

From: Frances Offenhauser <offenhauser@oma-la.com>
Sent time: 06/01/2020 03:50:23 PM
To: mindy.nguyen@lacity.org
Subject: Hollywood Center EIR response Hollywood Heritage
Attachments: EIR Hollywood CenterDRAFT4.pdf

Hi Mindy: Herewith Hollywood Heritage's draft of response to Hollywood Center EIR.

We will formally send a copy of this version to you soon, and when the civil unrest is over and we can complete the unfinished items, will re-send a final version. Until you receive a revision, this is our submission

Hope you are staying safe.



HOLLYWOOD HERITAGE, INC.
P.O. Box 2586
Hollywood, CA 90078
(323) 874-4005 • FAX (323) 465-5993

DRAFT4

Mindy Nguyen
City of Los Angeles, Department of City Planning
221 North Figueroa Street, Suite 1350
Los Angeles, CA 90012
mindy.nguyen@lacity.org

Re: **Hollywood Center Project**
City Case ENV-2018-2116 EIR
Addresses 1720-1724, 1740-1768, 1745-1753, and 1770 North Vine
Street; 1746-1764 North Ivar Avenue; 1733- 1741 North Argyle Avenue;
6236, 6270, and 6334 West Yucca Street
(Case filing is missing addresses 1730 N. Vine)

Dear Ms. Nguyen:

Owing to the civil unrest, and the loss of time this weekend and now boarding up our personal offices and our organization's property, this letter is being sent without full completion. Hollywood Heritage reserves the right to send a completed version soon, when we can.

Hollywood Heritage has a keen interest in the future of Hollywood by celebrating its past and its heritage. Our organization for 35 years has promoted the recognition and protection of Hollywood's world- renowned landmarks. While the movie stars, film production, and even the movie museum were allowed to move away, central Hollywood's unique places and character still mostly remain, waiting for the kind of attention that made historic Pasadena and Santa Monica such great successes.

We are responding to the Draft EIR with detailed comments. Yet again, a developer simply asks for huge grants of entitlements—to build an EXTRA 721,000 or 889,000 sf (multiple Century City Towers!), over double that allowed by zoning, with minimal affordable housing, zero commensurate and legally-required public benefits, and zero clear disclosure of what is actually allowed!

Yet again Hollywood's ambience, diversity, and potential are being progressively buried, outshouted, drained, and abandoned with jingoistic support for new outsized projects, with a pretense of sustainability disregarding the sustainable planning already in place. This "Hollywood Center" project is the opposite of a Center! The center was and is historic Hollywood Boulevard.

The full picture of this design's adverse effects is neutered in this DEIR. Every issue is pulled apart into little pieces so the obvious is obscured. By its conclusion, the only environmental effects the DEIR recognizes are construction noise and vibration. And when it comes to damage to historic landmarks caused by construction vibration? Its declared "unavoidable"!

But the true full picture is that this outsize gift to this developer is unwanted, unwarranted, unneeded, and is a powerful unstated significant adverse effect on genuine Hollywood. Our comments on the DEIR fall into 6 categories, which are detailed in chapters following.

- I. **Land Use doubling and zone change unjustified, urban design and land use process flawed, adverse effects missed;** (See Attachment #1) The size of the developer's "ask" has no justification. There is really no reason or justification for such an outsized project—why it can or should double the development that is allowable by current plans and zoning (from an FAR of 3 to 6.9 or 7 or more). The developer gets a \$57 million "gift" from the City! (That's \$300/sf for the land this developer doesn't have to pay for, instead asking to pile 2x the amount of buildings on the land they own). And the height is 3X what urban design standards allow..
 - **Zone Change mystery, to less restrictive zone:** The Zone Change proposed from from the C4 zone (intended to limit less desirable raucous uses like pool halls) to the LESS restrictive C2 zone is mysterious and unexplained, unless the purpose is to allow outdoor dining. Unintended consequence: the change ALSO reduces allowable housing units by half. The DEIR omits mentioning the reduction, and omits any calculations or clear discussion .
 - **Change height district "D" Condition to double development size:** The proposed Project is correctly stated to be entitled to an FAR of 3, but asking for 6.73:1 FAR, or higher, depending what page. Also Table II-1 omits explaining the jump from 1,287,150 sf to 1,401,453 sf. (This must be the amount of already built buildings-- Capitol Records and Gogerty.) Table II-2 also omits clarifying necessary facts.
 - **Conflicts with existing land use plans:** The DEIR omits necessary background and calculations that clarify the multiple land use conflicts of the proposed project with existing laws. As such it is deceptive, noncompliant with CEQA, and incomplete.
 - **Affordable housing sleight of hand—no calculations etc:** The omission of proposed 168,320 sf of balconies for the Project size is relegated to a tiny footnote obtusely referencing an affordable housing incentive on page II-50: "incentive" requested under LAMC Sec 11.5.11(e). On top of that huge grant-for-free, the developer also puts forth a project density exceeding the legal limit of 6:1 FAR, citing affordable housing incentives. The DEIR doesn't

give a clear picture of the affordability calculations or programs, with conflicting information in differing parts.

- No code-required public benefits: This 200% + by current law can only be considered under the current Community Plan and the recently -transferred Redevelopment Plan if the project provides specific public benefits, such as buying development rights from historic buildings, and providing 20% affordable housing. The project offers no such benefits. The 11% affordable housing it does offer derives from a request OVER the 6:1 FAR AFTER the unwarranted request for doubling the allowable density, without requisite public benefits.
- Exceeds Community Plan top density: The proposed development intensity exceeds the stated cap in both the Hollywood Community Plan (HCP) (80 DU/gross acre) and the Redevelopment Plan (HRP) 130 DU/acre, triggering a General Plan Amendment. The DEIR omits all needed calculations to determine this.
- Master CUP 12 liquor licenses: 12 liquor licenses inside and right outside 30,000 sf is not customarily where Hollywood Heritage focuses. But this jumps off the page as “something’s wrong here!” The Project Description omits all the floor plans and other exhibits required for an EIR accompanying a Master CUP application.
- Hollywood Boulevard Urban Design Plan: The Hollywood Community Plan text requires that projects meet the objectives of the Hollywood Boulevard Urban Design Plan, which was a part of the Hollywood Redevelopment Plan Sec 506.2.1. One of these is “ensure that new development is sympathetic to and complements the existing scale of development”. Two of the other 5 objectives address the pedestrian experience. The project fails.
- Parking: While SB 743 allows the DEIR to omit considerations of parking within ½ mile of a transit stop, that exemption does not apply when historic buildings are involved. We will address this under “Redevelopment” (our Section 3)
- Population and housing: While Hollywood Heritage did not review this Chapter, we noted that numbers did not coincide with numbers being used to justify the Hollywood Community Plan, and the impacts of this project appear to be measured against the City as a whole. By Hollywood Heritage’s calculations all of the housing projected until the year 2040 needed in Hollywood is already built or entitled.

The FEIR must address accurately and transparently the following:

- Land Use Plans conflicts a significant adverse effect: *The Land Use section concludes that land use proposals which conflict with current land use plans need not be considered unless those land use plans were implemented to mitigate environmental effect. They were. FEIR must show specifics and conclude that this Project conflicts with adopted Land Use Plans, including the Community Plan, zoning, the Redevelopment Plan, the Urban Design Plan, etc, and the conflict is a significant adverse effect.*

- Change of “D” Condition: In Hollywood, the “D” conditions which this project seeks to remove were implemented to mitigate environmental effect, as evidenced in multiple documents accompanying Council adoption.
- Zone Change: FEIR must describe the justification and effects for changing the zone from more restrictive C4 to less restrictive C2 uses—such as allowing outdoor and rooftop bars if that is the reason; acknowledge what is the accompanying adverse environmental impact; and put forth the necessary conditions and mitigation measures to control noise and public safety. Amplified outdoor noise is a significant issue in Hollywood project—and must be evaluated and mitigated.
- General Plan Amendment: The requested Height District Change triggers a General Plan Amendment. The FEIR must accurately and accurately disclose the computations comparing existing zoning and the proposed Project. See also section in this letter on Redevelopment Plan
- Project Description to include renderings, floor plans etc which are currently missing
- FEIR Land Use Technical Appendix matrix must be corrected to show items of non-conformance with Plans, as opposed to showing conformance with “purposes”—all of which are subjective.;
- Calculations: Many critical calculations are missing from the DEIR. On Table ___clarify square footage of existing Capitol Records Building and Gogerty Building, and show as “built”. Project FAR numbers, unless otherwise specified, should include residential balconies and clearly show the use of the incentive to allow discounting them.
- Calculations to support statements about Affordable Housing: The DEIR does not report the “Senior Housing” consistently and applies state bills in passing, without any serious tabulation or review. To utilize State incentives, the specifics must be tabulated and disclosed; the desired incentives made clear; and the conformance with mandates such as prevailing wage or whatever disclosed transparently.
- Population and Housing: The FEIR should measure cumulative effects of the Project in the Hollywood Community Plan area; use metrics consistent with Community Plan documents; and assess the impacts compared to both built and entitled projects.
- Hollywood Boulevard Urban Design Plan FEIR must include evaluation of the objectives and specifics of the 1993 Plan., as expected in the Hollywood Community Plan,. As the project is not sympathetic to and complementing the existing scale of development, this should be explicitly recognized as a significant adverse effect
- Haul Route: As this EIR provides environmental clearance for the haul route, then the truck trips must be calculated (appears to be 60,000) and hauling’s effects on traffic, noise etc evaluated.
- Alley and sidewalk merger: FEIR must clearly map the areas intended for these mergers to grant public property to this private developer, creating \$2 -\$3 million of value for the developer with no public benefit. Unclear how these dovetail with Fire Dept requirements at alley,

2. **Cultural Resources- resources well-identified; impacts not fully identified; failure to fully mitigate** (See Attachment #2): The DEIR declares that the Capitol Records Building and Gogerty Building – the two identified historic resources on the site-- will be preserved, on pages ES-22, and IV.C-51. The land these buildings sits on is used to contribute to the Project high density request. The DEIR does not address how the preservation claimed will be carried out, and due to the lack of specificity, a new mitigation measure will be required.

The project is both adjacent to and nearby a world- renowned collection of highly significant landmarks—likely one of the densest collection of landmark buildings in the City. The DEIR states that the construction vibration effects on these landmarks (such as Capitol Records and Pantages Theatre) are “unavoidable” on page ES-4. This is unacceptable, cannot be accepted in a Statement of Overriding Consideration, and the necessary effort simply must be made. Mitigation Measures must be developed in the FEIR that genuinely and effectively mitigate.

Attachment #3 makes detailed reviews of each on-site and off-site historic building and effect, and the added Mitigation Measures and accurate analysis which must be done or the Project design be changed to deal comprehensively with historic Hollywood..

The FEIR must address accurately and transparently the following:

- Walk of Fame: We agree that any repairs or new work should follow the Walk of Fame Guidelines.
- Preservation portion of the project: FEIR must clarify how the project will preserve the Capitol Records and Gogerty Buildings. Transferring development rights off of those land parcels must result in a commitment for preservation and non-demolition in perpetuity. Evidence of the intent to preserve may be in the form of a reduction in “buildable floor area ratio” on the specific land parcels to zero; a distinction between “built” floor area and “buildable” clearly in the Land Use Tables; a facade easement donation; and a fund for conservation. If the demolition or significant alteration of the HCM # is applied for at any time frame after this EIR process, it would be a case of piecemealing.
- Vibration and settling effects are unsupportable as “unavoidable”- change MM #2 and ADD MM #3: FEIR must correct the ridiculous statement that direct effects of construction (vibration, settling, etc) on Capitol Records, the Avalon, maybe AMDA, and Pantages Theater can be monitored, but if they happen are unavoidable. These effects incorrectly calculated in the DEIR, are significant adverse effects, and are avoidable. MM2 for excavation and shoring must be corrected to remove the “unavoidable” conclusion, and MM3 be added requiring up-front investigations and analysis, new metrics, and project, foundation, and/or shoring design which will NOT cause damaging vibration or settling to nearby buildings. (See Attachment #2 for MM text)

- Effects on Capitol Records Building: The new buildings are on the Capitol Records site, and are an incompatible addition. The project height is a significant adverse impact on the Capitol Records setting. The designers did try to angle the 3x overheight buildings around Capitol Records, but the effect is still significant and adverse- the sheer over-height, and the odd blocking of the round tower.. *Hollywood Heritage has 3D modeled the proposed buildings and will provide once the unrest is over.* The FEIR too narrowly assesses effects on the Capitol Records Building.
- Effects on National Register District: FEIR must accurately identify as significant and adverse that the new project destroys the setting of a nationally important National Register District. Preservation Brief #14 and similar analyses look to building height as a predominant determinant of compatibility.
- Sidewalk level/pedestrian experience: FEIR evaluates the setting of the Walk of Fame (as as noted under “Redevelopment Attachment #3, the Hollywood Urban Design District). The Project Description shows no plans, renderings, etc to show how pedestrian activity is reinforced with proper, usable, and attractive “eyes on the street”, active ground level uses, absence of podiums and blank walls, absence of wind tunnels, etc. This is critical for understanding whether this project supports or detracts from historic Hollywood’s “main street” renaissance.
- CUL Mitigation Measure: As the design does not appear to be developed, as noted under Redevelopment Plan, a Mitigation Measure must be added for design guidelines for first 45’ in height of buildings and pedestrian-related uses to be followed (See MM#5 in Attachment #2)

3. **Redevelopment Plan obligations in force- must be itemized, evaluated, and added:** (See Attachment #3) The transfer of all land use responsibilities for this Project site from the Community Redevelopment Agency’s successor Designated Local Authority to the City of Los Angeles has taken place. Analysis of conformance of this Project to the Hollywood Redevelopment Plan (HRP)—the major land use controls in effect for over 30 years in central Hollywood-- is notoriously missing from this DEIR! This DEIR is out of date- referring to redevelopment planning responsibilities on page IV A-6 as still being “administered by the CRA/LA.” (If the transfer did not take place and the CRA is indeed still administering, this EIR must say so, contact the CRA, and in the Land Use section address the specifics of the Redevelopment Plan—not just the “goals” as cursorily and irresponsibly covered in the Appendix.

- Density: The Redevelopment Plan category of “Regional Center” has been consistently misinterpreted in the last decade of City Planning approvals to automatically allow 6:1 FAR throughout central Hollywood. This site, in fact, was one of the only locations identified in zoning D conditions and in CRA planning to have an allowed higher density. But that higher density is 4.5:1 FAR, and ONLY with attendant public benefits over the 3:1 FAR zoning with specific public benefits.

- 6:1 FAR: The Redevelopment Plan readopted in 2003/5 required that IF a project sought a 6:1 FAR, it must provide public benefits --to historic buildings or others (see discussion in Attachment #3).
- Over 6:1 FAR and over 130 DU/acre: The Redevelopment Plan area has no mechanism for over 6:1 FAR or over 130 DU/acre. The Project request requires a Redevelopment Plan Amendment.
- Relationship to Zoning: **The Redevelopment Plan re-adopted in 2003/5 required conformance with Zoning.**
- Transportation and Parking: Section 518 of the Redevelopment Plan places a “moratorium” on all development when approved projects reach a 2:1 FAR in the Regional Center. The DEIR must provide the calculation of the 2:1 FAR.
- Street level Project information missing: The Project illustrations studiously avoid showing the design intent at the street-front level. It appears that the project might have made some good moves, and some which are quite antithetic to City and Hollywood urban design principles. The Project Description is lacking.
- Urban Design Plan strictures must be implemented: The Redevelopment Plan on adoption in 1986, and as re-adopted amended in 2003/5, included Sec. 506.2.11, specifically requiring projects in this area to comply with a Hollywood Boulevard Urban Design Plan. This was well-understood- intended to specifically and openly ameliorate the crudeness of the standard “Regional Center Commercial” redevelopment planning category (vs. “Neighborhood Commercial”, the next least dense option).
- Urban Design Plan 1993 specifics: To conform with mandated actions, a Hollywood Boulevard Urban Design Plan was first adopted in 1993, reflecting the Agency’s conformance and commitment to D conditions in zoning, and remains the best “snapshot” of urban design controls needed to support Hollywood’s urban sustainability. On this site an increase ONLY from FAR 3 to FAR 1.5 was allowed, if 20% affordable housing AND preservation or other benefits were provided. Heights in this area were limited to a bonus of 70 feet over a base of 150 ft—a total of 225 ft,

FEIR must address accurately and transparently the following:

- *FEIR must be revised to correctly reflect the applicable sections of the Hollywood Redevelopment Plan. Citing goals and opining that they are met is inadequate.*
- *Case Processing: FEIR to identify City Planning procedures required for case processing under the Redevelopment Plan. This EIR can not be used “clear” compliance with the Redevelopment Plan without first identifying the conflicts with it and the environmental effect if the Project is approved.,*
- *New Mitigation Measure: Unless the FEIR and consultation with Hollywood Heritage produces a compliant street-front design and building redesign, new Land Use measure must be added to assume a significant adverse effect and require future design review in accordance with the Hollywood Urban Design Plan of 1993.*

- Urban Design: FEIR must include clear information on building design at the street level, storefronts, signage, uses at the sidewalk. The Project’s overwhelming non-conformance with the Urban Design Plan must be corrected through project re-design and more than words about the experience of the project along the 4 major streets. Hollywood Heritage requests to review the proposed street level design development prior to inclusion in the FEIR.
 - Urban Design: Affordable Housing: FEIR and project re-design must reflect minimum 20% affordable units as required by the Urban Design Plan, as well as a reduction of overall project size to a 4.5 FAR.
 - Public Benefits: FEIR must cite process, calculations, and required findings for a 6:1 FAR “ask”. Project must prove the absence of transportation/traffic effects as required by the Redevelopment Plan, and provide commitment to public benefits accruing to historic buildings—through a transfer of development rights— or other public mechanism or the development intensity cannot be considered.
 - Reduce, Redesign, or Redevelopment Plan Amendment: FEIR must provide tabular analysis of project residential density. If exceeding 130 du/acre maximum; Project must be redesigned or prepare a Redevelopment Plan Amendment.
 - Traffic and Parking: FEIR to define what “up to 1,521 spaces” means and how calculated; parking needs of Capitol and Gogerty Buildings and how and where accommodated; and clarification of use of former parking lots and whether existing buildings are affected by the loss of parking.
4. **Aesthetics:** The Project design makes a good attempt at ameliorating its outsized impact by angling buildings, undergrounding parking, and closing driveways. But it still is what a Hollywood project should NOT be—4 characterless highrises – two immensely, hugely out of scale tall and lozenge shaped towers angled on top of clunky podiums, dwarfing the area in height, and dwarfing 2 “senior” buildings which are as tall as Hollywood’s tallest. The podiums and plazas offer trash rooms, auto entrances, and wind tunnels along the sidewalk. Some stores are on a strange windswept internal walkway, while others seem a part of a big podium like a dated urban renewal bad dream from the 1960’s.

The aesthetic effects of the towers (blocking views to and from hills, etc) are said by the DEIR to be neutered by SB 743. However, OPR’s website on SB 743 shows that the DEIR has mis-stated the exemption for considering aesthetics and parking. It says “Notably, the exemption for aesthetic impacts does not include impacts to historic or cultural resources. Local governments retain their ability to regulate a project’s transportation, aesthetics, and parking impacts outside of the CEQA process.”

The FEIR must address accurately and transparently: *Aesthetic effect on historic resources*

5. **ELDP and Streamlining:** The Project must have applied for and obtained a signed agreement as an “ Environmental Leadership Development Project” to use provisions of AB 900 of 2011, as amended by SB 743 (2013) and SB 734 (2016) and AB 246— to

avoid or shorten the time for lawsuits. “Streamlining” under SB 375 means special processing benefits for the developer under CEQA, and is made possible by a commitment by the developer to meet specific requirements.

The DEIR is silent on what those commitments are, unless they are included in some of the 13,000 pages we hadn’t the opportunity to review in the streamlined 45 days. The DEIR should follow what other recent EIRs have done—transparently show the benefits, the dates the ELDP was granted; how the developer is already missing their deadlines under ELDP; and clarify where in the EIR the conformance with the developer’s requirements is ensured.

FEIR should transparently disclose these developer incentives and responsibilities, and for sake of simplicity include all the requirements as a Mitigation Measures:

- *Project must provide prevailing wages. Monitoring of wage rates is performed by a public agency to be named in the FEIR*
- *Project must achieve LEED Gold certification for all 4 buildings prior to Certificate of Occupancy.*
- *Project transportation/traffic measures must ensure 15% improvement in transportation efficiency. Because VMT isn’t required to be used until a start date of July 1, 2020, the 15% improvements may be best illustrated through intersection LOS analysis.*
- *Project must have zero increase in greenhouse gas emissions?? (verify)*

6. Environmentally Superior Alternative – stay with what is allowed by zoning, and redesign to make it compatible with authentic Hollywood: Alternative 2 in the DEIR is the environmentally superior alternative. *Owing to the civil unrest, we are unable to finish this section and will submit it later.*

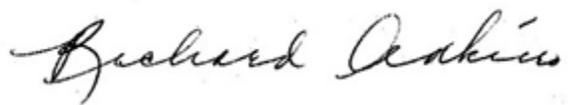
According to CEQA Section 15126.6(e)(2) of the State CEQA Guidelines indicates that an analysis of alternatives to a proposed project shall identify an environmentally superior alternative among the alternatives evaluated in an EIR and that if the “no project” alternative is the environmentally superior alternative, the EIR shall identify another environmentally superior alternative among the remaining alternatives. Looking at the alternatives, if Alternative 2 included the Senior Housing shown in Alternative 3 you would have 125 units with heights conforming to existing zoning and elimination of the venue for outside performance. That would be environmentally superior.

Significant adverse effects are known now and were known since the NOP. Simply because SB 743 claims (erroneously) to relieve this EIR from including aesthetics as an adverse effect, in evaluating the environmentally superior Alternative, aesthetics does play a major part.

choice to go forward with acknowledge impacts unmitigated NOP feedback and public scoping acknowledge impacts on historic resources; proposed development inconsistent with existing planning/traffic impacts; outsized scale and massing.

Hollywood Heritage has great concerns also about shade and shadow effects, which have not been evaluated in the DEIR. We believe this analysis should be included, and have prepared the modeling. **Our staff has been sent home so these studies will be attached to a later complete letter.**

Sincerely,



Richard Adkins
President, Hollywood Heritage, Inc.

Attachments # 1-4

Attachment #1
LAND USE –DENSITY DOUBLING UNJUSTIFIED;
CASE PROCESSING INCORRECT

The Vine Street corridor --especially at this project’s location-- has been planned by both City Planning and the Redevelopment Agency over 30 years as an appropriate location for denser new construction.

Both jurisdictions in the last 10 years have granted dozens of unplanned discretionary approvals -- approving projects at 6:1 FAR across Hollywood, and projects at 200% to 500% of what was planned and evaluated to mitigate environmental effect. Thus the distinctiveness of this site’s original intended higher density is diminished. The severe adverse environmental impact is evident from those prior approvals already, so at the density planned for this site the Project would already be an adverse environmental effect.

Case Processing: This DEIR applies to the following discretionary actions under consideration for the project:

				Comments and processing flaws
1	<u>Vesting Zone Change</u>	LAMC Section 12.32 F & Q,	from C4-2-SN to C2-2-SN.	Reduces sf of land area per unit by half; Allows uses prohibited in C4 zone- outdoor dining, etc
2	<u>Height District Change *</u>	LAMC Section 12.32 F	Remove existing zoning D Limitation of 3:1 FAR to 7.0:1 FAR.	“D” conditions imposed to reduce cumulative environmental effect Required findings can’t be made
3	<u>Floor Area Bonus for “affordable housing” **</u>	LAMC Sec 11.5.11(e) + CGC 65915(k) or an Applicable Housing Incentive Program	SB 1818--35 percent bonus in units for providing 10% affordable units- is that what is being discussed?-- proposes 1 incentive, concession, reduction, or modification of zoning code: -	Affordable housing component unclear--TWO incentive requests?? 6:1 FAR base to increase to 7:1 FAR AND see #11 below
4	<u>Master Conditional Use Permit</u>	LAMC Sec 12.24 W.1	for the sale or dispensing of alcoholic beverages for on-site and off-site consumption within 12 establishments.	12 liquor licences Extent of outdoor service must be clarified and illustrated, especially for hotel, and noise evaluated in the noise section and strict limitations put on outdoor amplified sound
5	<u>Conditional Use Permit</u>	LAMC Sec 12.24 W.19	a for a unified development to allow Floor Area Ratio (FAR) averaging and residential density transfer between the East and the West Sites.	Environmental findings? Unified development is causing a traffic light mid-block at Vine Street, which will inevitably reduce Vine Street access to freeway etc
6	<u>Site Plan Review</u>	LAMC Sec 16.05		On-site site plan review is covered where in the DEIR?
7	<u>Vesting Tentative Tract Map No. 82152</u>	LAMC Section 17.15	to allow the merger of 16 existing lots and the subsequent re-subdivision of a	Only issue of interest to Hollywood Heritage is the property lines proposed for

			4.613-acre site into three (3) ground lots and 35 airspace lots for a total of 38.	Capitol Records and Gogerty, and whether these maintain fire safety code-compliant setbacks.
8	<u>Merger of an alley and public sidewalk into the private property</u>		giving 1,313 sf of public land to developer, and giving 5,163 sf of public sidewalk on Yucca Street and both sides of Vine Street to add to the Project Site- (See page II-15 for alley)	value of the land at the average of \$300/sf is a \$1,942,800 gift to the developer. Owing to the doubling of allowable FAR requested in this case, this is a \$3.88 million “gift” to the developer
9	<u>Haul Route</u>		export of 542,300 cubic yards of soil; and the removal of 16 street trees.	60,255 truckloads/trips low boy 9 CY Will a separate Haul Route hearing be conducted?
10	<u>Development Agreement</u>	CAC Sections 65864 through 65869.5	A binding agreement between the Applicant and the City of Los Angeles (anticipated to extend through 2040)	
11	Missing Affordable Housing Incentives **		Project footnotes say that 168,320 sf of balconies on the residential project are omitted from FAR calculations due to an affordable housing incentive	Clarify the bonus incentives in the FEIR and show calculations justifying use of applicable incentive programs.
12	Missing Redevelopment Plan Processing			City established processing requirements for Redevelopment Plan Variations, Design Review etc
13	Missing signage program			All information currently missing. If any signs proposed, that section of EIR must be circulated now.

* Per CPC 86-831:

The Permanent [Q] Qualified Conditions and D Conditions imposed by this action are necessary: to protect the best interests of, and to ensure a development more compatible with, the surrounding property; to secure an appropriate development in harmony with the General Plan; and to prevent or mitigate the potential adverse environmental effects on the recommended change.

**LAMC 11.5.11 (e) Developer Incentives. In addition to the requested General Plan amendments, zone changes and/or height district changes, a Project that provides affordable housing consistent with this Section shall also be entitled to three incentives or concessions specified in California Government Code Section 65915(k) or the applicable Affordable Housing Incentive Program.

***DEIR re Measure JJJ: “By complying with Measure JJJ and setting aside at least 11 percent of the total residential units for Extremely Low and/or Very Low Income households, the Project would be eligible for an 8.1:1 FAR. The Applicant requests up to a 7:1 FAR. c) Transit Priority Area The City of Los Angeles Department of City Planning, Zoning”

Applicable Plans: The Land Use and Planning Chapter of the EIR cherry-picks City’s planning documents, describing the following: City of Los Angeles General Plan and cites Conservation

Element); General Plan Framework; Hollywood Community Plan says Regional Center can use C2 or C4- to a MAXIMUM of 6:1 FAR

Current Land Area and Development Allowable by Zoning:

				Allowable	Proposed
EAST	1720-24 Vine	APN 5546-030-034	9,180 sf	27,540	
	1730 Vine (parking lot)	APN5546-030-034	22,893.6	68,679	
	1740-50 Vine-Capitol	APN5546-030-028	43,323 sf	129,969	
	1760-68 Gogerty	APN5546-030-028	8,749.1	26,247	
	1770 Vine Gogerty	APN5546-030-032	3,189.3	6,378.6	
				9,568	
	FR (no address)Gogerty	APN 5546-030-031	1,619	4,857	
	1733-741 Argyle	APN 5549-030-033	26,370	79,110	
		TOTAL	115,324 sf 2.648 acres	339,158 sf	608,354 sf
	Per Page II-I4	Pre Dedication	115,866 sf		(5.27 FAR)
	Per page II-I4	Post Dedication	117,179 sf		Per DEIR
WEST	1745-49 Vine	APN 5546-004-020	9,800 sf		
	1751 Vine	APN 5546-004-020	3,811.4		
	No address	APN 5546-004-020	7,985.9		
	1753 Vine	APN 5546-004-020	5,807.9		
	No address??	APN 5546-004-021	5,810		
	1746-48 N Ivar	APN 5546-004-006	8,766		
	1754 N. Ivar?	APN 5546-004-006	9491.2		
	1760-64 N. Ivar	APN 5546-031-005	11,651.4		
	No address (1766)	APN 5546-004-006	1,778.7		
	6334 Yucca (1770 N. Vine)	APN 5546-004-029	7,256.6		
	Sliver- no address	APN 5546-004-032	848.6		
	6230-24 Yucca	APN 5546-004-026	2,572.5		
		TOTAL	75,580 sf 1.735 acres	226,740 sf	609,927 sf
	Per page II-I4	Pre-dedication	78,629 sf		(8.06 FAR)
	Per page II-I4	Post dedication	83,792 sf		Per DEIR
BOTH		TOTAL	190,904 sf 4.38 acres	565,898 sf	1,218,281 sf (6.38 FAR)
	Per page II-I4	Pre-dedication	194,495 sf		???
	Per page II-I4	Post dedication	200,971 sf		

Sources: LA City ZIMAS for lot areas; Developer Pre-dedication and post dedication project figures from DEIR

Residential uses (884 residential housing units, comprised of 768 market-rate and 116 senior affordable housing units), for a total of approximately 1,112,287 square feet; • Hotel use (a 220

Proposed Development

	Allowable SF	Proposed SF-	Allowed SF/DU and DU/acre per code	Market rate DU proposed
East Site				
• Commercial	17,485 sf	17,485 sf		
• Capitol	105,071 sf	105,071 sf		
• Gogerty	19,726 sf	19,726 sf		
Comm. Subtotal	142,282 sf	142,282 sf		@ 3:1 = 1.08 acres of land area used
• Residential	196,876 sf	529,092 sf or 423 DU	C4=400 sf/lot area = 71 DU 80 DU/acre	423 DU / .655 ac = 669 DU/acre
Total	339,158 sf	734,374 sf		
Not allowed by zoning		395,216 sf		
**If resi.balconies counted		+90,200 sf		
West Site				
• Commercial	12,691 sf	12,691 sf		
• Residential	214,049 sf	534,947 sf		verify 429 or 449 DU
Total	226,740 sf	547,638 sf		
Not allowed by zoning		320,898 sf		
TOTAL				872 or 884 DU
Allowable vs proposed sf	565,898 sf	1,287,150 sf		
TOTAL not allowed by zoning		721,252 sf		
**If resi.balconies counted		+78,120 sf		

*per Assessor

Affordable Housing – to be completed

Residential	Allowable SF	Allowable SB 1818 SF- 1.35 or 35% bonus	Low/XXX Housing at 10% per SB 1818	Proposed project affordable required per 11.5.11 (e) * verify	Proposed Senior “extremely low and/or very low income”
East					
	339,158 sf	457,863 sf	45,786 sf	Extremely Low @ 5%=21 units	62,289 sf
				Low @ 6%= 25 units	68 DU
				Or total 15% at Lower Income= 63	
West					
	226,740 sf	306,099 sf	30,609 sf	Extremely Low @ 5%=21 units	61,777 sf
				Low @ 6%= 25 units	65 DU
Total		763,962 sf		Or total 15% at Lower Income=63	

* **Sec 11.5.11 LAMC** If the General Plan amendment, zone change or height district change results in a residential density increase greater than 35%, then the Project shall provide no less than 5% of the total units at rents affordable to Extremely Low Income households, and either 6% of the total units at rents affordable to Very Low Income households or 15% of the total units at rents affordable to Lower Income households, inclusive of any Replacement Units; or

ATTACHMENT #2

CULTURAL RESOURCES

FAILURE TO AVOID AVOIDABLE IMPACTS AND SHOW PRESERVATION

Recognized Resources: The DEIR comprehensively identifies historic resources in the project's vicinity, utilizing the State's CHRIS data for resources within ¼ mile of the project, and a 2010 version of the CRA's Hollywood Redevelopment Area Survey known as the "Chattel Survey". The DEIR Appendix provides extensive historical background and descriptions of buildings both in Chapter IV and the Appendix

Within a ¼ mile radius of the DEIR identified an unusually dense number of historic resources, reflecting the extreme sensitivity of the site with regards to "historic Hollywood". Figure IV.C-1 illustrates the cultural resources.

- 1750 N. Vine : Capitol Records—HCM #857- and eligible for listing in the National Register
- 6272-6284 Yucca: Gogerty Building –
- Segments of the Hollywood Walk of Fame
- 3 historic districts and 22 (25???) other individual recognized historical resources:
 - Listed on the National Register: Hollywood Boulevard Commercial and Entertainment Historic District, National Register-listed at the highest level of significance; Halifax Apartments (6376 Yucca St); Guaranty Building (6331 Hollywood) ;
 - Eligible for listing in the National Register: Vista del Mar/Carlos District; Fonda/Music Box 6122 Hollywood Blvd; Yucca/Vine Tower (AMDA) 6305 Yucca; Art Deco Storefronts 6316-24 Yucca;
 - Listed as a Cultural Heritage Monument and as a contributor to National Register District: Pantages Theatre HCM #193 6233 Hollywood Blvd; Hollywood Equitable Building 6253 Hollywood HCM #1088; Broadway Building (6300 Hollywood) HCM #664; Taft Building (1680 Vine St) HCM #666; Hollywood Walk of Fame HCM #194;
 - Contributor to National Register Historic District: Avalon 1735 Vine; Hollywood Knickerbocker Hotel (1714 Ivar); Guaranty Building (6331 Hollywood); Regal Shoe (6439 Hollywood); Security Trust and Savings (6381 Hollywood); Julian Medical/Owl Drug (6380 Hollywood); Palmer Building (6360 Hollywood); Leeds (6350 Hollywood); Regency Building (6324 Hollywood); Vine Theater (6321-6323 Hollywood Blvd);
 - Appears Individually Eligible for Listing in California Register: Hollywood North Multifamily Residential Historic District; St. Stevens Episcopal Church etc

DEIR says project includes “preservation”, but provides no evidence: On Page II-3, the Project Description states: “ Under the Project, the Capitol Records Complex would be preserved, although portions of its supporting parking area, along with some existing surface parking adjacent to the Capitol Records Complex, would be reconfigured and relocated to a dedicated portion of the Project parking garage proposed on the East Site.”

On Page II-II the Project Description states “Redevelop the Project Site, with a mixed-use development that **protects the architectural and historical heritage of the Capitol Records Complex**”

The Cultural Resources Section does not describe how the Project protects the architectural and historical heritage of Capitol Records, other than saying it will be in the same location, and may lose some open space. The relocation of required parking from the Gogerty Building and Capitol Records is not clear, as is required under the VTT review.

DEIR Assesses Impacts: The DEIR Cultural Resources section only assesses impacts which would cause a building to lose its historic status, as opposed to assessing all damaging impacts happening to historic buildings. In this DEIR, CEQA (a State statute) is narrowly interpreted according to City of LA CEQA thresholds to ask whether the Project demolishes historic resources, or alters them not in accordance with the Secretary of the Interior Standards. But the effect is measured not on damage to the building, but is measured “material” impairment of the historic “significance of the resource”—its historic status.

- As this Project is only NEW construction-- 1,300,000 sf of it-- the Project obviously does not add on to, alter, or demolish the surrounding or on-site historic resources .
- The DEIR’s lengthy analysis shows that the entirety of 12 story nearby large historic buildings, a very large historic District, and a very long Walk of Fame remains in their original location, and aren’t changed. Thus no adverse impact.
- Impacts acknowledged are:
 - Noise/Vibration impacts: Impacts noted in the separate section are included in this Hollywood Heritage letter as a part of the Cultural Resources discussions-- see following the Table below.
 - Impacts to the Walk of Fame are acknowledged in the DEIR

As discussed further below, Hollywood Heritage disagrees with the narrow limitation requiring impacts to to not count unless they cause large swaths of Hollywood to lose its historic status., and assess impacts based on “construction that reduces the integrity or significance of important resources.” Integrity and **viability to be completed_**.
It may be owned by the Applicant.

DEIR Impacts Inadequately Acknowledged: However, the Los Angeles CEQA thresholds are outdated, and CEQA must always be broadly interpreted. The whole point of CEQA is to “see” effects and ameliorate them before they happen. Thus the more up-to-date understanding of CEQA and historic buildings recognizes that if the building is materially impaired, either its features or its function, or if it’s setting is impaired, it does not have to lose its significance and listing in order register a significant adverse effect.

- Impacts that are included here are:
 - Projects can be damaging –causing an historic building’s loss of access or exits; loss of use or economic viability; or its performance of its function (such as recording at Capitol Records); or its light and air, etc because of a newly constructed project--without causing a landmark or District to lose its entire historic significance. **To be completed**

Noise and Vibration Impacts Improperly Identified and Mitigated: The DEIR states that “Building damage is not a factor for most projects, with the occasional exception of blasting and pile-driving during construction or when construction is immediately adjacent to a fragile historic resource.” (IV.I-7). As the Project is immediately adjacent and nearby a dense collection of historic resources, and has the Capitol Records Building on its site, noise and vibration must be thoroughly considered. MOI MM #1 does prohibit pile driving, and should prohibit blasting.

Vibration impacts: Construction-related vibration impacts are most severe for nearby historic buildings, due to their archaic construction,

- The DEIR reports that the Federal Transit Administration (FTA) has adopted vibration criteria that are commonly used to evaluate potential structural damage to buildings from construction activities. Historic structures are considered a Category IV under these criteria, the most susceptible to damage from construction related vibration. “Project construction activities that cause groundborne vibration levels to exceed the potential structural damage threshold of 0.12-in/sec PPV at the nearest off-site buildings of Building Category IV, Buildings extremely susceptible to building damage.”(IV.I-33)
- However, in the DEIR analysis Category I and 3 are incorrectly used for many historic buildings to evaluate potential damage. When correcting, a structural engineer familiar with archaic materials and historic construction methods must be consulted: for example IF the Capitol Records building is a concrete structure built in the 1950’s it would be enormously susceptible to damage; the Hollywood and Vine Tower concrete exterior is known to have experienced cracking and spalling and is vulnerable; the Gogerty building is not a concrete structure; contrary to the misinformation in the DEIR. – still working on
- Table IV.I-17 of the DEIR, “estimates that vibration levels at the buildings adjacent to the north and south of the West Site and East Site construction areas would be up to 3.379 inch/second PPV, which would exceed...the 0.12 inch/second PPV significance threshold (FTA Category IV, Buildings extremely susceptible to building damage) at the Avalon Hollywood and the Pantages Theatre. The estimated vibration levels from the Project construction activities at both the West Site and East Site would exceed the significance threshold of 0.50 inch/second PPV significance threshold (FTA Category I, Reinforced-concrete, steel or timber) at the Capitol Records Building and Gogerty Building. The estimated vibration levels from construction activities at both the West Site and East Site would exceed the significance threshold, as applicable to adjacent historic buildings, of 0.12 inch/second PPV significance threshold (FTA Category IV, Buildings extremely susceptible to building damage) at the Art Deco Building Storefront on the West Site and the Pantages Theatre and Avalon Hollywood on the East Site.” (IV.I-78) The conclusion being, **“Nonetheless, on-site vibration impacts, pursuant to the significance criteria for building damage, during construction of the Project...would be potentially significant.”** (IV.I-78) This potential for building damage encompasses nearly every major historic resource adjacent to the project site.
- The DEIR states, The FTA has also adopted vibration criteria associated with the potential for human annoyance from groundborne vibration for the following three land-

use categories: Category 1 – High Sensitivity, Category 2 – Residential, and Category 3 – Institutional, as shown in Table IV.I-2, Groundborne Vibration Impact Criteria for General Assessment...The FTA uses a screening distance of 100 feet for highly vibration-sensitive buildings (e.g., **historic buildings**, hospitals with vibration sensitive equipment, **Category 1**) and 50 feet for residential uses (Category 2).¹⁶ (IV.I-8)

Noise impacts: Construction-related noise impacts are especially important for historic buildings in the Project vicinity because of use as recording studios, theaters, and other performance venues.

Table to be completed

Immed.	DEIR conclusion	Hollywood Heritage comments
Capital Records-	Retains integrity in all categories—integrity of location, design, materials, and workmanship including setting . Says” New construction has appropriate set - backs, grade level open space, tower massing and separate to maintain important close-in views from Vine Street north of Hollywood Boulevard, and larger views looking north up Vine Street from Hollywood Boulevard and from the Hollywood Freeway”	Disagrees: Project alters integrity of location and setting Analysis solely about views
	"larger setting is not critical to understanding the historic significance of the Capitol Records Building because it is not intrinsic to the building's architectural design" (p. 108-112)	Disagrees: New construction dwarfs Capitol Records Building. If it is surrounded by buildings roughly equal to its height—which is the requirement of the Urban Design Plan, it may have limited visibility but it wouldn't be dwarfed. Preservation Brief #14 sees height as the most important issue, and this “project” is an addition of sorts to Capitol Records.
	<u>Noise – Construction.</u> The DEIR, however does not include as a noise receptor, the Capitol Records Complex as it states that it “is located on-site within the Project’s East Site and is an Applicant- controlled facility. Therefore, the Capitol Records Complex is not considered an off-site receptor for evaluating impacts to the environment. On site receptors CEQA	Disagrees: Capitol Records Building may be <u>owned</u> by the Applicant and may even be “controlled” by a lease. FEIR must provide specific evidence/information. The public’s interest is in continuing the operation of the historic building and its exceptional recording uses. XXX FEIR-- Cumulative noise impacts from other nearby active construction sites must be evaluated.
	<u>Noise- Operation:</u>	
	<u>Vibration from construction and for human annoyance</u> For the purposes of the noise and vibration analysis in the Draft EIR, the Capitol Records Complex is evaluated for potential structural vibration damage as it is a historical resource.”	Improper category analyzed —must be re-analyzed as : FTA Category IV for construction vibration and FTA Category I (High sensitivity) for human annoyance
Gogerty Building	Retains integrity across all fronts (p. 112-113)	TBD
	<u>Vibration from construction</u>	

Walk of Fame	Positive change: direct impact eliminate driveway access from Vine Street including the removal of five existing curb cuts. restore continuity to the Hollywood Walk of Fame,	
	Positive change: adjacent landscaping and paseo which would increase public access to the resource and help while also reducing vehicle/pedestrian conflicts.	Disagrees: Paseo and “unified development” on 2 sides of Vine Street cause major disruption with pedestrians crossing Vine Street and draw pedestrian vitality away from the Walk of Fame
	While construction would mean temporary removal of the stars and terrazzo, the Walk of Fame Guidelines have specifications for the proper repair and treatment for the WOF (p. 114-117)	Reviewed
Pantages	Pantages would remain in its location so no impact. Because of other development, the new construction isn't considered significant.	Disagrees
	20 ft alley runs between the theater and the East Site.	Vacation of a part of this alley is a part of the Project. Has Pantages agreed?
	Setting	
	<u>Vibration from construction</u> Mitigation measures proposed for vibration and settlement, but DEIR concludes unavoidable impact.	Unavoidable impact wholly unacceptable. MM#2 must be improved- ADD MM #3;
	<u>Vibration causing human annoyance:</u> Based on FTA guidelines, construction and operational vibration impacts associated with human annoyance would be significant if the following were to occur (applicable to frequent events; 70 or more vibration events per day): <input type="checkbox"/> Project construction and operational activities cause groundborne vibration levels to exceed 72 VdB at off-site sensitive uses, including residential and theater uses.”(IV.I-33)	ADD MM #4 to control hours of vibration-induced annoyance.
	<u>Noise</u> approximately 280 feet southeast of the West Site and adjacent to the south of the East Site construction area.	Add Mitigation Measure #4: Pantages Theater performance must be protected by noise time prohibitions in the project approvals. LAMC 41.40 prohibits construction between 9:00 P.M- 7:00 A.M (M-F) ; 6:00 P.M.- 8:00 A.M. Saturday; all day Sunday. (IV.I-13) Performances at Pantages Theater are commonly scheduled for 8pm Tuesday through Saturday, with a matinee on Saturday afternoon at 2pm.
Avalon	<u>Noise:</u> West Site shares a property line with Avalon. The report says the new building will be set back <u>15 or 17.5 ft</u> (discrepancy on p. 124).	See comments re hours of construction operations under “Pantages”
	<u>Setting:</u>	
	<u>Vibration</u>	Improper category analyzed—must be re-analyzed as : FTA Category IV for construction vibration and FTA Category I (High sensitivity) for human annoyance
		Unavoidable impact unacceptable. Mitigation measure must be improved

	Noise	
6316-6324 Yucca Street (Art Deco Storefronts)-	<u>Vibration:</u>	Improper category analyzed —must be re-analyzed as: FTA Category IV for construction vibration and FTA Category I (High sensitivity) for human annoyance
		Unavoidable impact unacceptable. Mitigation measure must be improved
	No impact on setting or other aspects of integrity, but mitigation measures proposed.	
Yucca Vine Tower AMDA	<u>Vibration</u>	Improper category analyzed —must be re-analyzed as : FTA Category IV for construction vibration and FTA Category I (High sensitivity) for human annoyance
		Unavoidable impact unacceptable. Mitigation measure must be improved
	Noise:: is located on the northwest corner of Yucca Street and Vine Street and approximately 125 feet from the West Site and 295 feet from the East Site construction area.	
Hollywood Equitable Building	Noise: includes multi-family residential uses to the east of Vine Street approximately 280 feet southeast of the West Site and 100 feet south of the East Site construction area.	Improper category analyzed —must be re-analyzed as: FTA Category IV for construction vibration and FTA Category I (High sensitivity) for human annoyance
Hollywood Knickerbocker.	<u>Noise:</u> Senior Residential use to the east of Ivar Avenue approximately 90 feet south of the West Site and 300 feet west of the East Site construction area	Operational noise from Amenity Deck
	<u>Setting:</u> Pg. 129 has a table of all the other resources in the project vicinity. Re the Hotel Knickerbocker, they state no impact because there are no direct views of the Project Site (p. 132)	
Broadway Hollywood Condos	<u>Aesthetics/Views:</u> Views to hills etc will be blocked by new construction	
St. Elmo Apartments at 6358 Yucca	<u>Noise:</u> to the west of Ivar Avenue approximately 140 feet west of the West Site and 650 feet west of the East Site construction area.	
	<u>Vibration</u>	
National Register Hollywood Blvd Historic District	: District as a whole- while acknowledging the dramatic height, argues that new construction "will not interrupt the configuration of buildings, their spatial relationships to each other, and their relationship to the street" and that the project design is "intended to extend and reinforce the existing urban pattern and context established within the District" (120)	See discussion below

DEIR improperly assesses impacts on historic district: Again the Los Angeles CEQA threshold for historic resource adverse effects is too limited to apply to this project. Obviously, to put forth the requirement that the ENTIRE District must LOSE its significance and eligibility in order to qualify as adversely effected is unreasonable.

- This Project does alter the Setting for a grouping of phenomenally important historic buildings and entire National Register and other Districts in the vicinity. Its overwhelming height violates the single most important item mentioned in Preservation Brief #14 for evaluating effects of infill development in historic districts. In his case, that evaluation can and must be extended to towers which—due to their size—
- The DEIR in Table ___ assesses whether the historic buildings are physically adjacent to the new construction, or whether the historic building can “see” the new towers. The result is
- The DEIR provides very little detail on the perceptible experience at the sidewalk level, which is critical to evaluating the requisite reinforcement of pedestrian activity. Whether it is the Hollywood Urban Design Plan or City Planning’s various guides, there is no question that pedestrian level experience—shade and shadow, adjoining active ground level visible uses, “eyes on the street” , and attractive and well-scaled storefront design and active are critical. Whether this project supports or detracts from historic Hollywood’s “main street” potential is critical.
 - West Site frontages appear to contain good portions of commercial frontage as shown on Fig II-9. However, the building sections seem to show that on Ivar this commercial level is raised above sidewalk level with blank walls at the Residential Building and Senior Amenity Decks and a garage adjoining the sidewalk. Plans are not clear enough to determine fully
 - East Site frontages appear to offer sidewalk-level commercial uses and lobbies, while the Argyle side seems to show a Trash Room and Back of House.
- The DEIR states on page ___ that the Project activates Hollywood Boulevard, Vine Street, and surrounding streets through connected, publicly available landscaped open space, including a paseo with shopping, seating, open air dining, etc”. This statement is in error. A paseo and a wide-open plaza do the opposite of activating Hollywood’s streets- it provides shortcuts to avoid Hollywood Boulevard and Yucca; creates a wind tunnel; and pulls active uses away from the front building line.

DEIR must analyze aesthetic impacts on historic resources: Contrary to the DEIR aesthetics section, SB 743 does not exempt transit-close projects from having to assess aesthetic impacts if the impacts affect historic resources.

The DEIR points out that the project design made an attempt to add buildings to a site which has historic buildings, and to do it in a compatible but distinct manner. While the analysis says the following, Hollywood Heritage has modeled the buildings and site an disagrees.

- The Project includes architecturally distinct buildings that pay homage to and are compatible with the Capitol Records Complex.
- The width of view corridors through the Project Site. The East and West Buildings would be designed with strong horizontal features marking individual stories and, as such, would emulate the Capitol Records Building's defined individual stories. These features would contribute to a dimensional character along the surfaces of the Project's East and West Buildings consistent with the surface treatment of the Capitol Records Building. The prominence of the Capitol Records Building and important views to the building are also promoted through building separations, visual buffers and open space between proposed new buildings and the Capitol Records Complex. These building separations and open space areas include a paseo that functions as an amenity for the public at the terminus of the Hollywood Walk of Fame with safe public viewing areas to the Capitol Records Complex, as well as areas for shopping, open-air dining, public performances, art installations, and other community-focused events. The Project design has also taken into account its interface with nearby off-site historical resources, including the Pantages Theatre and Avalon Hollywood, through generous building separations and inspection cards, for any restriping of parking spaces.

Proposed Mitigation Measures:

- **CUL MM1- Hollywood Walk of Fame:** DEIR acknowledges the project has a direct adverse physical impact on the Hollywood Walk of Fame. The DEIR proposes to correctly ameliorate potential damage during removal and re-installation of sections of the paving with an "upgrading" process involving an architectural historian and a restoration contractor.
 - *While positive, these should be supplemented by a professional knowledgeable about the paving materials—a materials specialist or conservator—building on experience to date with successful and unsuccessful repairs to the WOF.*
- **CUL MM2- Excavation and shoring:** The DEIR outlines a customary process for digging out the subterranean garages and holding back the soil or buildings at adjoining properties and for monitoring the settling, cracking, or other effects on adjacent buildings.
 - *Hollywood Heritage finds MM2 insufficient. The process to investigate adjoining building foundations and determine the need for underpinning, or for the Projects foundation design to bear the surcharge from adjoining footings is not discussed. By the time the project is under construction it is too late. If it is taken care of in the soils/geotech portion of the EIR, it should be referenced in the Cultural Resources section of the EIR.*
 - *The DEIR failure to mitigate is unacceptable. "Mitigation Measure CUL-MM-2 and NOI-MM-4 would require the consent of other property owners who may not agree to participate in the mitigation measures; therefore, it is conservatively concluded that Project's or the Project with the East Site Hotel Option's cumulative structural vibration and settlement impacts on the Pantages Theatre would remain significant and unavoidable." If the Pantages or other owners do not agree to a specific shoring proposal, or mitigation proposal, then the Project proponent obviously must provide a*

- better one. The Project must pay for all costs for monitoring settling, movement, cracking etc ad adjoining buildings.
- While positive, this Mitigation Measure doesn't building design proactively address the specific dangers to adjoining or nearby historic buildings, and make proactive special investigations required to protect them, so CUL MM3 must be added.
 - The Office of Historic Resources should also be notified of any cracking or settlement movement in excess of standards.
- **ADD CUL MM3 Foundation Design and Construction Process:** DEIR acknowledges the potential for adverse impact on the Capitol Records building and other nearby historic structures. :“Project-level and cumulative structural vibration impacts during construction to off-site historic architectural resources.” (Page ___)
 - Specifics must be identified by a soils engineer and a structural engineer knowledgeable about archaic materials, local soils, archaic foundation and building design who in tandem can set the needed “predetermined” standards for allowable movement.
 - This adverse effect is avoidable, and unacceptable. MM3 must be added. Again, the project proponents must undertake proactive investigations sufficient to avoid damage to historic buildings, including understanding the thresholds for damage to adjoining buildings and avoiding it. See discussion of NOI MM -4.
 - **CUL MM4:** Restrict noise-making construction operations to 6:pm Monday – Saturday, with any extended times requiring “sign-off from Pantages

Mitigation Measure in Noise Section: NOI-MM- 3 and 4: The Applicant shall perform structural vibration monitoring during Project construction as follows:

1. Prior to start of construction, the Applicant shall retain the services of a licensed building inspector or structural engineer, or other qualified professional as approved by the City, to visit the on-site (Capitol and Gogerty) and any off-site buildings potentially affected, to inspect and document (video and/or photographic) the apparent physical condition of the building's readily-visible features. This includes both historic buildings and non-historic buildings in proximity to the Project Site. For the historic buildings inspection and documentation shall also be carried out by and in coordination with a qualified preservation consultant. *The Project shall pay for the services of all professionals required.*
2. Prior to start of construction vibration activities: With regards to Capitol Records, the Pantages Theater and the Avalon, contact should be made prior to the development of the construction schedule to ensure that it does not overlap with the regular functions of these facilities and venues. *NOI-MM-3: A construction liaison shall be provided to inform the nearby receptors 1, 3, and 5 through 13 when peak noise and vibration activities are scheduled to occur. Two weeks prior to the commencement of construction at the Project Site, notification shall be provided to these receptor properties that discloses the construction schedule, including the various types of activities and equipment that would be occurring throughout the duration of the construction period. (IV.I-75)*
3. Vibration-monitoring program: The Applicant shall retain the services of a qualified acoustical engineer and structural engineer to develop and implement a vibration monitoring program during the site demolition and grading/excavation, capable of documenting the construction-related ground vibration levels at the buildings listed above. The vibration monitoring systems shall be placed at receptor building façades closest to Project construction activity or placed at a representative location if a receptor building façade is not accessible and shall continuously measure (in vertical and

horizontal directions) and store the peak particle velocity (PPV) in inch/second. The vibration monitoring program shall be submitted, for review and approval to the Department of Building and Safety, prior to initiating any construction activities.

4. Thresholds: The systems shall also be programmed for two preset velocity levels: a warning level of 0.10 inch/second (PPV) for the off-site historic structures,...0.45 inch/second (PPV) for the Capitol Records Building, Gogerty Building,...and a regulatory level of 0.12 inch/second (PPV) for the off-site historic structures...and 0.50 inch/second (PPV) for the Capitol Records Building, Gogerty Building...
5. In cases where a receptor building façade is not accessible, the two preset velocity levels shall be programmed at equivalent levels based on distance and soil characteristics that affect vibration transmission over that distance. The systems shall also provide real-time alert when the vibration levels exceed the two preset levels.
6. Warning level action: In the event the warning level (i.e.,0.10,0.15 and 0.45inch/second [PPV], or equivalent levels) is triggered, the contractor shall identify the source of vibration generation and provide feasible steps to reduce the vibration level, including but not limited to staggering concurrent vibration-generating construction activities (if doing so would not pose a safety risk to personnel or damage risk to buildings or facilities) and utilizing lower vibratory techniques.
4. Regulatory level action: In the event the regulatory level (i.e.,0.12,0.20, and 0.50inch/second [PPV], or equivalent levels) is triggered, the contractor shall identify the source of vibration generation and implement feasible steps identified above to reduce the vibration level from construction activities to avoid or minimize damage from construction activities in the vicinity of the building. The contractor shall visually inspect the building for any damage. Results of the inspection must be logged.
5. In the event that the regulatory ground vibration levels are exceeded and there is documented evidence that no damage to historic structures has occurred, the ground vibration levels can be increased to the criteria for the previous building structural category in increments as follows, subject to review and approval by the City and the affected property owner, up to a maximum regulatory ground vibration level of 0.5 inch/second (PPV), or equivalent level.
 - From Category IV to Category III (0.12 to 0.2 inch/second [PPV], or equivalent level),
 - From Category III to Category II (0.2 to 0.3 inch/second [PPV], or equivalent level), or
 - From Category II to Category I (0.3 to 0.5 inch/second [PPV], or equivalent level).

If the regulatory ground vibration level is increased, the warning level shall also be increased matching the corresponding Category as follows (or equivalent levels):

- Category I: 0.45 inch/second [PPV]
 - Category II: 0.25 inch/second [PPV]
 - Category III: 0.15 inch/second [PPV]
 - Category IV: 0.10 inch/second [PPV]
7. If new regulatory and warning levels are set pursuant as above, they can be exceeded and increased again pursuant to the same requirements that follow.
 8. Damage remediation required: In the event damage occurs to the historic buildings (finish materials) 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. (IV.I-84-86)

EIR Hollywood CenterDRAFT4.pdf

ATTACHMENT #3 REDEVELOPMENT PLAN REQUIREMENTS Omitted FROM DEIR, FAILED TO MEET

Regional Center Commercial Density

- **Maximum of 6:1 FAR:** Sec 506.2.3 of the Redevelopment Plan establishes a maximum density in the area of 6:1 FAR.
- **Public Benefits: Development Density- excerpt from CRA website**
- Many sites in Hollywood have "D" or "Q" Conditions which limit density, but permit the density to be increased upon the adoption of certain findings by CRA/LA's Board of Commissioners, and approval of an agreement between the Agency and the developer. The Agency expects a substantial portion of the value increment derived from the additional density to be reflected in additional community benefits.
- Excerpt here: Findings required for 6:1

Urban Design Plan: The Redevelopment Plan mandated the “Hollywood Boulevard District” and its standards and guidelines to be put forth in an Urban Design Plan. Sec 506.2.1 of the Redevelopment Plan requires that : “An urban design plan including design guidelines and criteria and a parking and circulation program to achieve these objectives shall be developed by the Agency within two (2) years following the adoption of the First Amendment to this Plan.”

The Plan was prepared in 1993, reviewed by the CRA Board, implemented over the years, and has been the subject of litigation by Hollywood Heritage as implementation in later years faltered and Hollywood became the target of discretionary high density developer requests. CRA attempted twice to update the Plan, but caved to political pressure the most recent time (November 2019), but both the City and CRA agreed to honor the 1993 Urban Design Plan in a Settlement Agreement.. Therefore Hollywood Heritage evaluates projects according to the 1993 version.

Purpose of the Plan: Damaging effects such were a part of the Regional Center” category, and always were expected to be parsed – just as they are parsed with the “Regional Center Commercial” category under City Planning, into more specific localized areas to address as potential over-density, necessity of pedestrian-oriented design, need for building height controls etc..

Sec 506.2.1 of the Redevelopment Plan clearly states the Plan objectives : The objectives of the District are to:

1. Encourage preservation, restoration and appropriate reuse of historically or architecturally significant structures;
2. Assure that new development is sympathetic to and complements the existing scale of development;
3. Provide pedestrian oriented retail uses along the street level;
4. Encourage entertainment, theater and tourist related uses;
5. Provide adequate parking for new and existing uses; and
6. Reinforce and enhance the existing pedestrian environment.

The Redevelopment Plan requires that “All new development in the District shall meet the design guidelines to ensure that the objectives of the District are achieved.” “These guidelines

may be adopted as one or more Design(s) for Development.” As a Design for Development was not adopted, but all projects must meet design guidelines, this Project must comply with the Urban Design Plan. Developments must be evaluated on a case-by-case basis using the 1993 plan. Sec 506.2 of the Redevelopment Plan states the Design for Development may include a reduction of density by up to 33% in certain areas to insure that the objectives of the District are met

Feature	1993 Design Guidelines	Proposed Design	Com- plies?
Built Form overview (Sec. 7.1)	Solid masonry and masonry-like walls w/ individual windows set into the walls; Major and minor vertical bays articulated by horizontal divisions; Strongly expressed bases, or architecturally detailed lower floors which relate to the scale of the building to the pedestrian at the sidewalk level	No masonry or individual set windows; some horizontal divisions; no lower floors shown- critical to understanding compliance	No
Modulation (7.4.A.1)	Express modulation or variation in the design of architectural elements at least once every 100 feet parallel to the boulevard and once every 150 feet parallel to other streets	Building is treated as a very large singular shape on a tall podium. Treatment of the lower floors critical to understanding compliance-	No
Verticals and Horizontals (7.4.A.2)	New structures shall utilize a combination of major and minor vertical and horizontal elements on facades which face public streets or easements	Vertical and horizontal elements All information at street level and podium missing	No
Facade Depth (7.4.A.3)	Facade depth shall be “created through the use of individual windows set into the wall surface, shadow lines, articulation of building edges, breaks in surface plane, reveals, ornaments, or similar devices”	Curtain wall with horizontal emphasis proposed All information at street level and podium missing	No
Height (7.1; 7.3.A.5)	150-foot height standard plus 70-foot addition; new construction should “relate height standards to the traditional skyline”	423 foot tall and 545 (?) ‘ tall	No
Streetwall Integrity and Setbacks (7.4.A.5)	Maintain the integrity of Hollywood’s streetwalls as new infill development occurs and to prohibit the construction “mini-mall” type projects which set back from the sidewalk; within Boulevard East and West the front building plane(s) shall be at least 45 feet high and within 3 feet of and parallel to the public sidewalk for at least 75% of its length	All information at street level and podium missing	No
Storefront (7.4.A.5)	Minimum of 12 ft in height; between heights of 3 and 12 feet storefront areas shall be a minimum of 60% clear glass; overall proportion of a storefronts should be approximately square and should have a maximum ratio of 1.5 feet of height for each foot of length; recessed entries	All information at street level and podium missing	No
Materials (7.5.A)	Stone, terra cotta glazed to resemble stone, brick, cementitious materials; the majority should be of opaque construction with individual windows; maximum surface	Glass, metal, stone panel at storefront base	No

	areas of vision and spandrel glass shall be 60% of a building's surface area		
Color (7.5.A)	Light color palette - earth tones, creamy pastels, highlighted by brighter and darker accent colors	Not earth tones- lithic. White-	No
Glazing (7.5.B)	Use of clear glass is strongly encouraged but glazed areas should be differentiated in color from building's surface materials (7.5.B)	Clear glass? LEED Gold will as promised be very difficult to achieve	Yes
Open Space- Highland and Vine (5.1; 5.3.C.)	Establish Highland and Vine as tree lined vehicular/ pedestrian gateways to Hollywood; visually link the Boulevard District with the Hollywood Bowl and residential communities to the north and south	All information at street level and podium missing Landscape plan not found	No
Commercial Open Space Policies, Standards and Guidelines (5.6.B)	"At grade, private commercial open space should be clearly related to and visible from the public sidewalks and be complementary to the prevailing streetwall setback. The activities of private open spaces in the interior of projects or of block should be subordinate and complementary to the activities of the adjacent public sidewalks and streets. For example, internally-oriented, enclosed, and mechanically ventilated shopping malls are strongly discouraged"	Interior-facing paseo that draws commercial and pedestal activity off of the public streets Design for streetfront level missing	No

Traffic and Transportation: The Transportation Section of the DEIR significantly misrepresents the responsibilities of the former Redevelopment Agency for monitoring traffic relative to development; for making transportation improvements prior to start of projects; and for monitoring development ameliorating traffic effects.

The Redevelopment Plan includes a requirement for the Agency to restrain development in order to keep the Regional Center from reaching an overall density of 4.5 FAR, and to enforce this created a requirement as follows (Sec 506.2.3). This requirement is now a requirement of the City of Los Angeles City Planning if the transfer of land use responsibilities is considered to have legally taken place.

Thus this Project cannot proceed until the following has taken place:

- City of Los Angeles shall monitor all new development in excess of 50,000 sf within the Regional Center Commercial designation, reporting to the Planning Commission and DOT on the average FAR, PM peak hour trip generation, off street parking supply, and compliance with Transportation Demand Management Plans in the Regional Center Commercial area.
- When the average FAR for the designation (not including streets etc and public facilities) reaches the ratio of 2:0:1, within 90 days will issue a report analyzing the cumulative impact of Core area development , including PM peak hour trips generated
- The City will establish a program identifying specific actions and mechanisms to restrict or decrease density.

In addition, per Sec 506.2.3 of the Redevelopment Plan, the leap requested by the Project in development intensity from 3:1 to 6:1 FAR cannot take place, unless specific formal findings are made relative to traffic, and adverse environmental effects are mitigated or overridden. These effects will include analysis of LOS, not just VMT.

Parking: Sec 518.2 of the Redevelopment Plan re-states the obligations of CRA to monitor and resolve parking supply deficiencies in this area: “An urban design plan for Hollywood Boulevard will be prepared pursuant to Section 506.2.1 of this Plan. This Plan will include a strategy to address the long-term parking needs of Hollywood Boulevard. Pursuant to Section 506.2.3 of this Plan the Agency shall monitor the off-street parking supply within the Regional Center Commercial Designation. “

SB 743 does not exempt the DEIR from discussions of parking having to do with historic buildings. Capitol Records Building when built provided 97 parking spaces according to the Certificate of Occupancy on line at LADBS, and reflected in the DEIR. The Gogerty Building, remodeled into a new building with historic facades in 2002, appears on its permits to have a requirement for 120, 46, 75, or 120 parking spaces.

If historic buildings are losing current parking as an effect of this Project, that must be disclosed in this DEIR, as a fundamental component of maintaining the economic viability of the Hollywood Boulevard District.

Under the Hollywood Redevelopment Plan, Sec. “Sec 518.2 of the Redevelopment Plan requires the following actions be implemented in the Hollywood District Plan (our bullets added:

- As part of the Agency's negotiations with developers within the Regional Center Commercial designation it will seek to incorporate as a part of the development replacement parking.
- Whenever parking spaces which are in active use within the Regional Center Commercial Designation are removed from the market through Agency action as a part of the Project, the Agency shall develop or construct, or cause to be developed or constructed, an equal number of replacement parking spaces within the Project and within reasonable proximity to users subject to the findings and provisions of the Ordinance prepared pursuant to Section 518.1 of this Plan, as it may be adopted by the City Council. The Agency shall use its best effort to expeditiously provide such replacement parking, and in any event will do so within four years of its' removal.”

		Code req't	Provided per DEIR	
East Site				
• Commercial	17,485 sf	35 spaces	66 spaces	175 sf/space
• Gogerty Bldg	19,726 sf	38 per code 46 per permit	??00	
• Capitol Records	105,071 sf	97 spaces	??00	
• Residential	529,092 sf		585 spaces	1.4 spaces/DU
• Senior	61,777 sf		33 spaces	1/2 sp/DU
Total			684 spaces	
West Site				

• Commercial	12,691 sf	25 spaces	100 spaces	
• Capitol Records*	???		97 spaces	1,083 sf/space
• Residential	534,947 sf		604 spaces	
• Senior	62,289 sf		<u>34 spaces</u>	
Total			837 spaces	
TOTAL			“Up to” 1,521 sp	

** Spaces shown on West site- across Vine St-

July 17, 2018 VTT Letter to Sarah Hounsell. Deputy Advisory Agency

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.

Required parking spaces are required to remain for the remaining structure on the site (Ground Lot). Obtain Use of Land permits to relocate driveways and all required parking for each building onto their corresponding sites. Show location of all parking spaces and access driveways. Provide copies of permits and final i

ATTACHMENT #4

ELDP: USED TO FAST TRACK APPROVAL, AVOID LAWSUITS, BUT NO COMMITMENT TO MEET ELDP REQUIREMENTS

To quote from the Act: "The act also guarantees the public an opportunity to review and comment on the environmental impacts of a project and to participate meaningfully in the development of mitigation measures for potentially significant environmental impacts."

"These projects also present an unprecedented opportunity to implement nation-leading innovative measures that will significantly reduce traffic, air quality, and other significant environmental impacts, and fully mitigate the greenhouse gas emissions resulting from passenger vehicle trips attributed to the project.

(h) These pollution reductions will be the best in the nation compared to other comparable projects in the United States.

(i) The purpose of this act is to provide unique and unprecedented streamlining benefits under the California Environmental Quality Act for projects that provide the benefits described above for a limited period of time to put people to work as soon as possible."

(c) The project does not result in any net additional emission of greenhouse gases, including greenhouse gas emissions from employee transportation, as determined by the State Air Resources Board pursuant to Division 25.5 (commencing with Section 38500) of the Health and Safety Code.

(d) The project applicant has entered into a binding and enforceable agreement that all mitigation measures required pursuant to this division to certify the project under this chapter shall be conditions of approval of the project, and those conditions will be fully enforceable by the lead agency or another agency designated by the lead agency. In the case of environmental mitigation measures, the applicant agrees, as an ongoing obligation, that those measures will be monitored and enforced by the lead agency for the life of the obligation.