Project Site's Regional Center Commercial land use designation, and pursuant to LAMC Section 12.22 A.18, also permits any land use permitted in the R5 (Multiple Residential) Zone, which includes a density of one dwelling unit for every 200 square feet of lot area. 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 for both portions of the Project Site was added per Ordinance No. 165,660, adopted in 1990 and limits the total floor area contained in all buildings on said parcels to a maximum FAR of 2:1, and also limits buildings on the Hollywood Parcels to a



maximum height of 45 feet. The SN designation on the Hollywood Parcels indicates that these parcels are located within the Hollywood Signage Supplemental Use District (HSSUD).

The Project Site is located within the planning boundary of the Hollywood Community Plan (Community Plan), adopted in December 1988. The Community Plan designates the Project Site for Regional Center Commercial land uses, with corresponding permitted zones of C2, C4, RAS3, RAS4, P, and PB, with a General Plan Footnote (No. 9), which states that the Regional Center Commercial designation is limited to the Hollywood Redevelopment Project Area; and development intensity is limited to 4.5:1 FAR with a maximum of 6:1 FAR possible through a Transfer of Development Rights procedure and/or City Planning Commission approval.

## **2. Project's Vested Rights**

The Project's entitlement applications include a request for a vesting zone and height district change, as well as a vesting tentative tract map. The City deemed these applications to be complete on September 12, 2016. Accordingly, the Project is vested under State and City law to proceed with the ordinances, policies, and standards in effect as of September 12, 2016.

## **3. Transit Priority Area**

In September 2013, Governor Jerry Brown signed Senate Bill (SB) 743, which became effective on January 1, 2014. Among other provisions, SB 743 adds PRC Section 21099, which provides that "aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment." PRC Section 21099 defines a "transit priority area" as an area within one-half mile of a major transit stop that is "existing or planned, if the planned stop is scheduled to be completed within the planning horizon included in a Transportation Improvement Program adopted pursuant to Section 450.216 or 450.322 of Title 23 of the Code of Federal Regulations." PRC Section 21064.3 defines "major transit stop" as "a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods." PRC Section 21099 defines an infill site as a lot located within an urban area that has been previously developed, or on a vacant site where at least 75 percent of the perimeter of the site adjoins, or is separated only by an improved public right-of-way from, parcels that are developed with qualified urban uses. This state law supersedes the aesthetic impact thresholds in the 2006 L.A. CEQA Thresholds Guide, including those established for aesthetics, obstruction of views, shading, and nighttime illumination.

The City has issued Zoning Information File 2452 (ZI 2452) regarding aesthetic and parking impacts for specified projects located in a transit priority area. ZI 2452 summarizes the provisions of SB 743 and specifies that visual resources, aesthetic character, shade and shadow, light and glare, and scenic vistas or any other aesthetic impacts as defined in the City's CEQA Thresholds Guide shall not be considered an impact for infill projects within transit priority areas. Under ZI 2452, a project shall be considered within a transit priority area if all parcels within the project site have no more than 25 percent of their area farther than one-half mile from a major transit stop and if not more than 10 percent of the residential units or 100 units, whichever is less, in the project are farther than one-half mile from a major transit stop. ZI 2452 also includes a map showing the transit priority areas in the City.

The Project is a mixed-use residential development which is entirely within one-half mile of a major transit stop (i.e., the Hollywood/Vine Metro Station 0.25 mile east of the Project Site), and meets PRC Section 21099's definition of an infill site as a lot located within an urban area that has been previously developed. Therefore, pursuant to SB 743 and ZI 2452, the Project's aesthetic impacts shall not be considered a significant impact on the environment as a matter of law.

**V. ENVIRONMENTAL IMPACTS FOUND NOT TO BE SIGNIFICANT OR LESS THAN SIGNIFICANT WITHOUT MITIGATION IN THE INITIAL STUDY**

The City Planning Department prepared an Initial Study dated May 26, 2017, which is located in Appendix A of the Draft EIR. The Initial Study found the following environmental impacts not to be significant or less than significant without mitigation:

- I. Aesthetics**
  - a. Scenic Vista
  - b. Scenic Resources
  - c. Visual Character
  - d. Light & Glare
  
- II. Agricultural and Forest Resources**
  - a. Farmland
  - b. Existing Zoning for Agricultural Use
  - c. Forest Land or Timberland Zoning
  - d. Loss or Conversion of Forest Land
  - e. Other Changes in the Existing Environment
  
- III. Air Quality**
  - e. Objectionable Odors
  
- IV. Biological Resources**
  - a. Special Status Species
  - b. Riparian Habitat and Wetlands
  - c. Wetlands
  - d. Movement of any Resident or Migratory Species
  - e. Local Preservation Policies
  - f. Habitat Conservation Plans
  
- VI. Geological Resources**
  - a. Seismic & Landslides
  - b. Soil Erosion
  - c. Geologic Unit
  - d. Expansive Soil
  - e. Septic Tanks
  
- VIII. Hazards and Hazardous Materials**
  - a. Transport, Use, Disposal of Hazardous Materials
  - b. Hazardous Materials
  - c. Hazardous Emissions or Materials Near a School
  - d. Hazardous Materials Site
  - e. Airport Land Use Plans
  - f. Private Airstrips
  - g. Emergency Response/Evacuation Plans
  - h. Wildland Fires
  
- IX. Hydrology and Water Quality**
  - a. Water Quality Standards or Discharge Requirements
  - b. Groundwater Supplies
  - c. Erosion or Siltation
  - d. Surface Runoff
  - e. Stormwater Drainage
  - f. Degrade Water Quality
  - g. Mapped 100-Year Flood Hazard Areas

- h. 100-Year Flood Hazard
- i. Flooding
- j. Seiche, Tsunami or Mudflow

**X. Land Use and Planning**

- a. Divide an Established Community
- c. Habitat or Natural Community Conservation Plans

**XI. Mineral Resources**

- a. Loss of Known Mineral Resources
- b. Loss of Mineral Resources Recovery Site

**XII. Noise**

- e. Airport Land Use Plans
- f. Private Airstrips

**XIII. Population and Housing**

- a. Induce Substantial Population Growth
- b. Displacement of Existing Housing
- c. Displacement of Existing Residents

**XVI. Transportation/Traffic**

- c. Air Traffic Patterns
- d. Hazards to a Design Feature or Incompatible Uses

**XVII. Utilities**

- c. Stormwater Drainage Facilities
- f. Solid Waste Disposal
- g. Solid Waste Regulations

The City has reviewed the record and agrees with the conclusion that the above environmental issues would not be significantly affected by the Project and, therefore, no additional findings are needed. The City ratifies, adopts, and incorporates the analysis, explanation, findings, responses to comments, and conclusions of the Initial Study.

**VI. ENVIRONMENTAL IMPACTS FOUND NOT TO BE SIGNIFICANT OR LESS THAN SIGNIFICANT PRIOR TO MITIGATION IN THE DRAFT EIR**

Impacts of the Project that were determined to have no impact or be less than significant in the EIR (including having a less than significant impact as a result of implementation of project design features and regulatory compliance measures) and that require no mitigation are identified below. The City has reviewed the record and agrees with the conclusion that the following environmental issues would not be significantly affected by the Project and, therefore, no additional findings are needed. The following information does not repeat the full discussions of environmental impacts contained in the EIR. The City ratifies, adopts, and incorporates the analysis, explanation, findings, responses to comments, and conclusions of the EIR.

**1. Air Quality**

(A) Consistency with air quality management plan

As detailed in Section IV.A, Air Quality, of the Draft EIR, the Project is consistent with the applicable air quality management plan, the SCAQMD AQMP, as well as local air quality plans of the City of Los Angeles.

Further, as shown in Appendix C of the Draft EIR, the Project results in an approximately 67 percent reduction in the Project vehicular VMT as compared to a typical project, which meets the goals of the 2016–2040 RTP/SCS. Accordingly, the Project would be consistent with the 2016–2040 RTP/SCS (control measures of the AQMP).

(B) Construction Emissions

(i) Regional Emissions

As shown in Table IV.A 5 of the Draft EIR the highest daily emissions projected to occur without mitigation during each year of construction would not exceed daily maximum regional construction emissions. Therefore, regional construction emissions resulting from the Project would result in a less-than-significant impact.

(ii) Construction – Localized Emissions

The Project would not produce emissions exceeding SCAQMD's recommended localized standards of significance, as shown by Table IV.A-7 of the Draft EIR. As a result, construction of the Project would not produce any local violation of air quality standards or contribute substantially to an existing or projected air quality violation, and Project impacts would be less than significant.

(iii) Toxic Air Contaminants (TACs)

As discussed in Section IV.A, the greatest potential for TAC emissions during construction would be from diesel particulate emissions associated with heavy equipment operations. As discussed on page IV.A-52, the Project's off-site construction activities, including generation of TACs, would not expose sensitive receptors to substantial pollutant concentrations. Therefore, Project-related TAC impacts during construction would be less than significant.

(C) Operational Emissions

(i) Regional Emissions

As shown in Table IV.A-6 of the Draft EIR, the Project's operational emissions would not exceed SCAQMD's regional significance thresholds for VOC, NO<sub>x</sub>, CO, PM<sub>10</sub>, and PM<sub>2.5</sub> emissions. Therefore, Project impacts related to regional operational emissions would be less than significant.

(ii) Operation – Localized Emissions

Regarding on-site operational emissions, as shown in Table IV.A 8 of the Draft EIR, operation of the Project would not introduce any major new sources of air pollution within the Project Site nor expose sensitive receptors to substantial pollutant concentrations. Therefore, on-site localized operational emissions resulting from the Project would result in a less-than-significant air quality impact.

Regarding off-site operational emissions, as discussed in Section IV.A, and substantiated in Appendix C, the Project's off-site operational activities, including the highest average daily trips, would not expose sensitive receptors to substantial pollutant concentrations. As a result, impacts related to localized mobile-source CO emissions are less than significant.

(iii) Toxic Air Contaminants

As Discussed in Section IV.A, the land uses associated with the Project are not considered land uses that generate substantial TAC emissions. Therefore, the Project would not expose sensitive receptors to substantial concentrations and impacts would be less than significant.

(iv) Cumulative Impacts

a. Construction

Based on SCAQMD guidance, individual construction projects that exceed the recommended daily thresholds for project-specific impacts would cause a cumulatively considerable increase in emissions for those pollutants for which the Air Basin is in non-attainment. As demonstrated in the Draft EIR, Section IV.A, the Project's construction emissions would be below the significance thresholds. Thus, during construction, the Project would have a less-than-significant cumulative impact to regional, localized, and TAC emissions and impacts would not be cumulatively considerable.

b. Operation

According to SCAQMD, if an individual project results in air emissions of criteria pollutants that exceed SCAQMD's recommended daily thresholds for project-specific impacts, then the project would also result in a cumulatively considerable net increase of these criteria pollutants. As operational emissions would not exceed any of SCAQMD's regional or localized significance thresholds, the emissions of non-attainment pollutants and precursors generated by Project operations would not be cumulatively considerable. In addition, the Project would not result in any substantial sources of TACs and, thus, would not contribute to a cumulative impact. Thus, during operation, the Project would not result in a cumulative impact to air quality, as the Project's contributions to regional, localized, and TAC emissions would not be cumulatively considerable.

(D) Project Design Feature

The City finds that Project Design Feature AIR-PDF-1, which is incorporated into the Project and incorporated into these Findings as though fully set forth herein, will serve to reduce criteria air pollutants. This Project Design Feature was considered in the analysis of potential impacts.

## **2. Cultural Resources – Historic Resources**

As discussed in Section IV.B of the Draft EIR, the only historic resource on the Project Site is the Attie Building; demolition of other buildings on-site would not constitute a direct impact on historic resources. As discussed in detail in the Cultural Resources Report (Appendix D-1 of the Draft EIR), rehabilitation of the Attie Building and restoration of the storefronts would conform to Secretary of the Interior's Standards for Rehabilitation. Removal of a non-contributing resource and construction of a new, one-story commercial building adjacent to the Attie Building at 6430–6434 Hollywood Boulevard and 15 story mixed-use building along Wilcox Avenue, would also conform with the Secretary's Standards and would not have a direct impact on the Hollywood Boulevard Commercial and Entertainment District. Accordingly, direct and indirect impacts to historic resources would be less than significant. Furthermore, as the Project has not been shown to have either a direct or indirect impact on historic resources and no impacts to the Hollywood Boulevard Commercial and Entertainment District were identified for either the three projects within the district or the eight projects within one block of the historic district, Project impacts to historic resources would not be cumulatively considerable, and cumulative impacts would be less than significant.

(A) Project Design Feature

The City finds that Project Design Feature CUL-PDF-1, which is incorporated into the Project and incorporated into these Findings as though fully set forth herein, will serve to reduce impacts to historic resources. This Project Design Feature was considered in the analysis of potential impacts.

## **3. Energy Use**

As demonstrated in the Energy Section of the Draft EIR, Section IV.C, the Project would not result in potentially significant environmental impact due to wasteful, inefficient, and unnecessary consumption of energy during construction or operation. In addition, based on the analysis in Draft

EIR Section IV.C, the Project's impacts would not be cumulatively considerable and cumulative energy use impacts are concluded to be less than significant.

#### **4. Greenhouse Gas Emissions**

As shown in Table IV.E-10 in the Draft EIR, when taking into consideration implementation of relevant Project design features, as well as the requirements set forth in the City of Los Angeles Green Building Code and full implementation of current state mandates, the Project's GHG emissions in 2023 would be 88 MTCO<sub>2e</sub> per year (amortized over 30 years) during construction and 954 MTCO<sub>2e</sub> per year during operation, for a combined total of 1,042 MTCO<sub>2e</sub> per year.

As provided in Section IV.E, and Tables IV.E-6-8- of the Draft EIR, the Project would not conflict with the Climate Change Scoping Plan, RTPSCS 2016-2040, and the Green New Deal Sustainability pLAN update.

AB 900 establishes procedures for applying for streamlined environmental review under CEQA for Projects that meet certain requirements. The Project was certified under AB 900 (refer to Appendix B of the Draft EIR). As determined therein, the Project would not result in any net additional GHGs, including GHG emissions from employee transportation in accordance with PRC Section 21183(c) with the purchase of emission offset credits. Therefore, the Project would meet the GHG emissions requirements for streamlined environmental review under CEQA.

For the reasons discussed in Draft EIR Section IV.E, the Project's post-2030 emissions trajectory is expected to follow a declining trend, consistent with the 2030 and 2050 targets and Executive Orders S-3-05 and B-30-15.

As determined in Draft EIR Section IV.E, the Project would not result in any net additional GHGs, including GHG emissions from employee transportation in accordance with PRC Section 21183(c) with the purchase of emission offset credits. Thus, the Project's cumulative contribution to global climate change is less than significant.

##### **(A) Project Design Features**

The City finds that Project Design Features GHG-PDF-1 through GHG-PDF-6, which are incorporated into the Project and are incorporated into these Findings as though fully set forth herein, would reduce the potential greenhouse gas emissions of the Project. These Project Design Features were considered in the analysis of potential impacts.

#### **5. Land Use and Planning**

##### **(A) Consistency with Local Plans and Applicable Policies**

As discussed in Section IV.F Land Use, and Appendix H, the Project is consistent with land use plans adopted for the purpose of avoiding or mitigating an environmental effect. The Project is consistent with the General Plan, Hollywood Community Plan, Hollywood Redevelopment Plan, Citywide Design Guidelines, Walkability Checklist, SCAG RTP/SCS, and SCAQMD AQMP. Therefore, impacts would be less than significant.

##### **(B) Cumulative Impacts**

###### **(i) Physically Divide a Community**

As set forth in Draft EIR Section IV.F, Land Use, page IV.F-33, there are 107 related projects in the vicinity of the Project Site, as well as the Hollywood Community Plan Update. The related projects generally consist of infill development and redevelopment of existing uses. As such, similar to the

Project, the proposed construction associated with the related projects would be confined to the related project sites and would not physically divide a community. Cumulative impacts related to the physical division of a community would be less than significant.

- (ii) Conflict with Applicable Goals, Objectives, and Policies Adopted for the Purpose of Avoiding or Mitigating an Environmental Effect

As set forth in Draft EIR Section IV.F, Land Use, page IV.F-33, as with the Project, the related projects would be required to comply with relevant land use policies and regulations. Therefore, as with the Project, the related projects would not conflict with applicable land use plans. Overall, cumulative impacts related to conflict with land use plans would be less than significant.

## 6. Noise

### (A) Off-Site Construction Noise

As discussed in Draft EIR Section IV.G, Noise in Table IV.G 12 on page IV.G-30, the noise levels generated by construction trucks during all stages of Project construction would be consistent with the existing daytime ambient noise levels along the anticipated haul route and, therefore, would be below applicable 5 dBA significance criteria. Therefore, temporary noise impacts from off-site construction traffic would be less than significant.

### (B) Off-Site Construction Vibration (Building Damage)

As provided in the noise calculation worksheets included in Appendix I of the Draft EIR, and discussed in Draft EIR Section IV.G, existing buildings exposed to ground-borne vibration as a result of the Project would experience maximum vibration levels of approximately 0.022 PPV,. This estimated vibration generated by construction trucks traveling along the anticipated haul route would be below the most stringent building damage criteria of 0.12 PPV for buildings extremely susceptible to vibration. Therefore, vibration impacts (pursuant to the significance criteria for building damage) from off-site construction activities (i.e., construction trucks traveling on public roadways) would be less than significant

### (C) Operational Noise

#### (I) On-Site Stationary Noise Sources

As set forth in Draft EIR Section IV.G, Noise, pages IV.G-29 through IV.G-34, and the Tables therein, on-site stationary noise impacts from mechanical equipment, outdoor spaces, parking facilities, loading dock and trash collection areas, would not result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. Impacts would be less than significant.

#### (II) Off-Site Mobile Noise Sources

As set forth in Draft EIR Section IV.G, Noise, pages IV.G-34 through IV.G-38, and the Tables therein, off-site mobile noise impacts, in either the Future Plus Project or Existing Plus Project conditions, would not result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. Impacts would be less than significant.

#### (III) Land Use Compatibility

As set forth in Draft EIR Section IV.G, Noise, page IV.G-38, according to the City of Los Angeles Guidelines for Noise Compatible Land Uses, the Project Site would be considered "conditionally acceptable" for multi-family residential development (between 60 and 70 dBA CNEL) and

“conditionally acceptable” for commercial development (between 67.5 and 77.5 dBA CNEL). Therefore, noise impacts associated with land use compatibility would be less than significant.

(IV) Composite Noise Level Impacts from Project Operations

As set forth in Draft EIR Section IV.G, Noise, page IV.G-41, and shown in Table IV.G 20 on page IV.G-42, potential noise impacts from the combination of noise sources (e.g., mechanical equipment, outdoor areas, parking facilities, loading dock and trash compactor, and off-site traffic) at analyzed sensitive receptor locations would not result in the exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

(V) On-Site and Off-Site Vibration

As set forth in Draft EIR Section IV.G, Noise, page IV.G.48, operation of the Project would not increase the existing vibration levels in the immediate vicinity of the Project Site. As such, vibration impacts associated with operation of the Project would be less than significant.

(D) Cumulative Impacts

As discussed in Draft EIR Section IV.G, Noise, cumulative impacts were evaluated for on-site vibration, and impacts were determined to be less than significant.

(E) Project Design Features

The City finds that Project Design Features NOISE-PDF-1 through NOISE-PDF-3, which are incorporated into the Project and are incorporated into these Findings as though fully set forth herein, would reduce the potential noise impacts of the Project. These Project Design Features were considered in the analysis of potential impacts.

## 7. Public Services

(A) Public Services – Fire Protection

As set forth in Draft EIR Section IV.H.1, Public Services – Fire Protection, pages IV.H.1-15 through IV.H.1-22, Project construction, operation, and cumulative impacts would not result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered governmental facilities, the construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection services. Therefore, impacts to fire protection services during Project construction, operation, and in the cumulative condition would be less than significant.

(i) Fire Protection – Project Design Features

The City finds that Project Design Feature FIR-PDF-1, incorporated into the Project, reduces the potential fire protection impacts of the Project. The Project Design Feature was considered in the analysis of potential impacts.

(B) Public Services – Police Protection

As set forth in Draft EIR Section IV.H.2, Public Services – Police Protection, pages IV.H.2-10 through IV.H.2-29, Project construction, operation, and cumulative impacts would not result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered governmental facilities, the construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios, response



times or other performance objectives for police protection services. Therefore, impacts to police protection services during Project construction, operation, and in the cumulative condition would be less than significant.

(i) Police Protection – Project Design Features

The City finds that Project Design Features POL-PDF-1 through POL-PDF-6, incorporated into the Project, reduces the potential police protection impacts of the Project. The Project Design Features were considered in the analysis of potential impacts.

(C) Public Services – Schools

As set forth in Draft EIR Section IV.H.3, Public Services – Schools, pages IV.H.3-11 through IV.H.3-30, Project construction, operation, and cumulative impacts would not result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered governmental facilities, the construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for schools. Therefore, impacts to schools during Project construction, operation, and in the cumulative condition would be less than significant.

(D) Public Services – Libraries

As set forth in Draft EIR Section IV.H.4, Public Services – Libraries, pages IV.H.4-9 through IV.H.4-25, Project construction, operation, and cumulative impacts would not result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered governmental facilities, the construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for libraries. Therefore, impacts to libraries during Project construction, operation, and in the cumulative condition would be less than significant.

(E) Public Services – Parks and Recreation

As set forth in Draft EIR Section IV.H.5, Public Services – Schools, pages IV.H.5-16 through IV.H.5-25, Project construction, operation, and cumulative impacts would not result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered governmental facilities, the construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for parks and recreational facilities. Therefore, impacts to parks and recreational facilities during Project construction, operation, and in the cumulative condition would be less than significant.

## 8. Transportation

(A) Program, Plans, Ordinance or Policy

As set forth in Draft EIR Section IV.I, Transportation, pages IV.I-26 through IV.I-31, the Project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.

(B) CEQA Guidelines Section 15064.3(b) (Vehicle Miles Traveled [VMT])

As set forth in Draft EIR Section IV.I, Transportation, pages IV.I-31 through IV.I-34, the Project would not result in a VMT impact and would not conflict or be inconsistent with CEQA Guidelines section 15064.3(b).

(C) Hazardous Design

As set forth in Draft EIR Section IV.I, Transportation, pages IV.I-34 through IV.I-35, the Project would not include any hazardous design features.

(D) Emergency Access

As set forth in Draft EIR Section IV.I, Transportation, pages IV.I-35 through IV.I-36, the Project would not result in inadequate emergency access.

(E) Cumulative Impacts

As set forth in Draft EIR Section IV.I, Transportation, pages IV.I-36 through IV.I-38, the Project's contribution to impacts related to programs, plans, ordinances or policies; or vehicle miles traveled; or hazardous design; or emergency access would not be cumulatively considerable and cumulative impacts would be less than significant.

(F) Project Design Features

The City finds that Project Design Feature TR-PDF-1 – TR-PDF-3, which are incorporated into the Project and incorporated into these findings as fully set forth herein, reduces the potential transportation impacts of the Project. This Project Design Feature was considered in the analysis of potential impacts.

**9. Tribal Cultural Resources**

(A) Tribal Cultural Resources

As set forth in Draft EIR Section IV.J, Tribal Cultural Resources, pages IV.J-12 through IV.J-15, there is no evidence of identified tribal resources or specific information on potential resources including from the AB 52 consultation process. As such impacts to tribal cultural resources are less than significant. The City will include its established condition of approval to protect against inadvertent discovery of tribal cultural resources and, thus, the less than significant impacts to tribal cultural resources will be further reduced.

(B) Cumulative Impacts

The Project and the related projects are located within an urbanized area that has been disturbed and developed over time. In the event that tribal cultural resources are uncovered, each related project would be required to comply with the applicable regulatory requirements in the event of inadvertent discovery. In addition, related projects would be required to comply with the consultation requirements of AB 52 to determine and mitigate any potential impacts to tribal cultural resources. Therefore, cumulative impacts to tribal cultural resources would be less than significant and would not be cumulatively considerable.

**10. Utilities and Service Systems – Water Supply and Infrastructure**

As set forth in Draft EIR Section IV.K.1, Utilities and Service Systems – Water Supply and Infrastructure, pages IV.K.1-27 through IV.K.1-47, the Project, either during construction, operation or cumulative condition, would not require or result in the construction of new water facilities or expansion or expansion of existing facilities, the construction of which could cause significant environmental effects. In addition, sufficient water supply is available to serve the Project construction, Project operation, and in the cumulative condition. As such, impacts related to water infrastructure and to water supply would be less than significant.

(A) Project Design Features

The City finds that Project Design Feature WAT-PDF-1, which is incorporated into the Project and incorporated into these findings as fully set forth herein, reduces the potential water supply impacts of the Project. This Project Design Feature was considered in the analysis of potential impacts.

**11. Utilities and Service Systems – Wastewater**

As set forth in Draft EIR Section IV.K.2, Utilities and Service Systems – Wastewater, pages IV.K.2-12 through IV.K.2-28, the Project, either during construction, operation or cumulative condition, would not require or result in the construction of new wastewater facilities or expansion or expansion of existing facilities, the construction of which could cause significant environmental effects. In addition, sufficient wastewater capacity is available to serve the Project construction wastewater demand, Project operation wastewater demand, and in the cumulative condition. As such, impacts related to wastewater infrastructure and to wastewater treatment capacity would be less than significant.

**12. Utilities and Service Systems – Energy Infrastructure**

As set forth in Draft EIR Section IV.K.3, Utilities and Service Systems – Energy Infrastructure, pages IV.K.3-7 through IV.K.3-12, Project construction and operation, including in the cumulative condition, would not require or result in an increase in demand for electricity or natural gas that exceeds available supply or distribution infrastructure capabilities that could result in the construction of new energy facilities or expansion of existing facilities, the construction of which could cause significant effects. Therefore, Project impacts would be less than significant during construction and operation.

**VII. ENVIRONMENTAL IMPACTS FOUND TO BE LESS THAN SIGNIFICANT AFTER MITIGATION**

The following impact areas were concluded by the Draft EIR to be less than significant with the implementation of mitigation measures described in the Final EIR. Based on that analysis and other evidence in the administrative record relating to the project, the City finds and determines that mitigation measures described in the Final EIR reduce potentially significant impacts identified for the following environmental impact categories to below the level of significance. Pursuant to PRC Section 21081, the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid each of the following significant effects on the environment.

**1. Cultural Resources – Archeological Resources**

(A) Impact Summary

The results of the archaeological records search indicate that there are no identified archaeological resources within the Project Site and that two archaeological resources are located within a half-mile radius of the Project Site. While these findings do not preclude the potential for an archaeological site to be identified during construction activities associated with the Project, encountering archaeological resources is unlikely since the Project Site has previously been graded as part of previous construction activities. However, the Project would require excavation to depths up to 40 feet below grade for construction of the subterranean parking levels, which is greater than previously excavated depths and would reach native soils. Therefore, it is possible that archaeological resources that were not identified during prior construction or other human activity may be present. Should such archeological resources be encountered during construction, a potentially significant impact could result.

(B) Project Design Features

No specific project design features are proposed with regard to archeological resources.

(C) Mitigation Measures

**Mitigation Measure CUL-MM-1:** Prior to demolition, a qualified archaeologist shall be retained to perform periodic inspections of excavation and grading activities at the Project Site. The frequency of inspections shall be based on consultation with the archaeologist and the City of Los Angeles Department of City Planning and shall depend on the rate of excavation and grading activities and the materials being excavated. If archaeological materials are encountered, the archaeologist shall temporarily divert or redirect grading and excavation activities in the area of the exposed material to facilitate evaluation and, if necessary, salvage. The archaeologist shall then assess the discovered material(s) and prepare a survey, study or report evaluating the impact. The Applicant shall then comply with the recommendations of the evaluating archaeologist, and a copy of the archaeological survey report shall be submitted to the Department of City Planning. Ground-disturbing activities may resume once the archaeologist's recommendations have been implemented to the satisfaction of the archaeologist.

(D) Finding

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid potential significant effects on the environment regarding paleontological resources.

(E) Rationale for Finding

As set forth in Mitigation Measure CUL-MM-1, a qualified archeologist shall be retained to perform periodic inspections of excavation and grading activities of the Project Site. In the event archeological resources are encountered, the archeologist shall be allowed to temporarily divert or redirect grading and excavation activities in the area of the exposed material to facilitate evaluation and, if necessary, salvage. Therefore, implementation of Mitigation Measure CUL-MM-1 would ensure that any potential impacts related to archeological resources would be less than significant.

With regard to potential cumulative impacts related to archeological resources, the Project vicinity and Community Plan area are urbanized and have been disturbed and developed over time. In the event that archeological resources are uncovered, all related projects and other future development within the Community Plan area would be required to comply with applicable regulatory requirements. In addition, as part of the environmental review processes for the related projects, it is expected that mitigation measures would be established as necessary to address the potential for uncovering archeological resources. Therefore, cumulative impacts to archeological resources would be less than significant and would not be cumulatively considerable.

(B) Reference

Section IV.B, Cultural Resources, of the Draft EIR, as well as archeological records search results included as Appendix D.2 to the Draft EIR.

## 2. Geology and Soils – Paleontological Resources

(A) Impact Summary

A records search conducted for the Project Site indicates there are no previously encountered fossil vertebrate localities located within the Project Site. The closest identified localities from older Quaternary deposits in proximity to the Project Site are LACM 6297-6300, which were collected at depth between 47 and 80 feet below the surface to the east of the Project Site along Hollywood

Boulevard between the Hollywood Freeway and Western Avenue. The fossil specimens included horse, Equus, bison, camel, Camelops, and mastodon, Mammut americanum. Furthermore, the closest identified locality recovered at shallow depth is LACM 5845, which produced a fossil specimen of mastodon, Mammutidae, at five to six feet below the surface and southeast of the Project Site. While the Project Site has been subject to grading and development in the past, excavation to construct the subterranean parking garage would extend to a depth of approximately 40 feet below grade. Thus, it is possible that paleontological artifacts that were not recovered during prior construction or other human activity may be present. Should such paleontological resources be encountered during construction, a potentially significant impact could result.

(B) Project Design Features

No specific project design features are proposed with regard to paleontological resources.

(C) Mitigation Measures

**Mitigation Measure GEO-MM-1:** Prior to demolition, the Project Applicant or its successor shall retain a qualified paleontologist to perform periodic inspections of excavation and grading activities at the Project Site. The frequency of inspections shall be based on consultation with the paleontologist and shall depend on the rate of excavation and grading activities, the materials being excavated, and if found, the abundance and type of fossils encountered. If paleontological materials are encountered, the paleontologist shall temporarily divert or redirect grading and excavation activities in the area of the exposed material to facilitate evaluation and, if necessary, salvage. The paleontologist shall then assess the discovered material(s) and prepare a survey, study or report evaluating the impact. The Project Applicant or its successor shall then comply with the recommendations of the evaluating paleontologist, and a copy of the paleontological survey report shall be submitted to the Los Angeles County Natural History Museum. Ground-disturbing activities may resume once the paleontologist's recommendations have been implemented to the satisfaction of the paleontologist.

(D) Finding

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid potential significant effects on the environment regarding paleontological resources.

(E) Rationale for Finding

As set forth in Mitigation Measure GEO-MM-1, a qualified paleontologist shall be retained to perform periodic inspections of excavation and grading activities of the Project Site. In the event paleontological materials are encountered, the paleontologist shall be allowed to temporarily divert or redirect grading and excavation activities in the area of the exposed material to facilitate evaluation and, if necessary, salvage. Therefore, implementation of Mitigation Measure GEO-MM-1 would ensure that any potential impacts related to paleontological resources would be less than significant.

With regard to potential cumulative impacts related to paleontological resources, the Project vicinity and Community Plan area are urbanized and have been disturbed and developed over time. In the event that paleontological resources are uncovered, all related projects and other future development within the Community Plan area would be required to comply with applicable regulatory requirements. In addition, as part of the environmental review processes for the related projects, it is expected that mitigation measures would be established as necessary to address the potential for uncovering paleontological resources. Therefore, cumulative impacts to paleontological resources would be less than significant and would not be cumulatively considerable.

(F) Reference

Section IV.D, Geology and Soils – Paleontological Resources, of the Draft EIR, as well as paleontological records search results included as Appendix G to the Draft EIR.

**3. Noise – On-site Vibration (Building Damage)**

(A) Impact Summary

With regard to potential building damage, Table IV.G-21 in Section IV.G, Noise, of the Draft EIR, page IV.G-45, provides the estimated vibration levels (in terms of inch per second PPV) at the nearest off-site structures to the Project Site. It is noted that since impact pile driving methods would not be used during construction of the Project, in accordance with Project Design Feature NOI PDF-1, Draft EIR page IV.G-24, impact pile driving vibration is not included in the on-site construction vibration analysis. Installation of piles for shoring and foundation would utilize drilling methods to minimize vibration generation.

As discussed in Section IV.B. Cultural Resources, of the Draft EIR, the Attie Building is a historical resource and would remain as part of the Project. A significance criterion of 0.12 PPV is utilized for historic structures and structures that are extremely susceptible to vibration damage. Both the Attie Building and Hotel Mark Twain are considered historic structures, and are located either on or in close proximity (within 15 feet) of the Project construction site. The 0.12 PPV criteria has been applied to these structures. The assessment of construction vibration provided below for potential building damage due to on-site construction compares the estimated vibration levels generated during construction of the Project to the 0.12-PPV significance criteria for buildings extremely susceptible to vibration (applicable to the Attie Building and Hotel Mark Twain, historic structures), the 0.2-PPV significance criteria for non-engineered timber and masonry building (applicable to the two-story buildings to the east and west of the Project Site), and the 0.3 PPV significance criteria for engineered concrete masonry building (applicable for the four-story building to the north of the Project Site). In addition, the construction vibration analysis for potential building damage due to off-site construction activities (haul trips) conservatively compares the estimated vibration levels generated from haul truck activities to the 0.12 PPV significance criteria for buildings extremely susceptible to vibration damage.

As indicated in Table IV.G-21 in Section IV.G, Noise, of the Draft EIR, page IV.G-45, the estimated vibration velocity levels from construction equipment would exceed the 0.12 PPV building damage significance criteria at the Attie Building on site and Hotel Mark Twain to the south of the Project site, and the 0.2 PPV criteria at the two-story building adjacent to the Project Site to the east,. Therefore, vibration impacts during construction of the Project to off-site and on-site building structures would be potentially significant.

(B) Project Design Features

**Project Design Feature NOI-PDF-1:** Project construction shall not include the use of driven (impact) pile systems.

(C) Mitigation Measures

**Mitigation Measure NOI-MM-2:** Prior to demolition, the Applicant shall retain the services of a structural engineer or qualified professional to visit the Attie Building, the 2-story commercial building on Hollywood Boulevard (adjacent to the Project Site to the east), and the 3-story hotel building (Hotel Mark Twain) on Wilcox Avenue (adjacent to the Project Site to the south) to inspect and document the apparent physical condition of the buildings' readily-visible features. In addition, the structural engineer shall

establish baseline structural conditions of the building and prepare a shoring design.

Prior to start of construction, the Applicant shall retain the services of a qualified acoustical engineer to review proposed construction equipment and develop and implement a vibration monitoring program capable of documenting the construction-related ground vibration levels at the Attie Building, the 2-story commercial building, and the Hotel Mark Twain building during demolition, grading/excavation, and construction of the subterranean parking garage. The vibration monitoring system shall continuously measure and store the peak particle velocity (PPV) in inch/second. The system shall also be programmed for two preset velocity levels: a warning level of 0.10 PPV for the Attie Building and the Hotel Mark Twain, 0.16 PPV for the 2-story commercial building and a regulatory level of 0.12 PPV for the Attie Building and the Hotel Mark Twain, and 0.20 PPV for the 2-story commercial building. The system shall also provide real-time alert when the vibration levels exceed the two preset levels.

In the event the warning level (0.10 PPV for the Attie Building and the Hotel Mark Twain, and 0.16 PPV for the 2-story commercial building) is triggered, the contractor shall identify the source of vibration generation, halt construction in the immediate vicinity, and provide feasible steps to reduce the vibration level, including but not limited to halting/staggering concurrent activities and utilizing lower vibratory techniques.

In the event the regulatory level (0.12 PPV for the Attie Building and the Hotel Mark Twain, and 0.20 PPV for the 2-story commercial building) is triggered, the contractor shall halt the construction activities in the vicinity of the building and visually inspect the building for any damage. Results of the inspection must be logged and maintained by the contractor and submitted to the Los Angeles Department of Building and Safety. The contractor shall identify the source of vibration generation and provide feasible steps to reduce the vibration level. Construction activities may then restart.

In the event damage occurs to historic finish materials (applicable to the Attie Building and the Hotel Mark Twain) due to construction vibration, such materials shall be repaired in consultation with a qualified preservation consultant and, if warranted, in a manner that meets the Secretary of the Interior's Standards.

(D) Finding

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid potential significant effects on the environment regarding Noise – On-Site Vibration (Building Damage).

(F) Rationale for Finding

Implementation of Mitigation Measure NOI-MM-2 would ensure the vibration levels at the exterior of the Attie Building, the 2-story commercial building, and the 3-story hotel building adjacent to the Project Site would not exceed the significance criteria, 0.12 PPV for the Attie Building and Hotel Mark Twain, 0.20 PPV for the 2-story commercial building. Therefore, vibration impacts associated with the on-site construction activities would be reduced to a less than significant level.

(G) Reference

Section IV.G, Noise, of the Draft EIR, as well as the Noise Calculation Worksheets included as Appendix I to the Draft EIR.

### VIII. ENVIRONMENTAL IMPACTS FOUND TO BE SIGNIFICANT EVEN AFTER MITIGATION

The following impact areas were concluded by the Draft EIR to remain significant and unavoidable following implementation of all feasible mitigation measures described in the Final EIR. Consequently, in accordance with CEQA Guidelines Section 15093, a Statement of Overriding Considerations has been prepared (see Section XI of these Findings).

#### 1. Noise

(A) Impact Summary

(i) Project-Level On-Site Construction Noise

Noise impacts from Project-related construction activities during each stage of construction would involve the use of various types of construction equipment and would, therefore, have its own distinct noise characteristics. Construction activities for the Project would generally include demolition, site grading and excavation for the subterranean parking garage, and building construction. Noise from construction equipment would generate both steady-state and episodic noise that could be heard within and adjacent to the Project Site.

Individual pieces of construction equipment anticipated to be used during construction of the Project could produce maximum noise levels (Lmax) of 74 dBA to 90 dBA at a reference distance of 50 feet from the noise source, as shown in Table IV.G-10 in Section IV.G, Noise, of the Draft EIR. These maximum noise levels would occur when equipment is operating under full power conditions (i.e., the equipment engine at maximum speed), which does not typically occur for long durations, or for multiple pieces of equipment simultaneously.

Table IV.G-11 in Section IV.G, Noise, of the Draft EIR provides the estimated construction noise levels for various construction phases at the off-site noise-sensitive receptors. As construction activities would occur over a period longer than 10 days for all phases, the corresponding significance criteria used in the construction noise analysis is when the construction-related noise exceeds the ambient Leq noise level of 5 dBA at a noise-sensitive use. As presented in Table IV.G-11 in Section IV.G, Noise, of the Draft EIR, construction activities would generate the highest noise during the demolition phase, as it is anticipated to have the highest noise generating construction equipment in the construction area compared to the Project's other construction stages. Therefore, the potential noise impacts (i.e., noise increase over the ambient level) would be highest during the demolition phase. As indicated in Table IV.G-11 in Section IV.G, Noise, of the Draft EIR, the estimated noise levels during all stages of Project construction would be below the significance criteria at off-site receptor locations R2, R4, R5, and R6. Without implementation of mitigation, the estimated noise levels at receptor locations R1 and R3 would exceed the 5-dBA significance criteria by up to 35.8 dBA and 5.0 dBA, respectively. Therefore, temporary noise impacts associated with the Project's on-site construction would be significant.

(ii) Project-Level On-Site Construction Vibration (Human Annoyance)

Table IV.G-22 in Section IV.G, Noise, of the Draft EIR provides the estimated vibration levels at the off-site sensitive uses due to construction equipment operation and compares the estimated vibration levels to the specified significance criteria for human annoyance. Per FTA guidance, the significance criteria for human annoyance is 72 VdB for sensitive uses, including residential and hotel uses, assuming there is a minimum of 70 vibration events occurring during a typical construction day. As indicated in Table IV.G 22, the estimated ground-borne vibration levels from construction equipment



would be below the significance criteria for human annoyance at all off-site sensitive receptor locations, with the exception of receptor location R1, the Hotel Mark Twain adjacent to the Project Site. The estimated ground-borne vibration levels at receptor location R1 would be up to 99 VdB and would exceed the 72 VdB significance criteria. Therefore, vibration impacts during construction of the Project to off-site receptors, pursuant to the significance criteria for human annoyance, would be significant.

(iii) Project-Level Off-Site Construction Vibration (Human Annoyance)

Per FTA guidance, the significance criteria for human annoyance is 72 VdB for sensitive uses, including residential and hotel uses. Based on FTA data, typical buses and trucks would generate vibration levels of approximately 63 VdB at 50 feet from the receptor. The estimated vibration levels generated by construction trucks traveling along the anticipated haul route were assumed to be within 20 feet of the sensitive uses along Cahuenga Boulevard, Hollywood Boulevard, Wilcox Avenue and Selma Avenue. As indicated in the noise calculation worksheets included in Appendix I of the Draft EIR, the temporary vibration levels could reach approximately 75 VdB periodically as trucks pass sensitive receptors along the anticipated haul route. There are residential uses along, Cahuenga Boulevard, Selma Avenue, Wilcox Avenue, and Hollywood Boulevard (between the Project Site and US-101), which would be exposed to ground-borne vibration above the 72-VdB significance criteria from the construction trucks. Therefore, potential vibration impacts with respect to human annoyance that would result from temporary and intermittent off-site vibration from construction trucks traveling along the anticipated haul route(s) would be significant.

(iv) Cumulative On-Site Construction Noise

As indicated in Section III, Environmental Setting, of the Draft EIR, 107 related projects have been identified in the vicinity of the Project Site. Noise from construction of development projects is typically localized and has the potential to affect noise-sensitive uses within 500 feet from the construction site, based on the L.A. CEQA Thresholds Guide screening criteria. Thus, noise from construction activities for two projects within 1,000 feet of each other can contribute to a cumulative noise impact for receptors located midway between the two construction sites. As shown in Section IV.G, Noise, there are 16 related projects identified in the Draft EIR that are within 1,000 feet of the Project Site.

Construction-related noise levels from the related projects would be intermittent and temporary, and it is anticipated that, as with the Project, the related projects would comply with the construction hours and other relevant provisions set forth in the LAMC. Noise associated with cumulative construction activities would be reduced to the degree reasonably and technically feasible through proposed mitigation measures for each individual related project and compliance with locally adopted and enforced noise ordinances. Based on the above, there would potentially be cumulative noise impacts at the nearby sensitive uses (e.g., residential and hotel uses) located in proximity to the Project Site and Related Project No. 75 and Related Project No. 92, in the event of concurrent construction activities. As such, cumulative noise impacts from on-site construction would be significant, and the Project's contribution would be cumulatively considerable.

(v) Cumulative Off-Site Construction Noise

In addition to the cumulative impacts of on-site construction activities, off-site construction haul trucks would have a potential to result in cumulative impacts, if the trucks for the related projects and the Project were to utilize the same haul route. Specifically, based on the existing daytime ambient noise level of 70.9 dBA (Leq) along the anticipated haul routes, including Cahuenga Boulevard, Wilcox Avenue, Selma Avenue, and Hollywood Boulevard, it is estimated that up to 125 truck trips per hour could occur along Cahuenga Boulevard, and Hollywood Boulevard without exceeding the significance criteria of 5 dBA above ambient noise levels. Therefore, if the total number of trucks from the Project and related projects were to add up to 126 truck trips per hour along Cahuenga Boulevard and Hollywood Boulevard, the estimated noise level from 126 truck trips per hour plus the

ambient would be 75.9 dBA, which would exceed the ambient noise levels by 5 dBA and exceed the significance criteria. In addition, it is estimated that up to 48 truck trips per hour would exceed the significance criteria of 5 dBA along Selma Avenue and Wilcox Avenue. While the Department of Building and Safety is trying to limit the number of projects using the same haul route to the extent feasible, there are several related projects in the vicinity of the Project Site, which could utilize the same haul route, such as, Related Project Nos. 17, 22, 55, 64, 67, 74, 75, 84, 92, 98, 102, and 105. Since the Project would generate up to 22 truck trips during peak construction period, it is conservatively assumed that truck traffic related to construction of the Project and other related projects would cumulatively add up to 126 or more hourly truck trips along Cahuenga Boulevard and Hollywood Boulevard and 48 trucks trips or more hourly along Selma Avenue and Wilcox Avenue. Therefore, cumulative noise due to construction truck traffic from the Project and other related projects has the potential to exceed the ambient noise levels along the haul route by 5 dBA. As such, cumulative noise impacts from off-site construction would be significant.

(vi) Cumulative Off-Site Construction Vibration (Human Annoyance)

As discussed above, there are existing buildings that are approximately 20 feet from the right of-way of the anticipated haul route for the Project (i.e., Selma Avenue, Wilcox Avenue, Cahuenga Boulevard, and Hollywood Boulevard). These buildings are anticipated to be exposed to ground-borne vibration levels of approximately 0.022 PPV. Trucks from the related projects are expected to generate similar ground-borne vibration levels. Therefore, the vibration levels generated from off-site construction trucks associated with the Project and other related projects along the anticipated haul route would be below the most stringent building damage significance criteria of 0.12 PPV for buildings extremely susceptible to vibration. Therefore, potential cumulative vibration impacts with respect to building damage from off-site construction would be less than significant.

As discussed above, potential vibration impacts associated with temporary and intermittent vibration from project-related construction trucks traveling along the anticipated haul route would be significant with respect to human annoyance. As related projects would be anticipated to use similar trucks as the Project, it is anticipated that construction trucks would generate similar vibration levels along the anticipated haul route. Therefore, to the extent that other related projects use the same haul route as the Project, potential cumulative human annoyance impacts associated with temporary and intermittent vibration from haul trucks traveling along the designated haul routes would be significant.

(B) Project Design Features

**Project Design Feature NOI-PDF-1:** Project construction shall not include the use of driven (impact) pile systems.

**Project Design Feature NOI-PDF-2:** All outdoor mounted mechanical equipment shall be enclosed or screened from off-site noise-sensitive receptors.

**Project Design Feature NOI-PDF-3:** Outdoor amplified sound systems, if any, shall be designed so as not to exceed the maximum noise level of 75 dBA (Leq-1hr) at a distance of 25 feet from the amplified speaker sound systems at the Ground Level (courtyards), 85 dBA (Leq 1hr) at the Level 4 (pool deck and courtyard), and 95 dBA (Leq 1hr) at Level 12 (sky deck). A qualified noise consultant shall provide written documentation that the design of the system complies with these maximum noise levels.

(C) Mitigation Measures

**Mitigation Measure NOI-MM-1:** A temporary and impermeable sound barrier shall be erected at the locations listed below. At plan check, building plans shall include documentation prepared by a noise consultant verifying compliance with this measure.

Along the southern property line of the Project Site between the construction areas and the hotel buildings directly south and southwest of the Project Site (receptor R1). The temporary sound barrier (minimum sound transmission class 25) shall be designed to provide a minimum 15-dBA noise reduction at the ground level of receptor R1.

Along the western property line of the Project Site between the construction areas and hotel west of the Project Site (receptor R3). The temporary sound barrier shall be designed to provide a minimum 6-dBA noise reduction at the ground level of receptor R3.

**Mitigation Measure NOI-MM-2:** Prior to demolition, the Applicant shall retain the services of a structural engineer or qualified professional to visit the Attie Building, the 2-story commercial building on Hollywood Boulevard (adjacent to the Project Site to the east), and the 3-story hotel building (Hotel Mark Twain) on Wilcox Avenue (adjacent to the Project Site to the south) to inspect and document the apparent physical condition of the buildings' readily-visible features. In addition, the structural engineer shall establish baseline structural conditions of the building and prepare a shoring design.

Prior to start of construction, the Applicant shall retain the services of a qualified acoustical engineer to review proposed construction equipment and develop and implement a vibration monitoring program capable of documenting the construction-related ground vibration levels at the Attie Building, the 2-story commercial building, and the Hotel Mark Twain building during demolition, grading/excavation, and construction of the subterranean parking garage. The vibration monitoring system shall continuously measure and store the peak particle velocity (PPV) in inch/second. The system shall also be programmed for two preset velocity levels: a warning level of 0.10 PPV for the Attie Building and the Hotel Mark Twain, 0.16 PPV for the 2-story commercial building and a regulatory level of 0.12 PPV for the Attie Building and the Hotel Mark Twain, and 0.20 PPV for the 2-story commercial building. The system shall also provide real-time alert when the vibration levels exceed the two preset levels.

In the event the warning level (0.10 PPV for the Attie Building and the Hotel Mark Twain, and 0.16 PPV for the 2-story commercial building) is triggered, the contractor shall identify the source of vibration generation, halt construction in the immediate vicinity, and provide feasible steps to reduce the vibration level, including but not limited to halting/staggering concurrent activities and utilizing lower vibratory techniques.

In the event the regulatory level (0.12 PPV for the Attie Building and the Hotel Mark Twain, and 0.20 PPV for the 2-story commercial building) is triggered, the contractor shall halt the construction activities in the vicinity of the building and visually inspect the building for any damage. Results of the inspection must be logged and maintained by the contractor and submitted to the Los Angeles Department of Building and Safety. The contractor shall identify the source of vibration generation and provide feasible steps to reduce the vibration level. Construction activities may then restart.

In the event damage occurs to historic finish materials (applicable to the Attie Building and the Hotel Mark Twain) due to construction vibration, such materials shall be repaired in consultation with a qualified

preservation consultant and, if warranted, in a manner that meets the Secretary of the Interior's Standards.

(D) Finding

(i) Project-Level On-Site Construction Noise

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid potential significant effects on the environment regarding Project-Level On-Site Construction Noise.

(ii) Project-Level On-Site Vibration (Human Annoyance)

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid potential significant effects on the environment regarding Project-Level On-Site Vibration (Human Annoyance).

(iii) Project-Level Off-Site Vibration (Human Annoyance)

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid potential significant effects on the environment regarding Project-Level Off-Site Vibration (Human Annoyance).

(iv) Cumulative On-Site Construction Noise

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid potential significant effects on the environment regarding Cumulative On-Site Construction Noise.

(v) Cumulative Off-Site Construction Noise

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid potential significant effects on the environment regarding Cumulative Off-Site Construction Noise.

(vi) Cumulative Off-Site Construction Vibration (Human Annoyance)

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid potential significant effects on the environment regarding Cumulative Off-Site Construction Vibration (Human Annoyance).

(E) Rationale for Finding

(i) Project-Level On-Site Construction Noise

Implementation of Mitigation Measure NOI-MM-1 would reduce the Project's construction noise levels to the extent feasible. Specifically, implementation of Mitigation Measure NOI-MM-1 (installation of temporary sound barrier) would reduce the noise generated by on-site construction activities at the off-site sensitive uses, by minimum 15 dBA at the Hotel Mark Twain and Dream Hotel (receptor location R1) and by minimum 6 dBA at the hotel use on the Schrader Boulevard (receptor location R3). The estimated construction-related noise levels at off-site sensitive receptor locations R3 would be reduced to below a level of significance with implementation of Mitigation Measure NOI MM-1. However, construction-related noise levels at receptor location R1 would still exceed the 5 dBA significance criteria above the ambient noise levels, by up to 21 dBA under worst-case conditions when construction equipment is operating adjacent to the building. A 15 dBA noise reduction is a substantial reduction for the type of temporary noise barrier used during construction.

In addition, the calculations included in the Draft EIR reflect a worst case scenario of simultaneous equipment operation, in order to present a conservative analysis, are unlikely to occur. However, there are no other feasible mitigation measures that could be implemented to further reduce the temporary noise impacts. Therefore, construction noise impacts associated with on-site noise sources would remain significant and unavoidable, even with implementation of mitigation.

(ii) Project-Level On-Site Vibration (Human Annoyance)

Implementation of Mitigation Measure NOI-MM-2 would reduce the vibration impacts with respect to human annoyance at the Hotel Mark Twain and Dream Hotel (represented by the receptor location R1). However, project-level vibration impacts from on-site construction activities would still exceed the 72 VdB significance criteria. Other mitigation measures considered to reduce vibration impacts from on-site construction activities with respect to human annoyance included the installation of a wave barrier, which is typically a trench or a thin wall made of sheet piles installed in the ground (essentially a subterranean sound barrier to reduce noise). However, wave barriers must be very deep and long to be effective and are not considered cost effective for temporary applications, such as construction. In addition, constructing a wave barrier to reduce the Project's construction-related vibration impacts would, in and of itself, generate ground-borne vibration from the excavation equipment. In addition, the calculations included in the Draft EIR reflect a worst case scenario of simultaneous equipment operation, in order to present a conservative analysis, are unlikely to occur. Thus, it is concluded that there are no feasible mitigation measures that could be implemented to reduce the temporary vibration impacts from on-site construction associated with human annoyance to a less-than-significant level. Therefore, project-level vibration impacts from on-site construction activities with respect to human annoyance would remain significant and unavoidable.

(iii) Cumulative On-Site Construction Noise

Implementation of Mitigation Measure NOI-MM-1 would reduce the cumulative construction noise levels to the extent feasible. However, there are no other feasible mitigation measures that could be implemented to further reduce the temporary noise impacts. Therefore, cumulative construction noise impacts associated with on-site noise sources would remain significant and unavoidable, even with implementation of mitigation.

(iv) Cumulative Off-Site Construction Noise

Cumulative noise due to construction truck traffic from the Project and other related projects would likely exceed the ambient noise levels along the haul route by 5 dBA. There are no feasible mitigation measures to reduce the temporary significant noise impacts associated with the cumulative off-site construction trucks, as installation of barriers along haul routes is not feasible and would present significant safety concerns for pedestrians and vehicles. As such, cumulative noise impacts from off-site construction would be significant and unavoidable.

(v) Cumulative Off-Site Construction Vibration (Human Annoyance)

In order to reduce this impact to a less than significant level, construction trucks would need to be a minimum of 25 feet from the sensitive receptors, which is not feasible, or an alternative haul route would be needed. No haul route between the Project Site and US-101 without similar sensitive receptors is available. Therefore, there are no feasible mitigation measures that would reduce the potential vibration human annoyance impacts. Therefore, cumulative vibration impacts from off-site construction with respect to human annoyance would remain significant and unavoidable. Impacts would be temporary, intermittent, and limited to during daytime hours when the haul truck is traveling within 20 feet of a sensitive receptor.

(F) Reference

Section IV.G, Noise, and noise calculation worksheets contained in Appendix I, of the Draft EIR; Final EIR, Section III, Revisions, Clarifications, and Corrections to the Draft EIR, and August 6, 2020 Errata.

## **IX. ALTERNATIVES TO THE PROJECT**

CEQA requires that an EIR analyze a reasonable range of feasible alternatives that could substantially reduce or avoid the significant impacts of a project while also meeting the project's basic objectives. An EIR must identify ways to substantially reduce or avoid the significant effects that a project may have on the environment (PRC Section 21002.1). Accordingly, the discussion of alternatives shall focus on alternatives to a project or its location which are capable of avoiding or substantially reducing any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly. The Draft EIR evaluated a reasonable range of five alternatives to the Project in detail, which include the (1) No Project/No Build Alternative; (2) Zoning Compliant Mixed-Use Alternative; (3) Zoning Compliant Office Alternative; (4) Zoning Compliant Hotel Alternative, and (5) Proposed Hollywood Community Plan Update Compliant Mixed-Use Alternative. In accordance with CEQA requirements, the alternatives to the Project include a "No Project" alternative and alternatives capable of eliminating the significant adverse impacts of the project. These alternatives and their impacts, which are summarized below, are more fully described in Section V of the Draft EIR.

### **1. Summary of Findings**

Based upon the following analysis, the City finds, pursuant to CEQA Guidelines Section 15096(g)(2), that no feasible alternative or mitigation measure will substantially lessen any significant effect of the project, reduce the significant unavoidable impacts of the project to a level that is less than significant, or avoid any significant effect the project would have on the environment

### **2. Project Objectives**

An important consideration in the analysis of alternatives to the Project is the degree to which such alternatives would achieve the objectives of the Project. As more thoroughly described in Section II, Project Description, of the Draft EIR, page II-9, both the City and Project Applicant have established specific objectives concerning the Project, which are incorporated by reference herein and discussed further below.

### **3. Project Alternatives Analyzed**

#### **(A) Alternative 1 – No Project Alternative**

Alternative 1, the No Project Alternative, assumes that the Project would not be approved, and no new development would occur within the Project Site. Thus, the physical conditions of the Project Site would generally remain as they are today. The Project Site is currently occupied by four low-rise commercial buildings that comprise a total of 29,200 square feet of floor area, as well as surface parking. Included in this floor area is the 9,000-square-foot Attie Building located at the corner of Hollywood Boulevard and Wilcox Avenue, which is a contributing structure to the Hollywood Boulevard Commercial and Entertainment District. No new construction would occur.

#### **(i) Impact Summary**

The No Project/No Build Alternative would avoid the Project's significant and unavoidable noise impacts and vibration impacts, as well as avoiding all less than significant with mitigation impacts related to noise. Impacts associated with the remaining environmental issues would be less than those of the Project.

## (ii) Finding

Pursuant to PRC Section 21081(a)(3), specific economic, legal, social, technological, or other considerations, including considerations identified in Section XIII of these findings (Statement of Overriding Considerations), make infeasible the No Project Alternative, as described in the Draft EIR.

## (iii) Rationale for Findings

No changes to existing land uses or operations on-site would occur under Alternative 1. Alternative 1 would avoid all of the Project's significant environmental impacts, including the Project's significant and unavoidable impacts related to on-site noise during construction, on-site vibration during construction (pursuant to the threshold for human annoyance), and off-site vibration (pursuant to the threshold for human annoyance) during construction. In addition, Alternative 1 would avoid the Project's significant cumulative noise impacts from off-site haul trucks. However, the No Project/No Build Alternative would not meet any of the Project objectives or achieve the Project's underlying purpose to revitalize the Project Site by developing an integrated mixed-use development that provides new multi-family housing opportunities and neighborhood-serving retail, office, and restaurant uses that serve the community and promote walkability while also rehabilitating the Attie Building.

## (iv) Reference

Section V, Alternatives, of the Draft EIR.

## (B) Alternative 2 – Zoning Compliant Mixed-Use Alternative

Under this Alternative, the Project Site would be developed in accordance with the existing C4 2D SN (Commercial, Height District 2 with Development Limitation) zoning for the Project Site which permits a wide array of land uses, in conjunction with the Regional Center Commercial land use designation. Under existing zoning, no height limit applies to the portion of the Project Site which does not front Hollywood Boulevard. Like the Project, this alternative would include residential and neighborhood-serving commercial uses. However, in accordance with the Development Limitation, development would be subject to a FAR limitation of 2.0:1. Thus, Alternative 2 would develop a total of approximately 123,952 square feet of uses on the Project Site compared to the Project's 278,892 square feet of uses. Alternative 2 would retain the Attie Building on-site for continued use as commercial space, but unlike the Project, the building would not be rehabilitated and restored. The proposed uses would be comprised of approximately 125 multi-family residential units (compared to the Project's 260 units, up to 10 percent of which would be workforce housing), 14,600 square feet of retail uses, and 3,200 square feet of restaurant uses (compared to 11,020 square feet of retail uses, 3,580 square feet of office uses, and 3,200 square feet of restaurant uses with the Project). These uses would be located in the Attie Building and new buildings between one and eight stories with a maximum height of 90 feet, which is less than the maximum height of 160 feet with the Project. Unlike the Project, which includes workforce housing, all of the residential units would be market rate. The Zoning Compliant Mixed-Use Alternative would provide approximately 15,238 square feet of open space. Alternative 2 would provide code required parking for vehicles and bicycles, which would be fewer than the code requirement for the Project. With reduced density and square footage, the overall length and intensity of construction would be less than that of the Project. Construction of Alternative 2 would require less excavation and grading since no subterranean parking levels would be constructed and total floor area would be reduced by 154,940 square feet. Accordingly, the overall total amount of construction activities and duration under Alternative 2 would be less than that of the Project. Additionally, unlike the Project, Alternative 2 would not seek certification under AB 900, the *Jobs and Economic Improvement through Environmental Leadership Act*.

(i) Impact Summary

Alternative 2 would not avoid the Project's significant and unavoidable impacts with respect to on- and off-site noise and vibration during construction, nor would it avoid the significant and unavoidable cumulative impacts with respect to off-site construction noise and vibration. All other impacts would be less than or similar to those of the Project.

(ii) Finding

Pursuant to PRC Section 21081(a)(3), specific economic, legal, social, technological, or other considerations, including considerations identified in Section XIII of these findings (Statement of Overriding Considerations), make infeasible Alternative 2, as described in the Draft EIR.

(iii) Rationale for Finding

Alternative 2 would not avoid the Project's significant and unavoidable impacts with respect to on- and off-site noise and vibration during construction, nor would it avoid the significant and unavoidable cumulative impacts with respect to off-site construction noise and vibration. Moreover, Alternative 2 would not meet several of the Project objectives, and would meet other objectives to a lesser extent than the Project. Alternative 2 would develop a similar mix of uses to the Project, but the number of multi-family residential units would be significantly reduced, and no office uses would be provided. Also, as a result of the reduced number of residential units, all of the residential units included in Alternative 2 would be market rate. Alternative 2 would also not rehabilitate and restore the Attie Building. As such, Alternative 2 would only partially meet the Project's underlying purpose of revitalizing the Project Site by developing an integrated mixed-use development that provides new multi-family housing opportunities and neighborhood-serving retail, office, and restaurant uses that serve the community and promote walkability, while also rehabilitating the Attie Building. Alternative 2 would revitalize an underutilized project site with new buildings in an area located near a variety of transit options.

Although Alternative 2 would meet one of the Project objectives to the same extent as the Project, it would not meet the objectives related to providing workforce housing and would meet objectives associated with providing residential uses to a lesser extent than the Project. Alternative 2 would also not meet the objective to rehabilitate and restore the Attie Building. Also, Alternative 2 would only partially meet the Project's underlying objective and would do so to a lesser extent than the Project.

(iv) Reference

Section V, Alternatives, of the Draft EIR.

(C) Alternative 3 – Zoning Compliant Office Alternative

Under this Alternative, the Project Site would be developed in accordance with the existing C4 2D SN (Commercial, Height District 2 with Development Limitation) zoning for the Project Site, which permits a wide array of land uses. Under the existing zoning, no height limit applies to the portion of the Project Site which does not front Hollywood Boulevard. In addition, in accordance with the Development Limitation, development would be subject to a FAR limitation of 2.0:1. Alternative 3 would replace the residential uses proposed by the Project with office uses, but would still include retail and restaurant uses. Thus, under the existing zoning and the uses currently permitted on the Project Site, Alternative 3 proposes the development of approximately 106,152 square feet of office uses, 14,600 square feet of retail uses, and 3,200 square feet of restaurant uses in the Attie Building and new buildings up to 11 stories and a maximum height of 140 feet, which is less than the Project's maximum height of 160 feet. Alternative 3 would retain the Attie Building on-site for continued use as commercial space, but unlike the Project, the building would not be rehabilitated and restored. The Zoning Compliant All Office Alternative would include 246 parking spaces located in one ground



level and two above grade parking levels. Alternative 3 would also include 31 long-term and 20 short-term bicycle parking spaces located on Level 1. Vehicular access to the Project Site would be provided via a new driveway on Wilcox Avenue, similar to the Project. Pedestrian access would be provided via the sidewalks along Hollywood Boulevard and Wilcox Avenue. Architectural elements, lighting, and signage would be similar to that of the Project. Construction of Alternative 3 would require less excavation and grading compared to the Project since no subterranean parking levels would be constructed, and total floor area would be reduced by 154,940 square feet. Accordingly, the overall total amount of construction activities and duration under Alternative 3 would be less than that of the Project. Additionally, unlike the Project, Alternative 3 would not seek certification under AB 900, the *Jobs and Economic Improvement through Environmental Leadership Act*.

(i) Impact Summary

Alternative 3 would not avoid the Project's significant and unavoidable impacts with respect to on-site noise and vibration during construction, nor would it avoid the significant and unavoidable cumulative impacts with respect to off-site construction noise and vibration. Alternative 3 would also result in greater VMT impacts than the Project, but impacts would be less than significant. All other impacts would be less than or similar to those of the Project.

(ii) Finding

Pursuant to PRC Code Section 21081(a)(3), the specific economic, legal, social, technological, or other considerations, including considerations identified in Section XIII of these findings (Statement of Overriding Considerations), make infeasible Alternative 3, as described in the Draft EIR.

(iii) Rationale for Findings

Alternative 3 would not avoid the Project's significant and unavoidable impacts with respect to on-site noise and vibration during construction, nor would it avoid the significant and unavoidable cumulative impacts with respect to off-site construction noise and vibration. Alternative 3 would also result in greater VMT impacts than the Project, but impacts would be less than significant. Alternative 3 would not meet the Project's underlying purpose and would not meet any of the objectives pertaining to housing, including the provision of workforce housing and locating housing near public transit. Alternative 3 would also not rehabilitate and restore the Attie Building.

Alternative 3 would revitalize the Project Site with office, retail, and restaurant uses, but would not include any residential development. As such, Alternative 3 would only partially meet the Project's underlying purpose of revitalizing the Project Site by developing an integrated mixed-use development that provides new multi-family housing opportunities, including workforce housing, and neighborhood-serving retail, office, and restaurant uses that serve the community and promote walkability. In addition, Alternative 3 would not meet any of the Project objectives pertaining to housing, including the provision of workforce housing and locating housing near public transit. Alternative 3 would also not rehabilitate and restore the Attie Building.

(iv) Reference

Section V, Alternatives, of the Draft EIR.

(D) Alternative 4 – Zoning Compliant Hotel Alternative

Under this Alternative, the Project Site would be developed in accordance with the existing C4 2D SN (Commercial, Height District 2 with Development Limitation) zoning for the Project Site, which permits a wide array of land uses, such as retail stores, offices, hotels, schools, parks, and theaters. Under existing zoning, no height limit applies to the Project Site. In accordance with the Development Limitation, development would be subject to a FAR limitation of 2.0:1. Alternative 4 would replace the residential uses proposed by the Project with hotel uses, but would still include retail and

restaurant uses. Thus, Alternative 4 would develop an approximately 106,152 square foot hotel that would include 197 rooms, 14,600 square feet of retail uses, and 3,200 square feet of restaurant uses. Alternative 4 would retain the Attie Building on-site for continued use as commercial space, but unlike the Project, the building would not be rehabilitated and restored. The proposed uses would be located in the Attie Building and new buildings up to 11 stories and a maximum height of 130 feet, which is less than the Project's maximum height of 160 feet. The Zoning Compliant Hotel Alternative would include 124 parking spaces located in one ground level and one above-grade parking level. The Zoning Compliant Hotel Alternative would also include 19 long-term and 19 short-term bicycle parking spaces located on Level 1. Vehicular access to the Project Site, including a pick-up/drop-off area, would be provided via a new driveway on Wilcox Avenue, similar to the Project. Pedestrian access would be provided via the sidewalks along Hollywood Boulevard and Wilcox Avenue. Architectural elements, lighting, and signage would be similar to that of the Project. Construction of Alternative 4 would require less excavation and grading compared to the Project since no subterranean parking levels would be constructed, and total floor area would be reduced by 154,940 square feet. Accordingly, the overall total amount of construction activities and duration under Alternative 4 would be less than that of the Project. Additionally, unlike the Project, Alternative 4 would not seek certification under AB 900, the *Jobs and Economic Improvement through Environmental Leadership Act*.

(i) Impact Summary

Alternative 4 would not avoid the Project's significant and unavoidable impacts with respect to on-site noise and vibration during construction, nor would it avoid the significant and unavoidable cumulative impacts with respect to off-site construction noise and vibration. Alternative 4 would also result in greater VMT impacts than the Project, but impacts would be less than significant. All other impacts would be less than or similar to those of the Project.

(ii) Finding

Pursuant to PRC Code Section 21081(a)(3), specific economic, legal, social, technological, or other considerations, including considerations identified in Section XIII of these findings (Statement of Overriding Considerations), make infeasible Alternative 4, as described in the Draft EIR.

(iii) Rationale for Findings

Alternative 4 would not avoid the Project's significant and unavoidable impacts with respect to on-site noise and vibration during construction, nor would it avoid the significant and unavoidable cumulative impacts with respect to off-site construction noise and vibration. Alternative 4 would also result in greater VMT impacts than the Project, but impacts would be less than significant. Moreover, Alternative 4 would not meet the Project's underlying purpose and would not meet any of the objectives pertaining to housing, including the provision of workforce housing and locating housing near public transit. Alternative 4 would also not rehabilitate and restore the Attie Building.

Alternative 4 would revitalize the Project Site with hotel, retail, and restaurant uses, but would not include any residential development or rehabilitate and restore the Attie Building. As such, Alternative 4 would only partially meet the Project's underlying purpose of revitalizing the Project Site by developing an integrated mixed-use development that provides new multi-family housing opportunities and neighborhood-serving retail, office, and restaurant uses that serve the community and promote walkability, while also rehabilitating the Attie Building. In addition, Alternative 4 would not meet any of the Project objectives pertaining to housing, including the provision of workforce housing and locating housing near public transit.

(iv) Reference

Section V, Alternatives, of the Draft EIR.

(E) Alternative 5 – Proposed Hollywood Community Plan Update Compliant Mixed-Use Alternative

Under the proposed Community Plan Update the Project Site would be designated as a Regional Center Commercial with a corresponding zone of C4-2D-CPIO. This designation/zone would provide for a FAR limitation of 3:1 with a height limit of 75 feet. With a maximum FAR of 3:1, a total of approximately 127,375 square feet of new uses would be developed consisting of 124 multi-family dwelling units (109,575 square feet), 14,600 square feet of retail uses, and 3,200 square feet of restaurant uses. The total floor area would be reduced by 151,517 square feet compared to the Project. Alternative 5 would retain the Attie Building on-site for continued use as commercial space, but unlike the Project, the building would not be rehabilitated and restored. These uses would be located in the Attie Building and new buildings comprised of between one and seven stories with a maximum height of 75 feet, which is less than the Project's maximum height of 160 feet. Unlike the Project, which includes workforce housing, all residential units would be market rate. The Proposed Hollywood Community Plan Update Compliant Mixed-Use Alternative would provide approximately 14,375 square feet of open space. Alternative 5 would include 222 parking spaces located in one subterranean parking level, one partial ground level, and one level of above-grade parking, which is less than the 420 parking spaces provided in two subterranean, one ground level, and two levels of above-grade parking included in the Project. The Proposed Hollywood Community Plan Update Compliant Mixed-Use Alternative would also include 124 long-term and 13 short-term bicycle parking spaces located on Level 1. Vehicular access to the Project Site would be provided via a new driveway on Wilcox Avenue, similar to the Project. Pedestrian access would be provided via the sidewalks along Hollywood Boulevard and Wilcox Avenue. Additionally, unlike the Project, Alternative 5 would not seek certification under AB 900, the *Jobs and Economic Improvement through Environmental Leadership Act*.

(v) Impact Summary

Alternative 5 would not avoid the Project's significant and unavoidable impacts with respect to on- and off-site noise and vibration during construction, nor would it avoid the significant and unavoidable cumulative impacts with respect to off-site construction noise and vibration. All other impacts would be less than or similar to those of the Project.

(vi) Finding

Pursuant to PRC Section 21081(a)(3), specific economic, legal, social, technological, or other considerations, including considerations identified in Section XIII of these findings (Statement of Overriding Considerations), make infeasible Alternative 4, as described in the Draft EIR.

(vii) Rationale for Findings

Alternative 5 would not avoid the Project's significant and unavoidable impacts with respect to on- and off-site noise and vibration during construction, nor would it avoid the significant and unavoidable cumulative impacts with respect to off-site construction noise and vibration. All other impacts would be less than or similar to those of the Project. Although Alternative 5 would meet one of the Project objectives to the same extent as the Project, it would not meet the objectives related to providing workforce housing and would meet objectives associated with providing residential uses to a lesser extent than the Project. Alternative 5 would also not rehabilitate and restore the Attie Building. In addition, Alternative 5 would only partially meet the Project's underlying objective and would do so to a lesser extent than the Project.

Alternative 5 would develop a similar mix of uses to the Project, but the number of multi-family residential units would be significantly reduced, and no office uses would be provided. Although Alternative 5 would meet one of the Project objectives to the same extent as the Project, it would not meet the objectives related to providing workforce housing and would meet objectives associated with providing residential uses to a lesser extent than the Project. Alternative 5 would also not

rehabilitate and restore the Attie Building. As such, Alternative 5 would only partially meet the Project's underlying purpose of revitalizing the Project Site by developing an integrated mixed-use development that provides new multi-family housing opportunities and neighborhood-serving retail, office, and restaurant uses that serve the community and promote walkability while also rehabilitating the Attie Building. In addition, Alternative 5 would only partially meet the Project's underlying objective, and would do so to a lesser extent than the Project.

(viii) Reference

Section V, Alternatives, of the Draft EIR.

#### 4. Project Alternatives Considered and Rejected

As set forth in CEQA Guidelines Section 15126.6(c), an EIR should identify any alternatives that were considered for analysis, but rejected as infeasible, and briefly explain the reasons for their rejection. According to the CEQA Guidelines, among the factors that may be used to eliminate an alternative from detailed consideration are the alternative's failure to meet most of the basic project objectives, the alternative's infeasibility, or the alternative's inability to avoid significant environmental impacts. Alternatives to the Project that were considered and rejected as infeasible include the following:

##### (A) Alternative Project Site

The Project Applicant already owns the Project Site, and its location is conducive to the development of a mixed-use project. The Project Site is located on a section of Hollywood Boulevard characterized by medium- to high-density, low- and high-rise commercial and multi-family structures. These uses make the Project Site particularly suitable for development of a mixed-use development that provides new multi-family housing and neighborhood-serving commercial uses that serve the community and promote walkability. The Project Site is also well-served by transit. Furthermore, the Project Applicant cannot reasonably acquire, control, or access an alternative site in a timely fashion that would result in implementation of a project with similar uses and square footage. Given its urban location, if an alternative site in the Hollywood area that could accommodate the Project could be found, it would be expected that the significant and unavoidable impacts associated with construction noise and on- and off-site vibration due to construction would also occur. Additionally, considering the mixes of uses in the Hollywood area where sensitive uses may be located closer, development of the Project at an alternative site could potentially produce other environmental impacts that would otherwise not occur at the current Project Site and result in greater environmental impacts when compared with the Project. Therefore, an alternative site is not considered feasible as the Project Applicant does not own another suitable site that would achieve the underlying purpose and objectives of the Project, and an alternative site would not likely avoid the Project's significant impacts. Furthermore, an alternative Project Site would not include the beneficial rehabilitation and restoration of the Attie Building, which is included in the Project. Thus, this alternative was rejected from further consideration.

##### (B) Alternative To Avoid Significant Noise and Vibration Impacts

Various alternatives were considered with the goal of avoiding the Project's significant construction noise and vibration impacts. However, on-site construction noise levels would be highest during the demolition phase, which would occur under any scenario other than the No Project/No Build Alternative. Specifically, noise and vibration impacts from on-site construction activities would continue to occur as part of the demolition phase and periodic use of large trucks during all phases of construction. No feasible alternative to avoid these impacts was identified.

##### (C) Alternative That Would Restore The 6430-6434 Hollywood Boulevard Building

An alternative was considered that would restore the 6430-6434 Hollywood Boulevard building back to an earlier appearance. Restoration as a treatment is defined as "the act or process of accurately depicting the form, features, and character of a property as it appeared at a particular period of time by means of the removal of features from other periods in its history and reconstruction of missing features from the restoration period." However, due to a lack of sufficient documentation, either physical or photographic, it would not be possible to restore the appearance in conformance with the Secretary of the Interior's Standards, specifically Restoration Standard 7 which states, "replacement of missing features from the restoration period will be substantiated by documentary and physical evidence. A false sense of history will not be created by adding conjectural features, features from other properties, or by combining features that never existed together historically." No photographs have been located that clearly depict the façade of the building during the period of significance. In addition, given the substantial alterations over time, it is highly unlikely any historic fabric remains.

Therefore, restoration of the 6430-6434 Hollywood Boulevard building was determined to be infeasible.

## **5. Environmentally Superior Alternative**

Section 15126.6(e)(2) of the CEQA Guidelines indicates that an analysis of alternatives to a project shall identify an Environmentally Superior Alternative among the alternatives evaluated in an EIR. The CEQA Guidelines also state that should it be determined that the No Project Alternative is the Environmentally Superior Alternative, the EIR shall identify another Environmentally Superior Alternative among the remaining alternatives.

With respect to identifying an Environmentally Superior Alternative among those analyzed in the Draft EIR, Table V-1 in Section V, Alternatives, of the Draft EIR provides a comparative summary of the environmental impacts anticipated under each alternative with the environmental impacts associated with the Project. A more detailed description of the potential impacts associated with each alternative is provided above. Pursuant to CEQA Guidelines Section 15126.6(c), the analysis below addresses the ability of the alternatives to “avoid or substantially lessen one or more of the significant effects” of the Project.

Of the alternatives analyzed in the Draft EIR, Alternative 1, the No Project/No Build Alternative would avoid all of the Project’s significant environmental impacts, including the Project’s significant and unavoidable impacts related to on-site noise during construction, on-site vibration during construction (pursuant to the threshold for human annoyance), and off-site vibration (pursuant to the threshold for human annoyance) during construction. In addition, Alternative 1 would avoid the Project’s significant cumulative noise impacts from off-site haul trucks. However, the No Project/No Build Alternative would not meet any of the Project objectives or achieve the Project’s underlying purpose to revitalize the Project Site by developing an integrated mixed-use development that provides new multi-family housing opportunities and neighborhood-serving retail, office, and restaurant uses that serve the community and promote walkability while also rehabilitating the Attie Building.

In accordance with the CEQA Guidelines requirement to identify an Environmentally Superior Alternative other than the No Project Alternative (Alternative 1—No Project/No Build Alternative), a comparative evaluation of the remaining alternatives indicates that Alternative 5, the Proposed Hollywood Community Plan Update Compliant Alternative, would be the Environmentally Superior Alternative. As discussed above, Alternative 5 would not avoid the Project’s significant and unavoidable environmental impacts related to noise and vibration during construction. However, Alternative 5 would reduce many of the Project’s less-than-significant impacts. In addition, unlike Alternative 3, Alternative 5 would not result in significant and unavoidable impacts with respect to traffic that cannot be mitigated. Alternative 5 would not include many of the beneficial aspects of the Project, however, including the installation of solar panels, reduction of indoor and outdoor water use above code requirements, and other measures proposed by the Project to achieve LEED® Gold Certification. Alternative 5 would also not provide the same reduction in VMT as the Project because it would not include a TDM Program to reduce vehicle trips by 15 percent like the Project.

Alternative 5 would develop a similar mix of uses to the Project, but the number of multi-family residential units would be significantly reduced, and no office uses would be provided. Although Alternative 5 would meet one of the Project objectives to the same extent as the Project, it would not meet the objectives related to providing workforce housing and would meet objectives associated with providing residential uses to a lesser extent than the Project. Alternative 5 would also not rehabilitate and restore the Attie Building. As such, Alternative 5 would only partially meet the Project’s underlying purpose of revitalizing the Project Site by developing an integrated mixed-use development that provides new multi-family housing opportunities and neighborhood-serving retail, office, and restaurant uses that serve the community and promote walkability while also rehabilitating the Attie Building. In addition, Alternative 5 would only partially meet the Project’s underlying objective, and would do so to a lesser extent than the Project.

## **XI. Significant Irreversible Environmental Changes**

Section 15126.2(c) of the CEQA Guidelines indicates that an EIR should evaluate any significant irreversible environmental changes that would occur should the proposed project be implemented. The types and level of development associated with the project would consume limited, slowly renewable, and non-renewable resources. This consumption would occur during construction of the project and would continue throughout its operational lifetime. The development of the Project would require a commitment of resources that would include: (1) building materials and associated solid waste disposal effects on landfills; (2) water; and (3) energy resources (e.g., fossil fuels) for electricity, natural gas, and transportation.

### **(i) Building Materials and Solid Waste**

Construction of the Project would require consumption of resources that do not replenish themselves or which may renew so slowly as to be considered non-renewable. These resources would include certain types of lumber and other forest products, aggregate materials used in concrete and asphalt (e.g., sand, gravel and stone), metals (e.g., steel, copper and lead), and petrochemical construction materials (e.g., plastics).

The Project's generation of solid waste is addressed in the Initial Study for the Project, which is included as Appendix A of the Draft EIR. Pursuant to SB 1374, during construction of the Project, the Project would implement a construction waste management plan to recycle and/or salvage a minimum of 75 percent of non-hazardous demolition and construction debris. In addition, during operation, the Project would provide a designated recycling area for Project residents to facilitate recycling in accordance with the City of Los Angeles Space Allocation Ordinance (Ordinance No. 171,687) and the Los Angeles Green Building Code. The Project would also comply with AB 939, AB 341, AB 1826, and City waste diversion goals, as applicable, by providing clearly marked, source sorted receptacles to facilitate recycling. Thus, the consumption of non-renewable building materials such as lumber, aggregate materials, and plastics would be reduced.

### **(ii) Water**

Consumption of water during construction and operation of the Project is addressed in Section IV.K.1, Utilities and Service Systems—Water Supply and Infrastructure, of the Draft EIR. As evaluated therein, given the temporary nature of construction activities, the short-term and intermittent water use during construction of the Project would be less than the net new water consumption estimated for the Project at buildout. In addition, the water demand during construction would be considerably less than the existing uses (approximately 286 gallons per day [gpd] vs. 2,372 gpd) and this water demand would be offset by the reduction of water demand currently consumed by the existing uses, the majority of which would be removed as part of the Project. During operation, the estimated water demand for the Project would not exceed the available supplies projected by the Los Angeles Department of Water and Power (LADWP). Thus, LADWP would be able to meet the water demand of the Project, as well as the existing and planned future water demands of its service area. In addition, pursuant to Project Design Feature WAT-PDF-1, the Project would implement a variety of water conservation features to reduce indoor water use by at least 35 percent and outdoor water use by at least 30 percent in excess of the City of Los Angeles Green Building Code. Thus, as evaluated in Section IV.I.1, Utilities and Service Systems—Water Supply and Infrastructure, of the Draft EIR, while Project construction and operation would result in some irreversible consumption of water, the Project would not result in a significant impact related to water supply.

### **(iii) Energy Consumption**

During ongoing operation of the Project, non-renewable fossil fuels would represent the primary energy source, and thus the existing finite supplies of these resources would be incrementally reduced. Fossil fuels, such as diesel, gasoline, and oil, would also be consumed in the use of construction vehicles and equipment. Project consumption of non-renewable fossil fuels for energy

use during construction and operation of the Project is addressed in Section IV.C, Energy, of the Draft EIR. As discussed therein, construction activities for the Project would not require the consumption of natural gas, but would require the use of fossil fuels and electricity. On- and off-road vehicles would consume an estimated 89,295 gallons of gasoline and approximately 116,644 gallons of diesel fuel throughout the Project's construction. For comparison purposes, the fuel usage during Project construction would represent approximately 0.001 percent of projected the 2021 (construction start year) annual on-road gasoline-related energy consumption and 0.009 percent of the 2021 annual diesel fuel-related energy consumption in Los Angeles County. Therefore, the Project would not result in the wasteful, inefficient, and unnecessary consumption of energy resources as per PRC section 21100(b)(3). Therefore, impacts related to the consumption of fossil fuels during construction of the Project would be less than significant.

During operation, the Project's increase in electricity and natural gas demand would be within the anticipated service capabilities of LADWP and the Southern California Gas Company, respectively. As discussed in Section IV.C, Energy, of the Draft EIR, the Project would comply with 2019 Title 24 standards and applicable 2019 CALGreen requirements, and as part of the Project's AB 900 commitment, seek LEED Gold® certification. Among other measures, to meet LEED Gold® requirements, the Project would exceed LEED baseline requirements by 22 percent, use Energy Star-labeled products and applicants, and use LED lighting where appropriate, to reduce electricity use. Therefore, the Project would not cause the wasteful, inefficient, and unnecessary consumption of energy. In addition, Project operations would not conflict with adopted energy conservation plans. Refer to Section IV.C, Energy, of the Draft EIR, for further analysis regarding the Project's consumption of energy resources.

(iv) Environmental Hazards

The Project's potential use of hazardous materials is addressed in the Project's Initial Study, Appendix A to the Draft EIR. As analyzed therein, the types and amounts of hazardous materials that would be used in connection with the Project would be typical of those used for residential and commercial developments. Specifically, operation of the Project would be expected to involve the use and storage of small quantities of potentially hazardous materials in the form of cleaning solvents, painting supplies, pesticides for landscaping, and petroleum products. Construction of the Project would also involve the temporary use of potentially hazardous materials, including vehicle fuels, paints, oils, and transmission fluids. However, all potentially hazardous materials would be used and stored in accordance with manufacturers' instructions and handled in compliance with applicable federal, state, and local regulations. Any associated risk would be reduced to a less than significant level through compliance with these standards and regulations. As such, compliance with regulations and standards would serve to protect against significant and irreversible environmental change that could result from the accidental release of hazardous materials.

## **XII. Growth Inducing Impacts**

Section 15126.2(d) of the CEQA Guidelines requires a discussion of the ways in which a proposed project could induce growth. This includes ways in which a project would foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Included in this are projects which would remove obstacles to population growth, or increases in the population which may tax existing community service facilities, requiring construction of new facilities that could cause significant environmental effects. Additionally, consideration must be given to characteristics of some projects which may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. It must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment.

The Project includes 260 multi-family residential units. According to the Department of City Planning, the most recent estimated household size for multi-family housing units in the City of Los Angeles area is 2.42 persons per unit. Applying this factor, development of 260 multi-family residential units



would result in a net increase of approximately 630 residents. According to the SCAG 2016–2040 Regional Transportation Plan/Sustainable Communities Strategy (2016–2040 RTP/SCS), the forecasted population for the City of Los Angeles Subregion in 2016 was approximately 3,954,629 persons. In 2023, the projected occupancy year of the Project, the City of Los Angeles Subregion is anticipated to have a population of approximately 4,145,604 persons. Thus, the 630 estimated net new residents generated by the Project would represent approximately 0.33 percent of the population growth forecasted by SCAG in the City of Los Angeles Subregion between 2016 and 2023. Therefore, the Project's residents would be well within SCAG's population projections in both the 2016 RTP/SCS for the City of Los Angeles Subregion and would not result in a significant direct growth inducing impact.

In addition to the residential population generated by the Project, the Project would have the potential to generate indirect population growth in the vicinity of the Project Site as a result of the employment opportunities generated by the Project.

During construction, the Project would create temporary construction-related jobs. However, the work requirements of most construction projects are highly specialized such that construction workers remain at a job site only for the time in which their specific skills are needed to complete a particular phase of the construction process. Thus, construction workers would not be expected to relocate to the vicinity of the Project Site as a direct consequence of working on the Project. Therefore, given the availability of construction workers, the Project would not be considered growth inducing from a short-term employment perspective. Rather, the Project would provide a public benefit by providing new employment opportunities during the construction period.

With regard to employment during operation of the Project, the Project's commercial component would result in 39 permanent jobs based on employee generation rates published by the Los Angeles Unified School District (LAUSD) and based on the Applicant's other properties, the Project's residential component would result in an additional 13 jobs for a total of 52 permanent jobs. According to the 2016–2040 RTP/SCS, the employment forecast for the City of Los Angeles Subregion in 2016 was approximately 1,763,929 employees. In 2023, the projected occupancy year of the Project, the City of Los Angeles Subregion is anticipated to have approximately 1,882,104 employees. Thus, the Project's 52 estimated employees would constitute approximately 0.05 percent of the employment growth forecasted between 2016 and 2023. Therefore, the Project would not cause an exceedance of SCAG's employment projections contained in the 2016 RTP/SCS. In addition, the proposed neighborhood-serving retail and restaurant uses would include a range of full-time and part-time positions that are typically filled by persons already residing in the vicinity of the workplace, including some that may currently work on-site, and who generally do not relocate their households due to such employment opportunities. Therefore, given that some of the employment opportunities generated by the Project would be filled by people already residing in the vicinity of the Project Site, the potential growth associated Project employees who may relocate their place of residence would not be substantial. Although it is possible that some of the employment opportunities offered by the Project would be filled by persons moving into the surrounding area, which could increase demand for housing, it is anticipated that most of this demand would be filled by then-existing vacancies in the housing market and others by any new residential developments that may occur in the vicinity of the Project Site. As such, the Project's neighborhood-serving retail and restaurant uses would be unlikely to create an indirect demand for additional housing or households in the area.

### **XIII. STATEMENT OF OVERRIDING CONSIDERATIONS**

The EIR identifies unavoidable significant impacts that would result from implementation of the project. Section 21081 of the California Public Resources Code and Section 15093(b) of the CEQA Guidelines provide that when a decision of a public agency allows the occurrence of significant impacts that are identified in the EIR, but are not at least substantially mitigated to an insignificant level or eliminated, the lead agency must state in writing the reasons to support its action based on

the EIR and/or other information in the record. The State CEQA Guidelines require, pursuant to CEQA Guidelines Section 15093(b), that the decision-maker adopt a Statement of Overriding Considerations at the time of approval of a project, if it finds that significant adverse environmental effects have been identified in the EIR that cannot be substantially mitigated to an insignificant level or be eliminated. These findings and the Statement of Overriding Considerations are based on the documents and materials that constitute the record of proceedings, including, but not limited to, the Final EIR and all technical appendices attached thereto.

Based on the analysis provided in Section IV, Environmental Impact Analysis, of the Draft EIR, implementation of the Project would result in significant impacts that cannot be feasibly mitigated with respect to construction noise and vibration.

Accordingly, the City adopts the following Statement of Overriding Considerations. The City recognizes that significant and unavoidable impacts would result from implementation of the Project. Having (i) adopted all feasible mitigation measures, (ii) rejected as infeasible the alternatives to the Project discussed above, (iii) recognized all significant, unavoidable impacts, and (iv) balanced the benefits of the Project against the Project's significant and unavoidable impacts, the City hereby finds that each of the Project's benefits, as listed below, outweigh and override the significant unavoidable impacts relating to construction noise and vibration.

The below stated reasons summarize the benefits, goals and objectives of the Project, and provide the detailed rationale for the benefits of the Project. These overriding considerations of economic, social, aesthetic, and environmental benefits for the Project justify adoption of the Project and certification of the completed EIR. Each of the listed project benefits set forth in this Statement of Overriding Considerations provides a separate and independent ground for the City's decision to approve the project despite the project's identified significant and unavoidable environmental impacts. Each of the following overriding consideration separately and independently (i) outweighs the adverse environmental impacts of the Project, and (ii) justifies adoption of the Project and certification of the completed EIR. In particular, achieving the underlying purpose for the Project would be sufficient to override the significant environmental impacts of the Project.

- The Project is providing 260 multi-family residential units, up to 10 percent (26 units) of which would be set aside for workforce housing, helping to achieve Citywide housing goals and housing goals of the Hollywood Community Plan.
- The Project will provide a new mixed-use, mixed-income project which activates the pedestrian realm, provides amenities for cyclists, while being located in a Regional Center, an area designated for such types of development.
- The Project will rehabilitate and restore the existing two-story, 9,000-square-foot Attie Building, a contributing structure to the Hollywood Boulevard Commercial and Entertainment District, located at the corner of Hollywood Boulevard and Wilcox Avenue.
- The Project is a certified Environmental Leadership Development Project under AB 900 and the Project will qualify for LEED Gold certification, 22 percent below LEED baseline, outdoor water use 30 percent below code required baseline, indoor water use 35 percent below code required baseline, and provide a minimum of 105 kw of solar electricity generation on site.
- As Part of the ELDP requirements, the Project will achieve at least 15 percent greater transportation efficiency than comparable projects.
- As Part of the ELDP requirements, the Project will result in a minimum investment of \$100 million in California upon completion of construction.

- As Part of the ELDP requirements, the Project will create high-wage, highly skilled jobs that pay prevailing wages and living wages and provide construction jobs and permanent jobs for Californians, and help reduce unemployment
- As Part of the ELDP requirements, the Project will not result in any net additional greenhouse gas emissions, including emissions associated with employee trips.

#### **XIV. GENERAL FINDINGS.**

1. The City, acting through the Department of City Planning, is the “Lead Agency” for the Project that is evaluated in the EIR. The City finds that the EIR was prepared in compliance with CEQA and the CEQA Guidelines. The City finds that it has independently reviewed and analyzed the EIR for the Project, that the Draft EIR which was circulated for public review reflected its independent judgment, and that the Final EIR reflects the independent judgment of the City.
2. The EIR evaluated the following potential project and cumulative environmental impacts: Aesthetics; Air Quality; Cultural Resources; Energy; Geology and Soils; Greenhouse Gas Emissions; Hazards and Hazardous Materials; Land Use; Noise; Public Services; Transportation; and Tribal Cultural Resources; and Utilities. Additionally, the EIR considered Growth Inducing Impacts and Significant Irreversible Environmental Changes. The significant environmental impacts of the Project and the alternatives were identified in the EIR.
3. The City finds that the EIR provides objective information to assist the decision- makers and the public at large in their consideration of the environmental consequences of the Project. The public review period provided all interested jurisdictions, agencies, private organizations, and individuals the opportunity to submit comments regarding the Draft EIR. The Final EIR was prepared after the review period and responds to comments made during the public review period.
4. Textual refinements and errata were compiled and presented to the decision-makers for review and consideration. The City staff has made every effort to notify the decision-makers and the interested public/agencies of each textual change in the various documents associated with Project review. These textual refinements arose for a variety of reasons. First, it is inevitable that draft documents would contain errors and would require clarifications and corrections. Second, textual clarifications were necessitated to describe refinements suggested as part of the public participation process.
5. The Department of City Planning evaluated comments on environmental issues received from persons who reviewed the Draft EIR. In accordance with CEQA, the Department of City Planning prepared written responses describing the disposition of significant environmental issues raised. The Final EIR provides adequate, good faith and reasoned response to the comments. The Department of City Planning reviewed the comments received and responses thereto and has determined that neither the comments received nor the responses to such comments add significant new information regarding environmental impacts to the Draft EIR. The Lead Agency has based its actions on full appraisal of all viewpoints, including all comments received up to the date of adoption of these findings, concerning the environmental impacts identified and analyzed in the EIR.
6. The Final EIR documents changes to the Draft EIR. The Final EIR provides additional information that was not included in the Draft EIR. Having reviewed the information contained in the Draft EIR and the Final EIR and in the administrative record, as well as the requirements of CEQA and the CEQA Guidelines regarding recirculation of Draft EIRs, the City finds that there are no new significant impacts, substantial increase in the severity of a previously disclosed impact, significant information in the record of proceedings, or other criteria under

CEQA that would require recirculation of the Draft EIR, or preparation of a supplemental or subsequent EIR.

7. The Responses to Comments contained in the Final EIR fully considered and responded to comments claiming that the project would have significant impacts or more severe impacts not disclosed in the Draft EIR and include substantial evidence that none of these comments provided substantial evidence that the project would result in changed circumstances, significant new information, considerably different mitigation measures, or new or more severe significant impacts than were discussed in the Draft EIR. Specifically, the City finds that:
  - a. The City has thoroughly reviewed the public comments received regarding the Project and the Final EIR as it relates to the Project to determine whether under the requirements of CEQA, any of the public comments provide substantial evidence that would require recirculation of the EIR prior to its adoption and has determined that recirculation of the EIR is not required.
  - b. None of the information submitted after publication of the Final EIR, including testimony at and documents submitted for the public hearings on the Project, constitutes significant new information or otherwise requires preparation of a supplemental or subsequent EIR. The City does not find this information and testimony to be credible evidence of a significant impact, a substantial increase in the severity of an impact disclosed in the Final EIR, or a feasible mitigation measure or alternative not included in the Final EIR.
  - c. The mitigation measures identified for the Project were included in the Draft and Final EIRs. As revised, the final mitigation measures for the Project are described in the MMP. Each of the mitigation measures identified in the MMP is incorporated into the Project. The City finds that the impacts of the Project have been mitigated to less than significance by the feasible mitigation measures identified in the MMP.
8. CEQA requires the Lead Agency approving a project to adopt an MMP or the changes to the project which it has adopted or made a condition of project approval to ensure compliance with the mitigation measures during project implementation. The mitigation measures included in the EIR as certified by the City serve that function. The MMP includes all the mitigation measures and project design features adopted by the City in connection with the approval of the Project and has been designed to ensure compliance with such measures during implementation of the Project. In accordance with CEQA, the MMP provides the means to ensure that the mitigation measures are fully enforceable. In accordance with the requirements of PRC Section 21081.6, the City hereby adopts the MMP.
9. In accordance with the requirements of PRC Section 21081.6, the City hereby adopts each of the mitigation measures expressly set forth herein as conditions of approval for the Project.
10. The custodian of the documents or other material which constitute the record of proceedings upon which the City's decision is based is the City Department of City Planning, Environmental Review Section, 221 North Figueroa Street, Room 1350, Los Angeles, California 90012.
11. The City finds and declares that substantial evidence for each and every finding made herein is contained in the EIR, which is incorporated herein by this reference, or is in the record of proceedings in the matter.
12. The City is certifying an EIR for, and is approving and adopting findings for, the entirety of the actions described in these Findings and in the EIR as comprising the Project.
13. The EIR is a project EIR for purposes of environmental analysis of the Project. A project EIR examines the environmental effects of a specific project. The EIR serves as the primary

environmental compliance document for entitlement decisions regarding the Project by the City and other regulatory jurisdictions.

**FINDINGS OF FACT (SUBDIVISION MAP ACT)**

In connection with the approval of Vesting Tentative Tract Map No. 74371 the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

- (a) THE PROPOSED MAP IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.

The Vesting Tentative Tract Map was prepared by a Registered Professional Engineer and contains the required components, dimensions, areas, notes, legal description, ownership, applicant, and site address information as required by the Los Angeles Municipal Code ("LAMC").

The General Plan Framework Element describes Regional Centers as focal points for regional commerce, identity, and activity with higher density developments whose form is differentiated from the lower-density neighborhoods of the city. Regional Centers fall under the range of 1.5:1 to 6:1 FAR and are characterized by buildings ranging from six-to 20-story buildings or higher. Their densities and functions support the development of a comprehensive and interconnected network of public transit and services. The Project Site is also located within the Hollywood Center, as identified in the Hollywood Community Plan; spanning both sides of Sunset Boulevard and Hollywood Boulevard from La Brea Street to Gower Street. The Hollywood Community Plan intends for the Hollywood Center to serve as the focal point of the community, stating that "[t]his center area shall function: 1) as the commercial center for Hollywood and surrounding communities; and 2) as an entertainment center for the entire region. Future development should be compatible with existing commercial development, surrounding residential neighborhoods, and the transportation and circulation system. Developments combining residential and commercial uses are especially encouraged in this Center area." The Project is also within the Hollywood Redevelopment Project Area.

The Project would consist of three (3) ground floor commercial lots and three condominium lots

The Project Site contains approximately 1.38 net acres and six lots, containing commercial uses. The Project would merge these lots and a strip of public right of way along Wilcox Avenue, and resubdivide the site into three ground space lots and 3 commercial condominiums. In conjunction with the Vesting Tentative Tract Map under concurrent case No. CPC-2016-3176-VZC-HD-VCU-MCUP-SPR the Project Applicant is requesting approval of a Vesting Zone Change and Height District Change to modify the Development Limitation (per Ordinance No. 165,660-SA220 and 165,660-SA90) and allow a maximum floor area ratio (FAR) of 4.5:1 in lieu of the otherwise permitted 2:1 FAR; a Vesting Conditional Use Permit to allow floor area ratio averaging in a Unified Development; a Master Conditional Use Permit to allow the sale and dispensing of a full line of alcoholic beverages for 3 on and 2 off-site consumption within 3 restaurants and/or retail stores; and, Site Plan Review for the development of a project that results in an increase of 50 or more dwelling units. The Project proposes up to 260 residential dwelling units, and 17,800 square feet of commercial space, with a maximum FAR of 4.5:1, and maximum height of 160 feet. The proposed development is contingent upon the approval of Case No. CPC-2016-3176-VZC-HD-VCU-MCUP-SPR. If not approved, the subdivider shall submit a tract map modification.

The requested subdivision actions allows for the orderly arrangement of buildings on the site, flexibility in ownership and operation of the proposed commercial establishments, and allows for density height, and floor area arrangement which allows for the proposed project. Specifically, the lots allow for a development which preserves the historic Attie Building, while utilizing the unused floor area on the lot to support its rehabilitation. The arrangement of lots allows for the requested entitlements, which allow for a development which meets the goals of the General Plan and Hollywood Community Plan by providing mixed-use, mixed-income project, which provides new housing units, commercial space located in the Hollywood Center, while also including the restoration and rehabilitates of a historic structure. Additionally, the Project proposes a merger of public right of way along Wilcox Avenue, and would provide a full width sidewalk consistent with Mobility 2035 and Bureau of Engineering requirements to show consistency with the Community Plan as done in the Draft EIR.

The Subdivision Map Act requires the Advisory Agency to find the proposed map be consistent with the General Plan. For division of land purposes, consistency with the applicable plans is limited to those relating to zoning and land use regulations such as height, density, setbacks, parking, and lot area. In conjunction with the requested Vesting Zone Change the Project will be consistent with the underlying zoning regulations of the site and the Hollywood Community Plan.

Therefore, as conditioned the proposed tract map is consistent with the intent and purpose of applicable General Plan and Community Plan Goals, Objectives and Policies.

(b) THE DESIGN AND IMPROVEMENT OF THE PROPOSED SUBDIVISION ARE CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.

Section 66418 of the Subdivision Map Act defines the term “design” as follows: “Design” means: (1) street alignments, grades and widths; (2) drainage and sanitary facilities and utilities, including alignments and grades thereof; (3) location and size of all required easements and rights-of-way; (4) fire roads and firebreaks; purposes; and (9) such other specific physical requirement in the plan and configuration of the entire subdivision as may be necessary to ensure consistency with, or implementation of, the General Plan or any applicable Specific Plan. Further, Section 66427 of the Subdivision Map Act expressly states that the “Design and location of buildings are not part of the map review process for condominium, community apartment or stock cooperative projects.”

Section 17.05 C of the Los Angeles Municipal Code (LAMC) enumerates design standards for Subdivisions and requires that each Tentative Map be designed in conformance with the Street Design Standards and in conformance to the General Plan. Section 17.05 C, third paragraph, further establishes that density calculations include the areas for residential use and areas designated for public uses, except for land set aside for street purposes (“net area”). The requested map meets the required components of a Vesting Tentative Tract Map as it was prepared by a Registered Professional Engineer and contains the required components, dimensions, areas, notes, legal description, ownership, applicant, and site address information as required by the LAMC.

The vesting tentative tract map subdivision design includes the merger and resubdivision of the project site into three ground lots for three commercial condominium, for a development that would consist of up to 260 residential units, and 17,800 square feet of commercial space.

Bureau of Engineering requires dedications/easements and improvements along Wilcox Avenue, including a full width 15-foot sidewalk in compliance with Mobility 2035. The subdivision will be required to comply with all regulations pertaining to grading, building permits, and street improvement permit requirements. Conditions of Approval for the design

and improvement of the subdivision are required to be performed prior to the recordation of the tentative map, building permit, grading permit, or certificate of occupancy.

Further, the site is designated by the Hollywood Community Plan for Regional Center Commercial land uses, corresponding to the C2-4D-SN, nd C4-2D ones. The applicant is seeking a concurrent Zone Change and Height District Change, Vesting Conditional Use permit, Master Condition Use permit, and Site Plan Review. .

The design and layout of the map is consistent with the design standards established by the Subdivision Map Act and Division of Land Regulations of the LAMC. The subdivision will be required to comply with all regulations pertaining to grading, building permits, and street improvement permits. Several public agencies (including the Bureau of Engineering, Bureau of Sanitation, Bureau of Street Lighting, Department of Building and Safety, and Department of Recreation and Parks) have reviewed the map, found the subdivision design satisfactory and imposed improvement requirements and/or conditions of approval. Conditions of Approval for the design and improvement of the subdivision are required to be performed prior to the recordation of the Vesting Tentative Tract Map, building permit, grading permit, or certificate of occupancy. Sewers are available and have been inspected and deemed adequate in accommodating the proposed Project's sewerage needs.

Therefore, upon approval of the entitlement requests, and as conditioned, the design and improvement of the proposed subdivision is consistent with the intent and purpose of the applicable General Plan.

(c) THE SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED TYPE OF DEVELOPMENT.

The Project Site is located in the Hollywood Community Plan area, and is relatively flat and irregular in shape with approximately 100 feet of frontage along Hollywood Boulevard and 345 feet of frontage along Wilcox Avenue. The Site is bounded by Wilcox Avenue and one-story commercial buildings and surface parking lots to west, Hollywood Boulevard and the five-story Hollywood Pacific Theater (also known as the Warner Pacific or Warner Hollywood Theater) to the north, a one-story retail building to the east along Hollywood Boulevard, and a three-story hotel to the south.

The Site is located in a developed urban area. Surrounding properties are within the C4-2D and C4-2D-SN Zones. Surrounding uses near the Project Site include medium to high-density, low- and high-rise commercial and multi-family buildings, such as the five-story Hollywood Pacific Theater to the north, a one-story retail building to the east along Hollywood Boulevard, and a three-story hotel to the south.

The Project Site is currently developed with four (4) commercial buildings totaling approximately 29,200 square feet of floor area, as well as surface parking. Three of the four buildings would be demolished to provide for the Project. The fourth building, the Attie Building is a contributing structure to the Hollywood Boulevard Commercial and Entertainment District and would be restored as part of the Project. Excavation of for the Project would extend approximately 40 feet below grade and approximately 58,000 cubic yards of soil export would be hauled from the Project Site.

The Project Site is not located within a Methane Zone and would be not be subject to the requirements of the City Methane Requirements. The Site is not located in a hillside area, or Alquist-Priolo Fault Zone, landslide area, liquefaction area, or preliminary fault rupture study area, nor any other hazardous zone.



The Department of Building and Safety, Grading Division has reviewed the Vesting Tentative Tract Map and confirmed that a geology and soils report is not required prior to Planning approval of the Vesting Tentative Tract Map, as the Site is located outside of a Hillside Area; is exempt or located outside of a State of California liquefaction, earthquake induced landslide, or fault-rupture hazard zone; and, does not require any grading or construction of an engineered retaining structure to remove potential geologic hazards. The recommendations from the November 14, 2018 letter have been imposed as Conditions of Approval of the Vesting Tentative Tract Map. Therefore, based on the above, the site will be physically suitable for the proposed type of development.

- (d) THE SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED DENSITY OF DEVELOPMENT.

The General Plan identifies, through its Community and Specific Plans, geographic locations where planned and anticipated densities are permitted. Zoning applied to subject sites throughout the City are allocated based on the type of land use, physical suitability, and population growth that is expected to occur.

The Project Site is located within the Hollywood Community Plan area and is classified with the Regional Center Commercial land use designation with the corresponding zones of C4-2D-SN and C4-2D. The Regional Center Commercial land use designation corresponds to the C2, C4, P, PB, RAS3, and RAS4 Zones. Under concurrent Case No. CPC-2016-3176-VZC-HD-MCUP-SPR, the Project Applicant is requesting approval of a Vesting Zone Change and Height District Change to modify the Development Limitation (per Ordinance No. 165,660-SA220) and allow a maximum floor area ratio (FAR) of 4.5:1 in lieu of the otherwise permitted 2:1 FAR; a Vesting Conditional Use Permit to allow floor area ratio averaging in a Unified Development; a Master Conditional Use Permit to allow the sale and dispensing of a full line of alcoholic beverages for on and off-site consumption within 3 restaurants and/or retail stores; and Site Plan Review for the development of a project that results in an increase of 50 or more dwelling units. The Project proposes up to 260 residential dwelling units with a maximum FAR of 4.5:1, and maximum height of 160 feet. The proposed development is contingent upon the approval of Case No. CPC-2016-3176-VZC-HD-VCU-MCUP-SPR. If not approved, the subdivider shall submit a tract map modification.

The Project's floor area, density, and massing is appropriately scaled and situated given the uses in the surrounding area. The subject site is a relatively flat, infill lot in a developed urban area with adequate infrastructure. The area is easily accessible via improved streets, highways, and transit systems. The environmental review conducted by the Department of City Planning Case No. ENV-2016-3177-EIR (SCH No. 2017051079), establishes that the physical characteristics of the site and the proposed density of development are generally consistent with existing development and urban character of the surrounding community. Therefore, the project site is physically suitable for the proposed density of development.

- (e) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SUBSTANTIAL ENVIRONMENTAL DAMAGE OR SUBSTANTIALLY AND AVOIDABLY INJURE FISH OR WILDLIFE OR THEIR HABITAT.

The EIR prepared for the Project identifies no potential adverse impacts on fish or wildlife resources. The Project proposes an infill development within the Hollywood Community Plan area in the City of Los Angeles. The Tract Map subdivision design includes the creation of three (3) ground floor commercial lots and three condominium lots with a maximum number of 260 residential apartment units and two (2) commercial units in the C4 Zone. The proposed improvements include the development of a mixed-use building with five parking levels comprised of two subterranean, one at-grade level, and two above-grade parking levels.

Landscaping within the Project Site is limited and does not contain any natural open spaces, act as a wildlife corridor, contain riparian habitat, wetland habitat, migratory corridors, conflict with any protected tree ordinance, conflict with a Habitat Conservation Plan, nor possess any areas of significant biological resource value. There are no native or protected trees located within the Project Site or on the street sidewalk parkway. There are two (2) ornamental trees located along Hollywood Boulevard and two (2) ornamental trees are located within the surface parking lot.

The Project Site is developed with four (4) commercial buildings as well as a surface parking lot and does not provide a natural habitat for either fish or wildlife. The Project Site does not contain any natural open spaces, act as a wildlife corridor, contain riparian habitat, wetland habitat, migratory corridors, conflict with any protected tree ordinance, conflict with a Habitat Conservation Plan, nor possess any areas of significant biological resource value. Impacts related to conflict with any local policies or ordinances protecting biological resources would be less than significant. Therefore, the design of the subdivision would not cause substantial environmental damage or substantially and avoidably injure fish, wildlife, or their habitat.

- (f) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SERIOUS PUBLIC HEALTH PROBLEMS.

The proposed subdivision and subsequent improvements are subject to the provisions of the LAMC (e.g., the Fire Code, Planning and Zoning Code, Health and Safety Code) and the Building Code. Other health and safety related requirements as mandated by law would apply where applicable to ensure the public health and welfare (e.g., asbestos abatement, seismic safety, flood hazard management).

The Project is not located over a hazardous materials site, flood hazard area and is not located on unsuitable soil conditions. The Project would not place any occupants or residents near a hazardous materials site or involve the use or transport of hazardous materials or substances. The Phase I Environmental Site Assessment (ESA) Report completed for the Project found that development of the Project Site would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. The development of the Project does not propose substantial alteration to the existing topography. With adherence to State and City building requirements, along with the design level Geotechnical Report, the Site is not located in an area that is subject to soil erosion and/or expansive soils. As stated in email correspondence dated November 14, 2018, the Grading Division of the Department of Building and Safety has reviewed and recommended approval of Vesting Tentative Tract Map No. 74731 upon compliance with requirements with the LADBS Grading Division.

The development is required to be connected to the City's sanitary sewer ~~system~~, where the sewage will be directed to the Hyperion Treatment Plant, which has been upgraded to meet statewide ocean discharge standards. No adverse impacts to the public health or safety would occur because of the design and improvement of the site. Therefore, the design of the subdivision and the proposed improvements are not likely to cause serious public health problems.

- (g) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS WILL NOT CONFLICT WITH EASEMENTS ACQUIRED BY THE PUBLIC AT LARGE FOR ACCESS THROUGH OR USE OF PROPERTY WITHIN THE PROPOSED SUBDIVISION.

There are no recorded instruments identifying easements encumbering the Project Site for the purpose of providing public access. The Site is surrounded by private properties that adjoin improved public streets and sidewalks designed and improved for the specific purpose of providing public access throughout the area. The Project Site does not adjoin or provide

access to a public resource, natural habitat, Public Park, or any officially recognized public recreation area. Necessary public access for roads and utilities will be acquired by the City prior to recordation of the proposed map. Therefore, the design of the subdivision and the proposed improvements would not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

- (h) THE DESIGN OF THE PROPOSED SUBDIVISION WILL PROVIDE, TO THE EXTENT FEASIBLE, FOR FUTURE PASSIVE OR NATURAL HEATING OR COOLING OPPORTUNITIES IN THE SUBDIVISION. (REF. SECTION 66473.1)

In assessing the feasibility of passive or natural heating or cooling opportunities in the proposed subdivision design, the Applicant has prepared and submitted materials which consider the local climate, contours, configuration of the parcel(s) to be subdivided and other design and improvement requirements.

Providing for passive or natural heating or cooling opportunities will not result in reducing allowable densities or the percentage of a lot which may be occupied by a building or structure under applicable planning and zoning in effect at the time the tentative map was filed.

The topography of the site has been considered in the maximization of passive or natural heating and cooling opportunities. In addition, prior to obtaining a building permit, the subdivider shall consider building construction techniques, such as overhanging eaves, location of windows, insulation, exhaust fans; planting of trees for shade purposes and the height of the buildings on the site in relation to adjacent development.

These findings shall apply to both the tentative and final maps for Vesting Tentative Tract Map No. 74371.

VINCENT P. BERTONI, AICP  
Advisory Agency

Jason McCrea  
Planning Assistant  
Deputy Advisory Agency  
;LI;MZ;AC;JM

Note: If you wish to file an appeal, it must be filed within 10 calendar days from the decision date as noted in this letter. Such appeal must be submitted on Master Appeal Form No. CP-7769.

**COVID-19 INTERIM APPEAL FILING PROCEDURES: Consistent with Mayor Eric Garcetti's "Safer At Home" directives to help slow the spread of COVID-19, the Department of City Planning is implementing new procedures for the filing of appeals for non-applicants that eliminate or minimize in-person interaction. There are two options for filing appeals, which are effective immediately and described in the Interim Appeal Filing Procedures attached to this Letter of Determination.**

For reference, the Department's Development Services Centers are located at:

Figueroa Plaza  
201 North Figueroa

Marvin Braude  
San Fernando Valley

West Los Angeles  
Development Services Center

Street, 4th Floor  
Los Angeles,  
CA 90012  
(213) 482-7077

Constituent Service Center  
6262 Van Nuys Boulevard,  
Room 251  
Van Nuys, CA 91401  
(818) 374-5050

1828 Sawtelle Boulevard,  
2nd Floor  
Los Angeles, CA 90025  
(310) 231-2598

**Forms are also available on-line at <http://planning.lacity.org/>.**

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.

If you have any questions, please call Development Services Center staff at (213) 482-7077, (818) 374-5050, or (310) 231-2598.