



HOLLYWOOD HERITAGE, INC.  
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Mindy Nguyen  
City of Los Angeles, Department of City Planning  
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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:

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 are hanging on, waiting for the kind of government 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 (worth \$57 million from the taxpayers--conservatively)—to build over double what is allowed by zoning, an extra 721,000 or 889,000 square feet of project (multiple Century City Towers!) over the 565,900 sf allowed, with minimized affordable housing, zero commensurate and legally-required public benefits, and zero mention in 13,000 pages of what is allowed!

Yet again Hollywood's authenticity, ambience, diversity, and potential are being progressively buried, outshouted, drained, and abandoned in favor new and new, big and big. Our organization responded to the NOP noting that the EIR should address the announced "preservation" of the Capitol Records Building. It wasn't. The pretense of "environmental

leadership” clothes this new carbon-guzzling construction, while the Project actually violates the existing city plans specifically put in place for environmental mitigation. The Project is insupportable as designed. Community members decry the excessive attention-getting excessive height for good reason. This “Hollywood Center” project is the opposite of a Center! The center was and is historic Hollywood Boulevard.

This DEIR does not reveal the full picture of adverse effects. Omission of plans, facts, etc must trigger EIR recirculation. The public purpose of an EIR is neutered here-- as issues are pulled apart and explained away, the most obvious problems can't be found.

By its conclusion, the only environmental effects this DEIR recognizes are construction noise and vibration. And when that construction vibration will damage neighboring historic landmarks? Falsely claimed “unavoidable”!

What happens to “unavoidable impacts?” The City Council is asked to adopt a Statement of Overriding Consideration—to wave real damage away. Our City Council should NOT even consider this—even if tenants or owners have been dealt with privately. There is no overriding public purpose in this Project that could not be served by a project ½ the size, with the developer purchasing added land and producing housing if they wish to build it all. Damage to historic buildings isn't just a private property concern—it is shared heritage, faced with extinction.

The true 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: an attention- getting, view-blocking pair of towers 2x to 2 ½ times the height allowed, and building size over 2x what zoning allows. It includes deeding public land to the developer as well! This developer asks for what equals at least a \$57 million “gift” from us. (That's \$300/sf for the land this developer doesn't have to buy to build their project; instead they just “ask” to build more than 2x the amount of buildings on the land they already own). This huge “ask” is disclosed nowhere. Interestingly, it was raised in Sacramento and called “taxpayer financing”.
  - **Conflicts with existing land use plans:** The DEIR omits necessary background and calculations that clarify the multiple land use plan conflicts of the proposed Project with existing laws, including the Redevelopment Plan. Some “goals” are reviewed at length from some City plans, to wrongly conclude there is no conflict. But CEQA requires full discussion of conflicts of the Project with all zoning and Plans, especially those adopted for the purpose of avoiding mitigating environmental effect. Thus the DEIR is deceptive, noncompliant with CEQA, and incomplete. See Attachment #1 and #3.
  - **Change height district “D” Condition to double development size:** The proposed Project is correctly stated to be entitled to an FAR of 3, (new buildings

are allowed to be 3x the land area owned). The “ask” is to wipe out the “D” (development limitation) placed by the zoning Ordinance to allow the doubling to 6.73:1 FAR, or higher. Total square footage in the “ask” is 1,401,453 sf. (Table II-1 omits explaining the jump from 1,287,150 sf to 1,401,453, curiously omitting the fact that there are already built buildings on this land-- Capitol Records and Gogerty. This Table implies the “ask” is all for new buildings.) “D” conditions were imposed overtly for environmental mitigation--to synch development to sustainable levels in Hollywood.

- Affordable housing sleight of hand—no calculations etc: Scattered oblique references to affordable housing are deceptive: An undercounting of the Project size is relegated to a tiny footnote. opaquely 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, and suggests this is OK due to an affordable housing incentive. Measure JJJ is mentioned somewhere. The DEIR Table showing 1,401,453 sf of building omits 168,320 sf of proposed balconies. The accuracy of these statements are not substantiated in the DEIR, failing to clarify, or to accurately tabulate, affordability calculations or programs, or disclose the promises if made in Sacramento. See Attachment #1.
- 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.
- Zone Change mystery, to less restrictive zone: The Zone Change proposed by the Project from the C4 zone (intended to limit less desirable raucous uses like pool halls) to the LESS restrictive C2 zone is mysterious and unexplained. The purpose may be to allow outdoor dining and thus drinking? Unintended consequence: the change ALSO reduces by half the housing units allowed by zoning. The DEIR has no explanation or needed calculations disclosing this, or showing the residential calculations that result from the Zone Change.
- No code-required public benefits: This 200% + density “ask” can only be considered under the current Community Plan and the recently-transferred Redevelopment Plan if the project provides specific public benefits. (See Attachment #3.). This Project offers no such benefits.
- Signage: All information on signage is omitted.
- 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 requirement. The DEIR omits all needed calculations to determine this. City Planning’s calculations may differ from Hollywood Heritage’s in this letter, we look forward to seeing them before the FEIR.
- 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 does allow the DEIR to omit considerations of parking within ½ mile of a transit stop, that exemption does not apply when historic buildings are involved. It also was not exempt under the VTT. We will address parking under “Redevelopment” (our Section 3).
- Population and housing: While Hollywood Heritage only could glance at this Chapter in the DEIR, we note numbers did not coincide with numbers being used to justify the Hollywood Community Plan Update, 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 needed under the HCPU in the year 2040 is already built or entitled.
- Cumulative Impacts: Must be evacuated

The DEIR must be partially or fully re-circulated, and it and the FEIR must address accurately and transparently the following:

- Land Use Plans conflict—DEIR must be recirculated: *The DEIR Land Use text 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 indeed 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. The Mitigation is to either bring the project into compliance or significantly reduce it to a size that is justifiable.*
- Change of “D” Condition: *FEIR must recognize significant adverse effect. The “D” conditions which this Project seeks to remove “D” conditions implemented to mitigate environmental effect, as evidenced in multiple documents accompanying Council adoption. The preparer’s o the DEIR may not be aware, of the history, but they do cite the current law that requires this.*
- Zone Change-disclose fully or conclude significant adverse effect: *FEIR must describe the justification and effects for change from more restrictive C4 to less restrictive C2 uses—such as allowing outdoor and rooftop bars (if that is the reason); acknowledge any adverse environmental impact; and put forth Project Design Features to restrict amplified noise and increase public safety- or whatever the actual effects are. This EIR is assumed to b accompanying the liquor license application, so vagueness must be eliminated*
- General Plan Amendment add to entitlements: *The FEIR must accurately disclose the computations comparing existing zoning and the proposed Project. The requested Height District Change triggers a General Plan Amendment or a reduction in density request. See also section in this letter on Redevelopment Plan*
- Project Description completed in FEIR to include renderings, floor plans, VTT, etc which are currently missing. *Again, this EIR accompanies an application for 12 liquor licences- decision-makers shouldn’t have to dig into a Cultural Resources appendix to find the floor plans.*

- Land Use Technical Appendix deceptive, revise and recirculate—matrix must be corrected to show items of non-conformance with Plans, as opposed to showing “conformance” with “purposes”— cherry-picked from the full list, subjective and unsubstantiated.
- Calculations: Many critical calculations are missing from the DEIR as note above—such as square footage shown as “built” and parking of existing Capitol Records Building and Gogerty Building; FAR numbers including residential balconies, and explicit tabulation of use of affordable housing incentives; deeding of public land to the private developer; etc.
- Calculations to support statements about Affordable Housing: The DEIR does not report the “Senior Housing” consistently and mentions state bills in passing, without serious review or calculation of quantities required for different categories of low income prescribed by law..To utilize State incentives, specific legislation must be referenced and items such as prevailing wage or % of low income units—is disclosed transparently.
- Population and Housing- cumulative analysis using consistent metrics: The FEIR should measure cumulative effects of the Project in the Hollywood Community Plan area, using metrics consistent with 1988 Community Plan documents and metrics and if they want the HPCU, assessing the cumulative impacts with both built and entitled projects.
- Hollywood Boulevard Urban Design Plan- significant adverse effect 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 or a significant re-design undertaken.
- 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,
- Signage: No signage permits for the Project addresses can be issued unless the signage complies with all City and Hollywood sign ordinances and has no environmental effect such as illumination. Or the DEIR must be recirculated or in the absence of data a significant adverse effect must be assumed.

2. **Cultural Resources- resources well-identified; impacts not fully identified; failure to fully mitigate** (See Attachment #2): The City of Los Angeles General Plan Conservation Element recognizes the historic significance of all the national, state, and locally listed historic buildings and districts, and recognizes the CRA-identified historic resources as well. In Hollywood for the last 30+ years, the Community Redevelopment Agency (CRA) has been responsible for identifying and planning for historic resources, and supporting them through proper planning. Much of the discussion of the Project effect on

historic resources is thus found in the following section #3 on Redevelopment Plan conformance.

Capitol and Gogerty: The DEIR declares that the Capitol Records Building and Gogerty Building – the two on-site identified historic resources -- will be preserved, on pages ES-22, and IV.C-51. The land these buildings sit on is used for the Project development request. The DEIR does not address how this preservation will be carried out. Due to the lack of specificity, a new mitigation measure will be required. (See also Attachment #2)

Vibration damage not just monitored- must be prevented: 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. The necessary proactive effort must be made—investigating the archaic materials, foundations, and susceptibility of nearby structures before project foundation design to avoid damage, not just measure it as it happens.. Mitigation Measures must show in the FEIR that genuinely and effectively mitigate.

Significant effects—see Attachment #3 (Cultural Resources) : Hollywood Heritage has made detailed reviews of each on-site and off-site historic building and the Project’s effect on them. We show added Mitigation Measures and accurate analysis which must be done or the Project design be changed to deal comprehensively with historic Hollywood. Hollywood Heritage has 3D modeled the proposed buildings within the surroundings and can provide evidence supporting our conclusions.

The FEIR must correct accurately and transparently the following:

- Walk of Fame: We agree that any repairs or new work should follow the Walk of Fame guidelines in MMI. In Attachment #2 we suggest a minor language edit.
- Preservation Plan: FEIR must clarify how the project will preserve the Capitol Records and Gogerty Buildings by means of an Historic Structures Report with a Treatment Plan—aka a Preservation Plan. A commitment for a fund to achieve the elements of the Preservation Plan over time is a way to show verifiable public benefit to fend off obsolescence and deterioration.
- Add a “Q” Condition– Preservation and removal of development rights: A “Q” condition is the way the City can memorialize the commitment for preservation and non-demolition of Capitol and Gogerty . This “Q” condition or similar control (as included in Palladium) so that the “buildable floor area ratio” on those specific land parcels is reduced to zero; transferring development rights off of the land parcels with these 2 historic buildings is a first formal step. Evidence of the intent to preserve must have an accurate distinction between “built” floor area and “buildable” Land Use Tables, and preferably also a facade easement donation. If the demolition or significant alteration

of the HCM # is applied for at any time frame after this EIR process, this would be a case of piecemealing. (CUL MM#6)

- Preservation: The DEIR is silent about potentially significant adverse effects on the Capitol Records Building itself. Either a significant adverse effect must be concluded, or the DEIR re-circulated to provide missing information.
- Vibration and settling effects are unsupportable as “unavoidable”- Recirculate DEIR and FEIR to 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)
- Significant adverse effect on Capitol Records Building: The DEIR too narrowly assesses effects on the Capitol Records Building. Limiting discussion to views is insufficient. 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 angle blocking of the round tower rather than respecting it. (See Attachment #2 for analysis).
- Effects on nearby landmarks and the National Register District: FEIR must accurately identify that the new Project is incompatible with the nearby District. The effect is significant and adverse, as the Project affects integrity—it is not compatible with the form, plan, style, workmanship, feeling and association of buildings or the collection of these nationally important buildings. Preservation Brief #14 and similar analyses look to building height as a predominant determinant of new building compatibility. On this metric alone the Project fails.
- Sidewalk level/pedestrian experience: FEIR must evaluate the setting of the Walk of Fame and the Hollywood Urban Design District (as as noted under “Redevelopment Attachment #3). 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. Metrics are many, but DEIR employs none of them.
- 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 as Ordinance 186,325, was effective 11/11/19, and incorporated into the City Zoning Code as Sec 11.5.14. “Whenever the Redevelopment Regulations conflict with provisions contained in [Chapter 1](#) of this Code or any other relevant City ordinances, the Redevelopment Regulations shall supersede those provisions, unless the applicable Redevelopment Regulations specifically provide otherwise or are amended.”

- All required analysis missing from 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.” The Land Use section must 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 (3:1 FAR) and in the Redevelopment Plan of potential 4.5:1 FAR.
- 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). The Project fails to meet the needed findings or objectives.
- 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 (In fact the increase to 6:1 can ONLY be granted if it does NOT exceed 6:1.
- 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. (See Attachment #3)
- 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 1993 specifics: To conform to 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,

- 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).

DEIR must be recirculated. The serious omission from the DEIR of the City’s Hollywood Redevelopment Plan responsibilities hides substantial facts.. Citing “goals” for the Plan and opining that the goals are met is inadequate. FEIR must accurately and transparently the following:

- Case Processing: *This DEIR cannot be used “clear” compliance with the Redevelopment Plan! First the conflicts must be identified and the adverse effects assessed. The “ask” for unjustified density and growth has not yet been granted, and cannot, as findings can’t be made. Even if City Planning decides to try to make all these findings and approve, disclosure must be done first and openly under CEQA. FEIR also to identify City Planning procedures required for case processing for the regulations of the Redevelopment Plan per Sec 11.5.14 of the Zoning Code. (Ord 186,235)*
- New Mitigation Measure or project re-design including disclosure of streetfront levels:: *Unless the FEIR and consultation with Hollywood Heritage produces clear information on building design at the street level, storefronts, signage, uses at the sidewalk., AND a compliant street-front design and building redesign, Mitigation Measure LU MM 2 must be added, assuming a significant adverse effect and requiring future design review for conformance with the Hollywood Urban Design Plan of 1993 or some other consensual metric such as Downtown Design Guidelines, HPOZ commercial guidelines, etc..*
- Re-design Urban Design at street level: *FEIR must include 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 if 6:1 FAR approved: *FEIR must cite process, calculations, and required findings for a 6:1 FAR “ask”. Hollywood Heritage believes it is insupportable. 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 benefit mechanism .*
- 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 process a Redevelopment Plan Amendment.*

- Traffic: City must perform and complete the traffic studies and mitigations necessitated by Sec 506.2.3 and others of the Redevelopment Plan, or prove that the regional Center FAR entitled or built to date has not hit 2:1 FAR.
  - Parking: FEIR to define what “up to 1,521 spaces” means and how calculated; to clarify the parking requirement of Capitol and Gogerty Buildings and how and where accommodated; and clarify the use of former parking lots and whether existing buildings such as AMDA are affected by the loss of parking.. Under the Redevelopment Plan (and the VTT) all parking replaced by the Project.
4. **Aesthetics**: The immediate reaction of everyone to this project is “too tall”. The Project design attempted to reduce its outsized impact by angling buildings, undergrounding parking, and closing driveways.

But it remains what a Hollywood project should NOT be—two immensely, hugely out of scale tall and oddly angled lozenge towers on top of clunky podiums, relating to nothing, dwarfing the entire area in height, blocking views to and from the hills, and dwarfing 2 “senior” buildings which are as tall as Hollywood’s tallest. The sidewalk development appears anti-Hollywood-- no building line, and a mix of deep plazas to building lobbies, restaurants or stores, trash rooms, major auto and truck entrances, and \_\_\_\_\_ . Some stores are interior, on a strange walkway shaped to follow the lots the developer purchased, and likely a wind tunnel. It’s just like 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.”

Hollywood Heritage has great concerns also about shade and shadow, glare, signage, electronic signage, etc effects, which have not been evaluated in the DEIR. We believe this analysis should be included, and have prepared the modeling.

The EIR should be recirculated to evaluate these issues, and FEIR must correct accurately and transparently:

- Project redesign- The project has a substantial adverse effect on a scenic vista (obstruction of views). -Evaluation of aesthetic effect on historic resources, such as obstruction of views must be performed, and the adverse effects revealed. **What HRG did**
- Shade and Shadow Recirculate or mitigate AES MMI: Significant adverse effect of shade and shadow on historic resources (see Cultural Resources section) must be assumed, or a shade and shadow study conducted and the project redesign to eliminate significant effects included in a recirculated DEIR.

- *Analysis and correction of potential adverse effects AES MM2: Materials and glare, and nighttime illumination adversely affecting views, especially any illuminated signage, must be disclosed and evaluated in a recirculated EIR, or assumed to be a significant adverse effect on historic buildings.*

5. **ELDP and Streamlining:** The Project developers have an agreement dated 8/16/2018 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 City must approve this project before January 1, 2021.

What are those ELDP commitments, and how do the Project Description, all the DEIR Chapters involved, and the DEIR Project Design Conditions enforce compliance? The DEIR is silent --unless conditions are included in some of the 13,000 pages we hadn't the opportunity to review in the streamlined 45 days.

The FEIR should transparently describe these state-granted benefits; the dates the ELDP was granted; whether the developer is now in compliance with their requirements and deadlines; and clarify where in the EIR the conformance with the developer's requirements is ensured.

*DEIR must be recirculated. FEIR should transparently disclose developer responsibilities*

- *ELDP MMI: Condition the Project with specific Project Design Features to implement the promises to the State, and require that the Certificate of Occupancy is withheld if the Project does not successfully complete the promised measures. (This is needed because the “Environmental Leadership” legislation offers protection from CEQA lawsuits early on, but the Project’s conformance with the developer’s promises happens during construction and operation.)*
- *Prevailing Wage Rates are a project condition. FEIR should name public agency that will monitor wage rates and create a Project Design Feature*
- *Energy Conservation—LEED Gold certification: EC MMI or Project Design Feature—Project must achieve LEED Gold certification for all 4 buildings prior to Certificate of Occupancy. The FEIR must remove all the “wiggle language” contained in the DEIR. FEIR must require unequivocal commitment to the State to achieve certification:“the applicant shall submit a binding commitment to delay operating the project until it receives LEED Gold Certification or better. If, upon completion of construction, LEED Gold Certification or better is delayed as a result of the certification process rather than a project deficiency, the applicant may petition the Governor to approve project operation pending completion of the certification process.” Due to the proponent’s delays, the current LEED version (not the 2014 version cited) must be required.*
- *Transportation- 15% improvement: Project transportation/traffic measures must ensure 15% improvement in transportation efficiency. All promised mitigations in TDM Program (Table 3 promised to State) must be formally incorporated in the Project with*

formal process for implementation and monitoring, and responsible agency . The “internal capture” analysis should be revisited, as residents simply can’t eat and drink as much as calculated.

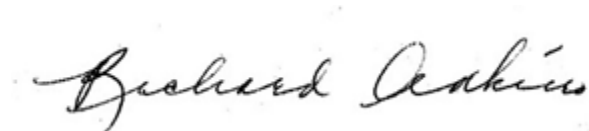
- **Greenhouse Gases- Project Design Feature:** Project must have zero increase in greenhouse gas emissions. “The GHG Emissions Offset Approach for the Hollywood Center Project / LEED Measures, dated May 2018, submitted to the State, showed that the Project failed this requirement and chooses to purchase carbon offsets. The DEIR must have an analysis including construction GHG emissions and the same 30 year lifespan as required by the State, and a monitoring program and responsible agency.

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.

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, the FEIR must consider aesthetics, and it will play a major part in the superior alternative.
- Although the DEIR chose to use VMT to neutralize stated traffic impacts, the reality of the degradation of traffic movement and the threats to the freeway onramps and backed up traffic should be calculated for an environmentally superior alternative.

Sincerely,



Richard Adkins  
President, Hollywood Heritage, Inc.

Attached: Attachments # 1-4

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

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 Findings required 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--3 incentive requests?? 6:1 FAR base to increase to 7:1 FAR AND see #11 below AND Smaller affordable units than required****
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)	Must include and comply with all conditions that would have been a CRA OPA—all conditions cited in HRP Sec 506
11	<b>Missing Affordable Housing Incentives</b> **	SB 1818, and others	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. Match promises made to State May 2018.
12	<b>Missing Redevelopment Plan Processing</b>	Ordinance 186,235	All information currently missing	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.
14	Missing General Plan Amendment	Hollywood Community Plan density limits	All information currently missing	

\* 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”

\*\*\*\*A development modification to allow a greater number of smaller affordable units with less bedrooms to accommodate Senior Affordable Housing units in lieu of providing the requisite number of Restricted Affordable Units;

**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
<b>EAST</b>	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	
		<b>TOTAL</b>	<b>115,324 sf</b>	<b>339,158 sf</b>	<b>608,354 sf</b>
			<b>2.648 acres</b>		
	Per Page II-14	Pre Dedication	115,866 sf		(5.27 FAR)
	Per page II-14	Post Dedication	117,179 sf		Per DEIR
<b>WEST</b>	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		
		<b>TOTAL</b>	<b>75,580 sf</b>	<b>226,740 sf</b>	<b>609,927 sf</b>
			<b>1.735 acres</b>		
	Per page II-14	Pre-dedication	78,629 sf		(8.06 FAR)
	Per page II-14	Post dedication	83,792 sf		Per DEIR
<b>BOTH</b>		<b>TOTAL</b>	<b>190,904 sf</b>	<b>565,898 sf</b>	<b>1,218,281 sf</b>
			<b>4.38 acres</b>		<b>(6.38 FAR)</b>
	Per page II-14	Pre-dedication	194,495 sf		???
	Per page II-14	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
<b>East Site</b>				
• 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
<b>Total</b>	339,158 sf	734,374 sf		
<b>Not allowed by zoning</b>		<b>395,216 sf</b>		
**If resi.balconies counted		<b>+90,200 sf</b>		
<b>West Site</b>				
• 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		
<b>Not allowed by zoning</b>		<b>320,898 sf</b>		
<b>TOTAL</b>				872 or 884 DU
Allowable vs proposed sf	565,898 sf	1,287,150 sf		
<b>TOTAL not allowed by zoning</b>		<b>721,252 sf</b>		
**If resi.balconies counted		<b>+78,120 sf</b>		

\*per Assessor

## Affordable Housing – Recirculated DEIR to show what law or laws are being used for incentives, and calculations for compliance

Residential	Allowable SF	Low/XXX Housing	Allowable SB 1818 SF- 1.35 or 35% bonus	Proposed project affordable	Proposed Senior “extremely low and/or very low income”
<b>East</b>					
	339,158 sf	??? 10% = 45,786 sf	457,863 sf	*Extremely Low @ 5%=21 units	62,289 sf
		11% = 37,307 sf		*Low @ 6%= 25 units	
		20% = 67,831 sf		*Or total 15% at Lower Income= 63	68 DU
<b>West</b>					
	226,740 sf	??? 10% 30,609 sf	306,099 sf	Extremely Low @ 5%=21 units	61,777 sf
		11% = 24,941 sf		Low @ 6%= 25 units	65 DU
Total		20% = 45,348 sf	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. Two affected are missing.

- 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) ; Missing from DEIR—Hollywood Tower (Franklin Ave)
  - 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. A Project Design Feature should be required which includes a Preservation Plan for the Building; documentation of its current condition; and treatment of deteriorating or inadequate systems, especially seismic safety.

**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 remain 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 not count unless they cause large swaths of Hollywood to lose its historic significance and status. Significant impacts can and do occur that reduce integrity, cause direct damage, or adversely impact landmarks which contribute to the District.

**DEIR Impacts Inadequately Acknowledged:** The Los Angeles CEQA thresholds are outdated, and CEQA must always be interpreted broadly. The whole point of CEQA is to “see” effects and ameliorate them before they happen.

A 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. The up-to-date thinking recognizes that great progress has been made in Preservation Brief #14 analyzing the effect of building additions and infill in historic districts, but a huge Project such as this— unless it is literally treated as an addition to Capitol Records—must look “behind the curtain”:

This is a serious issue, unnecessarily hurried due to the deadline. Projects can be damaging – causing an historic building’s loss of access or exits; loss of use or economic viability; falling into eternal shadow; losing its performance of its function (such as recording at Capitol Records); losing skyline prominence because of a newly constructed project--without causing a building or District to lose its entire historic significance.

**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, which is misunderstood by the EIR preparers.

- 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 this is being corrected in the FEIR, 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 is 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 but a shored concrete façade.
- 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, and at Capitol Records and Gogerty as historic buildings. 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).<sup>16</sup> (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.

**Effects on Historic Buildings-** This tabular analysis is a “first pass” and done by volunteers. It should be completed by knowledgeable engineers, etc as DEIR preparers, added to the EIR and recirculated, and the Project re-designed, or a significant adverse effect acknowledged for all buildings.

Shade and shadow Note that adverse shade and shadow effects on historic buildings have been modeled and calculated to derive this Table, using City standard as shown in our CUL MM7. The Project re-design or the Mitigation Measure may fall under “Aesthetics”, but the comments on historic buildings are gathered here because this is Hollywood Heritage’s comprehensive “look” at adverse effects.

	<b>DEIR conclusion</b>	<b>Hollywood Heritage comments</b>
<b>Capital Records</b>	<p><u>Integrity:</u> 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”</p>	<p><b>Disagrees: Project alters integrity of location and setting</b> Analysis solely about views ....</p> <p>Historic compatibility analysis isn’t well-developed for modern buildings, but the first-ever tower in Hollywood after World War II—meant to be seen in-the-round</p>
	<p><u>Setting:</u> "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)</p> <p>“Setting features...are largely contained on the building parcel, as well as the configuration of the street and sidewalk fronting the building’s west-facing façade”(p 59- HRG Appendix)</p>	<p><b>Disagrees: Setting adversely affected:</b> 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 <u>the</u> most important determinant for infill buildings and additions. This “project” is an addition of sorts to Capitol Records.</p>
	<p><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</p>	<p><b>Disagrees: Analysis omitted:</b> The public’s interest is in continuing the operation of the historic building and its exceptional recording uses. Capitol Records Building ownership by</p>

	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	the Applicant, and even be control by a lease, does not avoid CEQA scrutiny unless there is a clear commitment. FEIR must provide specific evidence/information.  <b>FEIR--Cumulative noise impacts</b> from other nearby active construction sites must be evaluated.
	<u>Noise- Operation:</u> : The effect of the Project on the underground reverberation or echo chambers- likely one of the most treasured and important features for the original and current use of the building, is not mentioned in the DEIR	<b>Significant missing information:</b> As noted above, FEIR must include analysis of Project effects on this key contributor to the historic use of the building
	<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.”	<b>Improper category analyzed- significant adverse effect—</b> must be re-analyzed as : FTA Category IV for construction vibration and FTA Category I (High sensitivity) for human annoyance. If Capitol Records does have exterior concrete piers, then it is a highly susceptible building based on the time period of its structural design.
	<u>Shade and Shadow:</u>	<b>Significant adverse effect</b>
<b>Gogerty Building</b>	<u>Integrity:</u> Cast-in-place concrete facades.  The Gogerty building is substantially altered. However, the consultant report concludes that—owing to its status recognition in surveys-- it should be treated as historic.	<b>Agrees:</b> Hollywood Heritage agrees that the contribution to the street and Hollywood as a whole as quality specimen of Art Deco massing and design remain important, especially against the backdrop of cumulative loss of this building type.
	<u>Vibration from construction“:</u> site vibration impacts, pursuant to the significance criteria for building damage, during construction of the Project...would be potentially significant.” (IV.I-78)	<b>See general comments—</b> this building may be more susceptible to vibration damage owing to the existing shoring of the concrete outer walls
<b>Walk of Fame</b>	<u>Positive change:</u> direct impact eliminate driveway access from Vine Street including the removal of five existing curb cuts. restore continuity to the Hollywood Walk of Fame,	<b>Agrees</b>
	<u>Positive change:</u> adjacent landscaping and paseo which would increase public access to the resource and help while also reducing vehicle/pedestrian conflicts.	<b>Disagrees:</b> Paseo and “unified development” on 2 sides of Vine Street are an awkward fallout of land parcel assembly; increases vehicle/pedestrian conflict with midblock traffic signal; harms traffic; and draw pedestrian vitality away from the Boulevard and the Walk of Fame
	<u>Repair and reinstallation standards:</u> While construction causes 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)	<b>See recommendations for MMI below</b>
<b>Pantages</b>	Pantages would remain in its location so no impact. Because of other development, the new construction isn't considered significant.	<b>Disagrees</b>
	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?

	<u>Setting</u>	xxxxxxx
	<u>Vibration from construction:</u> Mitigation measures proposed for vibration and settlement, but DEIR concludes unavoidable impact. ‘vibration impacts, pursuant to the significance criteria for building damage, during construction of the Project...would be potentially significant.’ (IV.I-78)	<b>Unavoidable impact wholly unacceptable. MM2 must be improved- ADD MM 3</b>
	<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)	<b>ADD MM 4 to control hours of vibration-induced annoyance.</b>
	<u>Noise</u> approximately 280 feet southeast of the West Site and adjacent to the south of the East Site construction area.	<b>Add MM4:</b> 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.
<b>Avalon</b>	<u>Noise:</u> West Site shares a property line with Avalon. The report says the new building will be set back 15 or 17.5 ft.(discrepancy on p. 124).	<b>Add MM4:</b> See comments re hours of construction operations under “Pantages”
	<u>Setting:</u>	xxx
	<u>Vibration:</u> “vibration impacts, pursuant to the significance criteria for building damage, during construction of the Project...would be potentially significant.” (IV.I-78)	<b>Improper category analyzed—</b> must be re-analyzed as: FTA Category IV for construction vibration and FTA Category I (High sensitivity) for human annoyance
		<b>“Unavoidable” impact unacceptable. Mitigation measure must be improved</b>
	<u>Potential Underpinning</u>	<b>Add MM 3</b>
	<u>Parking</u>	VTT and Redevelopment Plan require identification of parking in lots redeveloped, and how and where the parking is replaced within the Project.
<b>6316-6324 Yucca Street</b>	<u>Storefronts</u> <u>Setting:</u> No impact on setting or other aspects of integrity, but mitigation measures proposed.	
	<u>Vibration:</u> “on-site vibration impacts, pursuant to the significance criteria for building damage, during construction of the Project...would be potentially significant.” (IV.I-78)	<b>Improper category analyzed—</b> must be re-analyzed as: FTA Category IV for construction vibration and FTA Category I (High sensitivity) for human annoyance
		<b>“Unavoidable” impact unacceptable. Mitigation measure must be improved</b>
	<u>Loss of parking</u>	Potential issue to be investigated
<b>Yucca Vine Tower</b>	<u>Vibration:</u> “on-site vibration impacts, pursuant to the significance criteria for building damage,	<b>Improper category analyzed—</b> must be re-analyzed as: FTA Category IV for construction

<b>AMDA</b>	during construction of the Project...would be potentially significant.” (IV.I-78)	vibration and FTA Category I (High sensitivity) for human annoyance
		<b>Unavoidable impact unacceptable. Mitigation measure must be improved</b>
	<u>Noise::</u> 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.	
	<u>Shade and Shadow:</u>	<b>Significant adverse effect</b>
	<u>Loss of parking</u>	<b>Significant adverse effect</b> (see Redevelopment)
<b>Hollywood Equitable Building</b>	<u>Noise:</u> 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.	<b>Improper category analyzed</b> —must be re-analyzed as: FTA Category IV for construction vibration and FTA Category I (High sensitivity) for human annoyance
<b>Hollywood Knickerbocker.</b>	<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 to be added to FEIR
	<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)	Setting discussion limited to “views”
<b>Broadway Building Condos</b>	<u>Aesthetics/Views:</u> Views to hills etc will be blocked by new construction	Setting discussion omits this building
<b>St. Elmo Apartments at 6358 Yucca</b>	<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>	<b>Improper category analyzed</b> —must be re-analyzed as: FTA Category IV for construction vibration and FTA Category I (High sensitivity) for human annoyance
<b>Hollywood Tower</b>	<u>Shade and shadow</u>	<b>Significant adverse effect</b>
<b>National Register Hollywood Blvd Historic District</b>	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)	<b>Significant adverse effect</b> See discussion below

**DEIR improperly assesses impacts on Historic District:** Again the Los Angeles CEQA threshold for historic resource adverse effects does not directly address a Project’s effects—such as this one-- on a neighboring historic district. Obviously, to put forth the requirement that an ENTIRE District the length of the Hollywood core must LOSE its significance, integrity, and eligibility in order to see adverse effects is unreasonable.

The Historic Assessment then asks whether the Project—which alters the surroundings of the nearby buildings and Historic Districts, and thus the “setting” —affects them. Secretary of the Interior Standard #9 is generally used to address this, and Preservation Brief #14, although neither directly asks the question about “ indirect impacts” on a nearby District. The DEIR analysis is too limiting to get to the bottom of the issue.

- Setting: 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—are out of scale.
- Views not only determinant of effect: The DEIR assesses whether historic buildings “see” the new towers, as if the fundamentals of setting are limited to glimpses. Historical and architectural significance is deeper “I can catch a glimpse” or “it doesn’t block views” of the historic building. The analysis should be one of compatibility with District features, just as it should be with compatibility with individual neighboring historic building features.
- Is Project overall form compatible with District form? The “material” damage being assessed need not be literal damage or even “indirect aesthetic or integrity damage” so great that historical significance is lost. Instead the question should be whether the overall form of the new project is compatible but distinct with the overall shared features and urban patterning of the District. Distinctiveness is NEVER a worry in Hollywood.
- Standard #9 might be paraphrased in the case of a District to read “The new Project shall be differentiated from the old and shall be compatible with the massing, size, scale, architecture, and special relationships of the buildings within the District boundary to protect the overall historic integrity of the District.” The DEIR should address the compatibility, but in the interim we have used the National Park Service Integrity Guidelines loosely to check on compatibility.

	District features	Compatible?
1	<b>Building form:</b> Historic resources tend to be orthogonal, and fit on small sized lots owing to the 2 <sup>nd</sup> generation of Hollywood development being commercial 1920’s and 30’s buildings on house lots. The architecture does not expose the structure. Building frontages have show window openings at the street level, with human-scaled window openings at upper floors	<b>No;</b> The proposed building form expresses the horizontality of the structural floor slab. The tower sculptural isolated shapes cut diagonally across properties because that’s what the developer bought. rather than honoring property lines and neighbors. Window glass treated as a top-to-bottom “curtain”. The senior towers are more respectful of building lines and property lines,
2	<b>Plan:</b> Buildings built up to sidewalk line with articulated facades and entrances oriented to the	<b>No:</b> Building entrances buried deep back and under podium floors above

	sidewalk	
3	<b>Architectural styles</b> range from Beaux Arts Classicism , to Art Deco, to Spanish Colonial Revival (see National Register District nomination for details.) These commercial buildings express verticality most often, create bordered and discrete spaces rather than abstract un-shaped space, and share features. Compatibility does not mean that new buildings must be in one of these styles (, although it is possible and done admirably in other Districts. )	<b>No:</b> Mid century modern revival that is currently in vogue harking back to late 1950's and 60's Los Angeles residences with horizontal expression and abstraction. A case can be made for referencing the Capitol Records Tower—if that were the case the new towers would artfully surround or otherwise respect the Capitol Records tower, rather than oddly whack-a-mole it.
4	<b>Height:</b> Building heights in the historic district are often described as “varying” to support building a tall bulky new building. Tall buildings historically tended to cluster at the north-south important thoroughfares or near them, in most instances, and the predominant height otherwise was 2 – 3 stories. District building heights topped generally no higher than 150’—the “height limit line” set by City Hall. Capitol Records made its mark in part by being taller, and having the iconic spire..	<b>No:</b> Proposed building heights of two taller luxury towers and two lower “height limit” “senior” towers are not compatible.
5	<b>Workmanship:</b> Physical evidence of crafts from District period show the “hand of man”, artistry, knowledge of ornament. Ornament concentrated at specific locations: Ornament is visible, principally owing to its use at bases (public entrances), principal facades, and “crowns” (tops) of buildings. Workmanship evident in “unit size” such as windows, brick the size a man can handle.	<b>No:</b> Elimination of craft and art—emphasis on assembling factory-made planar parts. Absence of scale and detail at any level- large scale planar finishes. Giant scale in building materials, in blank tall podium walls  Senior towers have a “superscale overlay” that destroys any semblance of compatibility with real Hollywood.
6	<b>Feeling:</b> Expression of the time: The era of the 1920's and 30's buildings expressed optimism and exuberance in verticality—a celebration of building height (with elevators and new structural systems), Capitol Records expressed its modernism also in a verticality with the round geometric shape in an entirely orthogonal landscape, with a spire on top—with sunshades for horizontal texture	<b>No:</b> from the scant illustrations, it appears these buildings will not be compatible with either era
	<b>Association:</b> Direct link to important event or person. Connection to local historical development of Hollywood as the “heart of screenland” commercial /office/ entertainment District or the emblem of the burgeoning north/south Vine St. TV/radio/broadcast/ Recording Corridor.	<b>No</b>

- City of Los Angeles HPOZ Guidelines for commercial District compatibility can also be used. The FEIR can fill in any missing information

Criteria	Description of District, environs	Description of Project	Compatible?
<b>Setback:</b> Maintain setback of existing historic structures along the street front-	Front facades up to sidewalk property line	Large setback from sidewalk to towers-podium varies	<b>No</b>
<b>Building width:</b> Reflect the traditional	50'-150'	xxx	<b>No</b>

widths of historic structures in the area			
<b>Street wall</b> maintained without side setbacks between buildings	Generally yes	Large side setbacks at towers	Yes
<b>Average scale of historic structures</b> to be continued from historic district area	xxx		No
<b>Height:</b> Set back façade of any portion of building taller than prevailing height	(3-5 or 13 stories)	No setback at height limit line (13 stories)	No
<b>Building form:</b> Basic rectangle	Body and wings-orthogonal	Arc/lozenge shape building	No
<b>Roof -</b>	Generally flat-some cornices removed		Yes
<b>Materials similar to historic</b> —or at least appear similar –	Lithic unit stone or terracotta with sculpted ornament, bronze and other metal accents	Glass skin and panelized large scale factory-produced panels	No
<b>Articulated facades-</b> plane changes and materials changes at horizontal and vertical subdivisions of facades and window groupings; cornice treatments	Beaux Arts and Deco buildings with expressions of pilasters and windows as “punched” openings	Curtain wall type “skin”	No
<b>Colors of permanent finish materials</b> should be similar to those used historically	Matte earth colors such as terra cotta, limestone, and ochre for lithic materials	High gloss glass	No
<b>Echo traditional storefronts</b> for a majority of the primary architectural facades	Traditional storefronts in size, scale, materials, and detailing	No information	No
<b>Transparent elements (windows) at ground floor</b> of primary architectural facades to match percentage of historic neighbors. Internal signage that blocks the transparency of windows is inappropriate	Often storefront with recessed doorways and bulkheads at show windows	No information	No
<b>Recessed entryways</b> for primary entrances at ground level	Hotel and large buildings lobbies at sidewalk face	Deeply recessed building entrances under rows of columns	No
<b>Entryways marked by important defining elements</b> such as transoms, awnings, ..marquees		No information	No
<b>Upper story windows regularly spaced</b> and horizontally or vertically massed	Traditional Chicago window in Beaux Arts; vertical casements in Deco	No windows. Glass treated as walls	No
<b>Corner lots with corner entryway:</b> entrance for upper floors at streetfront	Was this what Gogerty had?	None proposed	No
<b>Awnings and marquees</b> to protect pedestrians		None proposed	No

**DEIR missing critical information- must provide in recirculated EIR:** DEIR provides very little detail on the perceptible experience at the sidewalk level, which is critical to evaluating the reinforcement of pedestrian activity required by the Redevelopment Plan (see Attachment #3) and various City Planning requirements. The pedestrian level experience is critical: shade and shadow, adjoining active ground level visible uses, “eyes on the street”, attractive and well-scaled storefront design, window openings in the podium upper levels at the street-front etc.

- The DEIR states 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 wide-open plaza do the opposite of activating Hollywood's streets- they provides shortcuts to avoid Hollywood Boulevard and Yucca; create a wind tunnel; and pull active uses away from the front building line.

- West Site frontages appear to contain good portions of commercial uses 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 include a Trash Room and Back of House.
- See the discussion of the Redevelopment Urban Design Plan in Attachment #3 for additional information.

**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 states that the project design attempts to add compatible but distinct buildings to a the Capitol Records building, as guided by Standard #9. While the analysis says the following, Hollywood Heritage has prepared a 3D model of the buildings with and disagrees.

	<b>Project</b>	<b>Hollywood Heritage agrees?</b>
1	<b>Building design:</b> Includes architecturally distinct buildings that pay homage to and are compatible with the Capitol Records Complex.	<b>No</b>
2	<b>View corridors:</b> View corridors through project site. 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.	<b>No</b>
3	<b>Workmanship</b> 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.	<b>Maybe:</b> The large projecting balconies – which appear on plans but not really in renderings, may have a somewhat similar effect- renderings are from too far away to tell.

**Proposed Mitigation Measures:**

- Q Condition for Preservation of On-Site Buildings and ADD CUL MM6: Preservation Plan: A Preservation Plan shall be prepared for the Capitol Records Building prior to the start of construction, including the remaining facades of the Gogerty Building. A Q Condition as discussed under Land Use shall document a transfer of development rights off those land parcels if the land area of those parcels is used toward new project development entitlements. Q Condition will state “Capitol Recods Building and its

attendant square footage to be retained in perpetuity, including reconstruction in whole or part in the event of catastrophic loss, with zero development rights accruing to the parcel for any new development replacing or substituting for the existing building. The City of Los Angeles prohibits demolition of the Capitol Records building and the Gogerty Building historic facades.” The FEIR must note that 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 CEQA piecemealing.

- **CUL MMI- 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, the use of the stated WOF standards should emphasize minimizing removals, and ADD “reinstallations and new paving should also employ 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.”*
- **ALTER 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.*
  - *Damage remediation required: In the event damage occurs to the historic buildings due to construction vibration, such materials shall be repaired by the Project 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)*

- Language deleted: Language about being “unable to achieve cooperation of other property owners” deleted.
- 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.”
  - *An 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.*
  - *Specifics must be identified by a soils engineer and structural engineers knowledgeable about archaic materials, local soils, shoring and underpinning design, archaic foundation and building design who in tandem can set the needed “predetermined” standards for allowable movement. And direct the building’s foundation design into a non-destructive direction.*
  - *Prior to start of new building foundation design, the Applicant shall retain the services of the qualified professionals needed to investigate the on-site (Capitol and Gogerty) and any off-site buildings potentially affected, by shoring, needing underpinning, or subjected to construction vibration, to inspect and document (video and/or photographic) the apparent physical condition of the building’s readily-visible features. The Project shall pay for the services of all professionals required.*
- ADD CUL MM4: Noise and vibration : While this may be added in the NOI MM: Restrict noise-making construction (it is an effect on Cultural Resources). Noise and vibration-making operations to stop at 6pm Monday – none on Saturday, with any extended times requiring “sign-off” from Pantages
- ADD CUL MM5: Sidewalk level building design and project conforming urban design: The DEIR fails to provide requisite information on this in the Project Description and the Land Use section for Urban Design (as required in Sec 506 of the Redevelopment Plan). The DEIR should be recirculated. As an alternative, a finding of significant adverse effect can be made, and this Mitigation Measure require full drawings and illustrations of street level urban and building design to be reviewed by Hollywood Heritage prior to inclusion in the FEIR.
- Add CUL MM7- Shade and Shadow: Project shall not cause shade for more than 3 hours between the hours of 9:00 am and 3:00 pm PST between late October and early April, and for more than 4 hours between the hours of 9:00 am and 5 pm PDT between early April and Late October.

## ATTACHMENT #3

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

#### Regional Center Commercial Density and Findings

- Maximum of 6:1 FAR: Sec 506.2.3 of the Redevelopment Plan establishes a maximum density in the area of 6:1 FAR. Period. The Project cannot request an exceedence without a Redevelopment Plan Amendment
- Increase in density to FAR only allowed from 4.5:1
- Specific requirements of Project requesting 6:1 FAR: Specific findings are required for the City of Los Angeles to approve a 6:1 maximum FAR. As the DEIR shows no evidence that the required findings can be made, it is clear that the Project conflicts with the approved plans.

	Complies
Shall reinforce the historical development patterns of the area	<b>No</b>
Shall stimulate appropriate residential housing	<b>Maybe</b>
Shall provide transitions compatible with adjacent lower density neighborhoods	<b>No</b>
Must be area with direct access to high capacity transportation and effectively use transportation demand management programs	<b>Yes *</b>
New development compliments existing buildings in areas having architecturally or historically significant structures.. OR	<b>No</b>
Provide focal points for entertainment, tourist or pedestrian	
Provide housing to provide a balance in community	
Provide substantial well designed open space	
Provide social service facilities	
May NOT exceed 6:1 FAR in density	<b>No</b>
Development complies with provisions and goals of the Hollywood Boulevard District	<b>No</b>
Project serves a public purpose objective such as open space, cultural facilities, public parking, or rehabilitation of an architecturally or historically significant building	<b>No</b>
Adverse effects on traffic mitigated or overridden by social, economic or physical considerations	<b>No</b>
Statement of findings are made.	<b>No</b>

- 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

In the absence of required information, CEQA allows us to conclude significant adverse effect— on the setting of the Hollywood Boulevard Urban Design District and of the many surrounding historic buildings and the Walk of Fame. The Mitigation Measure for this is shown under our Attachment #2.

<b>Feature</b>	<b>1993 Design Guidelines</b>	<b>Proposed Design</b>	<b>Complies?</b>
<b>Built Form overview (Sec. 7.1)</b>	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; blank podium walls with toilet rooms, pantries, etc backing on to street	<b>No</b>
<b>Modulation (7.4.A.1)</b>	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-	<b>No</b>
<b>Verticals and Horizontals (7.4.A.2)</b>	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	<b>No</b>
<b>Facade Depth (7.4.A.3)</b>	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	<b>No</b>
<b>Height (7.1; 7.3.A.5)</b>	150-foot height standard plus 70-foot addition; new construction should “relate height standards to the traditional skyline”	423 foot tall and 545 (?) ‘ tall	<b>No</b>
<b>Streetwall Integrity and Setbacks (7.4.A.5)</b>	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	<b>No</b>
<b>Storefront (7.4.A.5)</b>	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	<b>No</b>
<b>Materials (7.5.A)</b>	Stone, terra cotta glazed to resemble stone, brick, cementitious materials; the majority should be of opaque construction with individual windows; maximum surface areas of vision and spandrel glass shall be 60% of a building’s surface area	Glass, metal, stone panel at storefront base	<b>No</b>
<b>Color (7.5.A)</b>	Light color palette - earth tones, creamy pastels, highlighted by brighter and darker accent colors	Not earth tones- lithic. White-	<b>No</b>

<b>Glazing (7.5.B)</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	<b>Yes</b>
<b>Open Space-Highland and Vine (5.1; 5.3.C.)</b>	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	<b>No</b>
<b>Commercial Open Space Policies, Standards and Guidelines (5.6.B)</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	<b>No</b>

**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 Redevelopment Area and the Hollywood Boulevard District. It appears from a quick look at filings for ELDP with the State that parking for AMDA is lost, in addition to the non-recognition of Capitol and Gogerty parking.

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	
<b>East Site</b>				
• 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		<u>33 spaces</u>	½ sp/DU
<b>Total</b>			<b>684 spaces</b>	
<b>West Site</b>				
• 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>
<b>Total</b>		<b>837 spaces</b>
<b>TOTAL</b>		<b>“Up to” 1,521 sp</b>

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

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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 inspection cards, for any restriping of parking spaces.

## 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.