

PERMIT NUMBERS:

MP15-0035

PROPERTY INFORMATION:

7965 - 7985 Santa Monica Boulevard

STREET ADDRESS

Commercial retail and restaurant building with outdoor dining, and separate nightclub.

PRESENT/LAST USE OF PROPERTY

PROJECT PROPOSAL

Summarize the project below or attach a narrative on additional pages that describes:

1. Demolition of structures and new construction (in square feet for commercial; number of units for residential).
2. Proposed use or activities.
3. For map or text amendments, include a specific proposal for new language and a statement as to how the amendment is consistent with the General Plan. The statement should cite specific sections in the General Plan.

Demolition of an existing ~ 18,750 sq.ft. commercial building. Construction of an ~ 79,000 sq.ft. commercial building with creative office, retail, and restaurant spaces with an existing ~ 4,214 sq.ft. nightclub to remain. The Applicant requests varies entitlement approvals as more fully described in Attachment A.

PROPERTY OWNER

L & R Laurel Project (CA), LLC

NAME

P.O. Box 691900

ADDRESS

West Hollywood, CA 90069

CITY

424-332-1110

STATE

ZIP

PHONE NUMBER

laurelprojectweho@gmail.com

FAX

E-MAIL

APPLICANT (If different than property owner)

(This is the person who will be contacted regarding this application. This person will be named as the applicant in all documents relating to the permits.)

Latham & Watkins LLP - James L. Arnone

NAME

355 South Grand Ave.

ADDRESS

Los Angeles, CA 90071

CITY

(213) 891-8204

STATE

ZIP

PHONE NUMBER

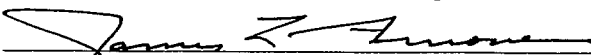
james.arnone@lw.com

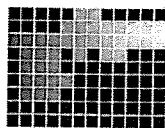
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LEGAL DESCRIPTION:

Assessor's Parcel Number - Book: 5554 Page: 013 Parcel: 24, 25, 26 INIT

Applicant's Signature  Date 9-8-15



CITY OF WEST HOLLYWOOD
COMMUNITY DEVELOPMENT
DEPARTMENT

Planning Division Permit Application

OWNER'S AFFIDAVIT

State of California, County of Los Angeles

I, (We), L & R Laurel Project (CA), LLC

hereby declare under the penalty of perjury that I (we) am (are) the owner(s) of the property involved in this request, or if the owner is a corporation or other entity, that I (we) am (are) duly authorized to execute this affidavit on behalf of said corporations or entity. I (we) further declare that the foregoing statements and the information submitted herewith are true and correct.

I (we) hereby authorize Latham & Watkins, LLP (list applicant's name)
to apply for ZTA, DVP, DMP, CUP, MCUP, AP (application type: CUP, MCUP, PUP, DVP, AP, DMP, etc.)
for new ~ 79,000 sf commercial building with creative office, retail, and restaurant (list type of activity).

PROPERTY OWNER'S INFORMATION

L & R Laurel Project (CA), LLC

OWNER(S) NAME(S)

[Signature]

SIGNATURE

P.O. Box 691900

ADDRESS
West Hollywood, CA 90069

CITY, STATE, ZIP CODE
(424) 332 -1110

TELEPHONE

CAPACITY CLAIMED BY SIGNER

- INDIVIDUAL(S) CORPORATE OFFICER(S)
 PARTNER(S) ATTORNEY-IN-FACT
 TRUSTEE(S) OTHER

SIGNER IS REPRESENTING:

L&R Laurel Project (CA), LLC - Manager
NAME OF PERSON(S) OR ENTITY(IES)

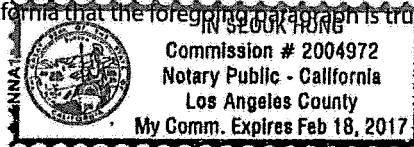
On 9/10/2015 before me, In Soook Hong Notary Public, personally appeared Jason Daniel Ilkavian, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

[Signature]
SIGNATURE

SEAL:



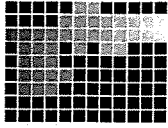
TO ALL APPLICANTS:

Employees of the City of West Hollywood will give every possible assistance to anyone who desires to utilize the remedies provided by the City's zoning ordinance. However, the burden of proof is on the applicant to make the showing necessary before any of the described permits can be granted. Also, there is no guarantee - expressed or implied - that any permit will be granted by whatever agency or individual has authority in the matter. The applicant shall understand also that each matter must be carefully investigated and, after a staff investigation has been made or a public hearing has been held, the staff's recommendation or decision may be contrary to a position taken in any preliminary discussions.

The staff is not permitted to assist the applicant or any opponents of the applicant in preparing arguments for or against a request. I have read the foregoing and understand that I HAVE THE BURDEN OF PROOF in the matter arising under the application made by me.

APPLICANT'S SIGNATURE

DATE



Planning Division Permit Application

ENVIRONMENTAL QUESTIONNAIRE

I. If a project is subject to the requirements of the California Environmental Quality Act and not exempted under any of the provisions of the Guidelines for Implementation of CEQA, the City is required to conduct an initial study to determine if the project may have a significant effect on the environment. This Environmental information Form shall be completed and submitted to the Department of Community Development. Any other permit application, not including a Building Permit, required by the Department of Community development shall be filed concurrently with the attached form.

II. The following information and data shall accompany the Environmental Questionnaire form:

- A. Photographs of the area in sufficient detail to depict existing physical conditions in the project area.
- B. A boundary map clearly outlining the boundaries of the site.

Latham & Watkins LLP - James L. Arnone

APPLICANT/AUTHORIZED AGENT NAME
 355 South Grand Avenue

STREET
 Los Angeles, CA 90071

CITY
 (213) 891-8204

STATE

ZIP

HOME PHONE
 james.arnone@lw.com

BUSINESS PHONE

E-MAIL

1.0 PROJECT DESCRIPTION

1.1 Nature of Project (Please give complete description of proposed project):

Demolition of an existing ~ 18,750 sq.ft. commercial building. Construction of an ~ 79,000 sq.ft. commercial building with creative office, retail, and restaurant spaces with an existing ~ 4,214 sq.ft. nightclub to remain.

Please see Attachment A for a full project description and all entitlement approvals requested.

1.2 Location of Project (Address, nearest street intersections):

7965 - 7985 Santa Monica Boulevard. The site fronts Santa Monica Boulevard on the south, North Laurel Avenue on the west, residential properties to the north, and commercial properties to the east.

1.3 Existing Zoning District:

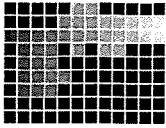
Existing zoning district is CC2 - Commercial, Community 2

1.4 List and describe any other related permits and other public approvals required for this project, including those required by city, regional, state and federal agencies:

City of WH: Zone Text Amendment, Development Permit, Demolition Permit, Height Bonus for Creative Office,

Conditional Use Permit, Minor Conditional Use Permits, and Administrative Permits.

Construction permits from City and County. Standard regulatory permits for stormwater runoff control and discharge.



Planning Division Permit Application

ENVIRONMENTAL QUESTIONNAIRE, CONT'D.

1.5 What is the surrounding land use to the:

Multifamily residential adjacent

NORTH

Commercial across Santa Monica Boulevard

SOUTH

Commercial adjacent

EAST

Commercial across North Laurel Avenue

WEST

1.6 If the project is commercial or industrial, give a complete description of activities and other pertinent information including but not limited to estimated employment per shift, and any potential hazardous materials which may be used, etc.

Proposed creative office, retail, restaurant at 7985 Santa Monica Blvd. Existing nightclub at 7965 Santa Monica Blvd.

Please see Attachment A for full project description.

1.7 If the project is residential, indicate number, types and size of units and associated facilities:

Not applicable; proposed commercial project.

1.8 If the project is institutional, indicate the major function, estimated employment per shift and maximum occupancy:

Not applicable; proposed commercial project.

1.9 Describe any change in existing features of any hills or substantial alteration of ground contours:

The site slopes very slightly from north to south approx. 5'-0" in grade elevation change.

1.10 Describe any change in scenic views or vistas from existing residential areas or public lands or roads:

No change in scenic views or vistas as none are visible from the site.

1.11 Project land area (square footage): Site ~ 39,635 sq.ft.

1.12 Number of parking spaces: Propose providing 267 parking spaces on-site.

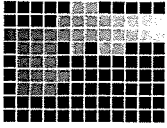
1.13 Square feet of building area: Approximately 79,000 sq. ft. new building and approximately 4,214 sq.ft. to remain.

1.14 Numbers of floors: 4 stories above grade, 3 levels below grade.

1.15 Height of tallest structure involved in project: 61'-0" to top of roof plus up to 15'-0" rooftop elevator structures

1.16 Proposed scheduling and anticipated incremental development:

Proposed construction of project in one continuous phase over 24 months.



Planning Division Permit Application

ENVIRONMENTAL QUESTIONNAIRE, CONT'D.

2.0 LAND FORM

- 2.1 Is the site presently graded? Yes.
- 2.2 Indicate the gross cubic yard of grading proposed: To be determined.
- 2.3 What will be the maximum height and grade or fill after grading is completed?
To be confirmed.

3.0 VEGETATION

- 3.1 Attach a map indicating the location, type, and size of trees located on site. Indicate below the number, type and size of trees to be removed as a result of the project:
No protected or heritage trees on site. Please see tree survey with drawings.

4.0 AIR QUALITY

- 4.1 If the project is industrial, describe and list air pollution sources and quantity and types of pollutants emitted as a result of the project:
Not applicable.

5.0 NOISE

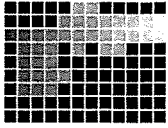
- 5.1 What noise will be produced by the property? If available, please give noise levels in decibel measurement and typical time distribution when noise will be produced.
Sounds typically associated with a commercial project in compliance with City noise limits. No unique noise sources.
- 5.2 How will noise produced by the project compare with existing noise levels?
To be determined.

6.0 TRAFFIC

- 6.1 Approximately how much traffic will be generated by the project?
- | | |
|--|--|
| <input type="checkbox"/> 0-50 vehicular trips per day | <input type="checkbox"/> 50 - 250 vehicular trips per day |
| <input type="checkbox"/> 250 - 500 vehicular trips per day | <input type="checkbox"/> 500 or more vehicular trips per day |

7.0 PUBLIC SERVICES AND FACILITIES

- 7.1 Will the project require installation or replacement of new water lines? To be determined.
- 7.2 Please estimate the daily water volume in gallons required to serve the project: To be determined.
- 7.3 Will the project require installation or replacement of new sewer lines? To be determined.
- 7.4 Please indicate the approximate amount of sewage generated from the project (pounds/day): To be determined.
- 7.5 Describe the type and amount (pounds/day) of solid waste generated by the project: To be determined.



Planning Division Permit Application

ENVIRONMENTAL QUESTIONNAIRE, CONT'D.

8.0 POPULATION DISPLACEMENT

8.1 Will any residential occupants be displaced by the project activities? No. Commercial buildings with no residents.

8.2 Describe briefly the type of buildings or improvements to be demolished by the project:
Existing approximately 18,750 square-foot commercial building to be demolished.

9.0 MUNICIPAL SERVICES

9.1 Indicate any substantial change in the demand for municipal services (i.e. police, fire, etc.):
To be determined.

10.0 MITIGATING MEASURES

10.1 What are included in the project which may conserve or protect the following: Nonrenewable resources, e.g., electricity, gas, water / Flora and fauna / Water:
The project is being design to comply with the California Green Building Code for commercial and would achieve 90 points on the City's Green Building checklist. (Please see project drawings.)

10.2 What measures are proposed in the design of the project, e.g., architectural treatment and landscaping which have been coordinated with the design of the existing community to minimize visual effect? Please describe:
Please see Attachment A for full Project Description and discussion of urban design compatibility.

I CERTIFY THAT THE INFORMATION HEREIN IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.

James Z. Arnone
SIGNATURE

9-8-15
DATE

**ATTACHMENT A
7965 – 7985 SANTA MONICA BOULEVARD
PROJECT REQUESTS AND NARRATIVE**

Project Owner

L & R Laurel Project (CA), LLC
P.O. Box 691900
West Hollywood, CA 90069

Project Applicant

Latham & Watkins LLP
c/o James L. Arnone
355 South Grand Avenue
Los Angeles, CA 90071

Requests

Latham & Watkins LLP ("Applicant"), on behalf of the property owner, L&R Laurel Project (CA), LLC ("Owner"), requests approval of the following to allow the demolition of an approximately 18,750 square-foot commercial building and the development of an approximately 79,000 square-foot commercial building with creative office, retail, nightclub, and restaurant spaces, and would also retain an approximately 4,214 square-foot existing nightclub, as described further below:

1. A **Zone Text Amendment (ZTA)** to allow the review authority to approve under specified criteria described below, a Creative Office Development Bonus, to allow additional building height for projects containing creative office space in the CC2 Zone;
2. A **Demolition Permit (DMP)** for the demolition of an approximately 18,750 square-foot commercial building at 7985 Santa Monica Boulevard pursuant to WHMC Chapter 19.50;
3. A **Development Permit (DVP)** for the construction of an approximately 79,000 square-foot commercial building in the CC2 zone pursuant to Chapter 19.48 and Section 19.10.030 including requests for;
 - a. a **Creative Office Development Bonus** to allow a height of up to 61 feet in lieu of 45 feet (an increase of 16 feet) for a building in the CC2 zone containing creative office space and an increase of up to 15 feet in height for rooftop mechanical and elevator structures; and
 - b. a **Reduction of Off-Street Parking Requirement** pursuant to WHMC Sec. 19.28.060 for a 22% reduction in the number of parking spaces provided;
4. A **Conditional Use Permit** for an approximately 3,153 square-foot bar to be located below grade on the B-1 Level pursuant to WHMC Section 19.10.030 and Ch. 19.52.
5. Four **Minor Conditional Use Permits (MCUP)** to allow alcohol sales and service for on-site consumption of a full range of alcoholic beverages in four establishments pursuant to WHMC Section 19.10.030 and Ch. 19.52;
6. One **Minor Conditional Use Permits (MCUP)** to allow extended business hours of operation between 2:00 am and 6:00 am for an approximately 2,785 square-foot 24-hour diner pursuant to WHMC Sections 19.10.030 and 19.36.130; and

7. Three **Administrative Permits** (ADP) to allow outdoor dining associated with three establishments pursuant to WHMC Section 19.10.030 and Ch. 19.44.

Project Site

The project site consists of three parcels with the street addresses of 7965, 7977, and 7985 Santa Monica Boulevard, West Hollywood, corresponding to Los Angeles County Assessor's Parcel Numbers 5554-013-024, -025, and -026 (the "Project Site"). The Land Use Element of the West Hollywood General Plan 2035 designates the parcels as Commercial, Community 2 with the corresponding Commercial, Community 2 (CC2) zone.

The Project Site is approximately 39,635 square feet in area and is bounded on the north by multi-family residential buildings in the R4C zone and by commercial uses also in the CC2 zone immediately adjacent to the Project Site to the east. On the south, the Project Site fronts Santa Monica Boulevard with commercial uses also in the CC2 zone located across Santa Monica Boulevard to the south and across N. Laurel Avenue to the west.

Project Description

The Applicant proposes to develop an approximately 79,000 square-foot commercial building containing creative office space on three levels above retail and restaurant spaces on the ground level with these commercial spaces opening onto the street frontages on Santa Monica Boulevard and N. Laurel Avenue.

An approximately 2,785 square-foot restaurant on the east side of the ground floor adjacent to the existing nightclub is proposed to be a diner with extended hours of operation between 2:00 am and 6:00 am providing food service during all hours of operation, 24 hours per day. It would have an approximately 786 square-foot outdoor dining area with approximately 52 seats. A second restaurant of approximately 4,201 square feet would have an outdoor dining area of approximately 904 square feet with approximately 70 seats. A café of approximately 1,000 square feet would have an outdoor dining area of approximately 248 square feet with approximately 24 seats. A second café of approximately 605 square feet would not have outdoor dining. The second restaurant and two cafes would operate from 6:00 am to 2:00 am. The 24-hour diner, the restaurant, and two cafes would have full alcohol sales and service from 7:00 am to 2:00 am daily.

An approximately 3,153 square-foot bar would be located below grade on the B1 Level with proposed hours of operation and alcohol sales and service from 6:00 pm to 2:00 am daily. The existing nightclub at 8765 Santa Monica Boulevard would remain with no proposed change in operations.

On Levels 2, 3 and 4, the approximately 50,465 square feet of creative offices would have access to outdoor terraces as shown on the project drawings. The rear (north) side of the ground level also would contain approximately 7,157 square feet of creative office / incubator space.

Vehicle access to the building would occur from N. Laurel Avenue on the west side of the building. The project would require 344 parking spaces at standard code-required rates as summarized in the table below. However, due to the variety of uses and different peak operating times for those uses, the Applicant is requesting a 22% reduction in the number of

parking spaces to provide shared parking with 267 parking spaces provided on site in three subterranean levels including 45 stacker spaces on the lowest level (B3).

Parking per WHMC Table 3-6 Prior to Shared Parking Reduction

Use	Area (sf)	Rate / 1,000 sf	Parking
Creative Office	57,622	3.5 for 1 st 25,000 3.0 each additional	185
Retail	4,365	3.5	16
Restaurant	8,591	9.0	78
Outdoor Dining	1,938	9.0	18
Bar / Nightclub	3,153	15.0	47
Total			344

Zone Text Amendment

The Applicant proposes the City approve a Zone Text Amendment to WHMC Section 19.10.050 to add paragraph (E) that would allow the review authority to approve under specified criteria described below, a Creative Office Development Bonus, to allow additional building height for projects containing creative office space in the CC2 Zone. Proposed Text Amendment:

E. Creative Office Development Bonus.

1. Building height bonuses may be granted by the review authority to qualifying commercial projects in the Commercial, Community 2 (CC2) zone. The following development bonuses are permitted for projects, which satisfy the findings in subsection (A)(2):

a. An increase of up to 5 feet in height for each floor above the ground floor dedicated to creative office use with a maximum total increase of not more than 15 feet; and

b. An increase of up to 15 feet in height for rooftop mechanical and elevator structures.

2. The Creative Office Development Bonuses may be approved, only if the review authority first finds all of the following:

a. The development is consistent with the City's General Plan;

b. The development does not exceed the floor area ratio (FAR) allowed in the CC2 zone, which may include other applicable FAR bonuses;

c. The development does not exceed four stories above grade;

d. The height, floor area ratio, modulation, and setbacks create a development that is compatible with the character of the street;

e. The development will contribute to and enhance the character of the neighborhood and provide pedestrian friendly uses at the street level such as, but not limited to, retail and restaurant(s);

f. The uses on floors above the first floor shall be limited to creative offices; and

g. The development does not result in detrimental impacts to existing or anticipated residential or commercial development in the vicinity of the project.

Urban Design Attributes

The proposed project would provide Class A creative office space in the commercial Santa Monica / Fairfax Transit District, which currently has a shortage of such creative office space. The proposed design would incorporate a number of measures to integrate the building into the surrounding context and ensure the proposed mix of uses, including restaurants, cafes, and retail, compliments and enhances existing neighborhood character.

The adjacent neighborhood along Santa Monica Boulevard is characterized by one and two story commercial uses, which on occasion provide unique and unexpected "found spaces", such as the Laurel Hardware dining courtyard in the rear of the property. "Found spaces" such as a paseo and courtyard would be provided within the proposed project to better reflect the neighborhood character and emphasize the pedestrian oriented uses and spaces throughout the building and at the ground floor level. Additionally, the building is stepped back away from both Santa Monica Boulevard to the south and the neighboring residential buildings to the north, creating a lower urban edge as well as a terraced series of occupied amenity areas. The resulting composition of stepped volumes creates an articulated series of shifting floor plates that present a collection of smaller horizontal volumes, further downplaying and breaking up the building mass. Finally, the edge of the project is also sensitively considered, "eroding away" the street frontage to create interior courtyards, paseos, and dining terraces in a way that further resembles the types of smaller lot development surrounding the proposed project, and activating otherwise unused spaces on the ground floor level.

The proposed project also recognizes the typical office building vernacular within the area, and as such, the building has been designed to allow for deep balcony recesses, shaded overhangs, and floors stepping away from street. The building is therefore more "residential" in its provision of amenity and outdoor spaces, avoiding typically "sealed" environments associated with commercial office space and instead offering numerous opportunities to socialize, meet, relax or work outside. In addition, the use of typical 'high-bay' floors in creative office design allows for significant daylighting of interior spaces. Offices and meeting rooms are planned along the building core, so that views and access to daylight / natural ventilation are not restricted, and easily accessible to the general office user.

Zone Text Amendment – Draft Findings

The proposed Zone Text Amendment to allow the review authority to approve under specified criteria, a Creative Office Development Bonus, to allow additional building height for projects containing creative office space in the CC2 Zone is consistent with the Goals, Objectives, Policies, General Land Uses and Programs of the West Hollywood General Plan 2035 (“General Plan”), and the City’s other adopted goals and policies including the following:

Goal LU-1: Maintain an urban form and land use pattern that enhances quality of life and meets the community’s vision for its future.

Policy LU-1.1: Maintain a balanced land use pattern and buildings to support a broad range of housing choices, retail businesses, employment opportunities, cultural institutions, entertainment venues, educational institutions, and other supportive urban uses within the City.

Policy LU-1.3: Encourage new development to enhance the pedestrian experience.

Policy LU-1.5: Encourage the retention and success of existing, and the incubation of new commercial establishments that serve the needs of the residents.

Policy LU-1.8: Promote the establishment, retention, and expansion of businesses that provide employment for West Hollywood’s residents and the surrounding region.

Policy LU-1.10: Encourage new non-residential land uses that contribute to a strong and diversified local economy.

Policy LU-1.21: Provide for the expansion and recruitment of commercial uses that provide economic and fiscal benefits for the City, including entertainment businesses, music and entertainment venues, bars and nightclubs, hotels and hospitality, and design and creative arts.

Policy LU-2.1: Direct the majority of new development to the City’s commercial corridors served by high levels of existing or future public transit, with an emphasis on developing transit-supportive land use mixes and intensities near high frequency transit stops such as Santa Monica Boulevard near Fairfax Avenue, La Brea Avenue, and San Vicente Boulevard.

Policy LU-2.8: Consider increases in the General Plan’s permitted FAR and height for projects in all commercial designations that provide one or more of the following:

- a. Expand existing facilities or introduce new uses which are considered to be of significant importance (public benefits, historical use, socially-valued use, etc.).
- b. Provide significant benefits to the City.
- c. Offer architectural design that is of unusual merit and will enhance the City.
- d. Affordable Housing.

The proposed Zone Text Amendment would encourage the development of creative office space on a limited number of parcels in the City designated CC2 that are generally located on major commercial corridors such as Santa Monica Boulevard. The proposed Zone Text Amendment would allow the same intensity of development by maintaining the current Floor Area Ratio (FAR) limitations applicable to the CC2 zone, while allowing for increased building height to accommodate the greater floor-to-floor height required by most creative offices. By fostering the development of creative office space, the Zone Text Amendment would encourage the establishment and expansion of businesses, which would provide employment for West Hollywood’s residents, contribute to a strong and diversified local economy, and provide economic and fiscal benefits for the City.

If adopted, the Zone Text Amendment would allow the review authority discretion to approve the Creative Office Development Bonus, if the following findings could be made:

- a. The development is consistent with the City's General Plan;
- b. The development does not exceed the floor area ratio allowed in the CC2 zone, which may include other applicable FAR bonuses;
- c. The development does not exceed four stories above grade;
- d. The height, floor area ratio, modulation, and setbacks create a development that is compatible with the character of the street;
- e. The development will contribute to and enhance the character of the neighborhood and provide pedestrian friendly uses at the street level such as, but not limited to, retail and restaurant(s);
- f. *The uses on floors above the first floor shall be limited to creative offices; and*
- g. The development does not result in detrimental impacts to existing or anticipated residential or commercial development in the vicinity of the project.

For the reasons discussed above, the proposed Zone Text Amendment would be consistent with the General Plan.

Demolition Permit – Draft Findings

A. All other applications for discretionary permits necessary for the new project to be constructed on the site have been approved, or, alternatively, the requirements of Section 19.50.040(C) are satisfied.

The request for the demolition permit is being requested concurrently with all other entitlement requests, including the Zone Text Amendment, Development Permit, Creative Office Development Bonus approval, Parking Reduction, Major and Minor Conditional Use Permits, and Administrative Permits.

B. The building or structure is not a designated historic resource, is not being formally considered for this designation, and is not listed on the City's List of Potential Resources or, alternatively, the building is a designated resource, but is being demolished or remodeled pursuant to a certificate of appropriateness issued by the Historic Preservation Commission.

The existing commercial building at 7985 Santa Monica is not listed on the City's List of Potential Resources and does not appear eligible for listing due to significant alterations over the years.

Development Permit – Draft Findings

A. The proposed use or construction is allowed by Article 19-2 within the applicable zoning district, and complies with all other applicable provisions of this Zoning Ordinance and the municipal code.

All of the proposed commercial uses including creative office, retail, restaurants, outdoor dining, and nightclub are allowed in the CC2 zone, pursuant to WHMC Section 19.10.030 Table 2-5, with approval of the applicable permits. The proposed project is consistent with the applicable setbacks. Portions of the building's ground floor would be set on the front property

line, while some portions would be set back five feet from the front property line, in compliance with the commercial façade requirements of the code that require the building to be set within 10 feet of the front property line. Additionally, no portion of the ground floor would be located more than two vertical feet above or below the sidewalk elevation at any point along the front property line. Entrances to all ground floor restaurants and stores would be recessed a minimum of three feet from the sidewalk. No setbacks are required on the east side or west side (Laurel Ave.). The proposed project would provide a 15-foot rear setback, which would comply with the requirement to provide a minimum separation of 15 feet between a commercial project and the adjacent residential structures to the north.

With the approval of the proposed Zone Text Amendment to allow Creative Office Development Bonus, the proposed project would comply with the height limit of 61 feet. The Applicant proposes a shared parking reduction of 22% to provide 267 parking spaces in lieu of 345 parking spaces required by code. The proposed 267 parking spaces would be sufficient to meet the peak parking demand of the project. The proposed project would provide two loading spaces and solid waste and recycling storage as required by code. The proposed project also would provide 12 bicycle lockers, 12 lockers, and 2 showers for the employees, as well as 10 short term bicycle storage lockers for visitors, in compliance with the code requirements.

B. The proposed project can be adequately conditioned so as not to endanger, jeopardize, or otherwise constitute a menace to the public convenience, health, interest, safety, or general welfare of persons residing or working in the neighborhood of the proposed use.

The proposed project would have similar uses to other buildings on Santa Monica Boulevard including office, restaurants, and retail that are compatible with the commercial character of the Boulevard and neighborhood. The proposed project will be considered by the planning commission and city council following the required environmental review. Potential impacts will be identified and conditions can be imposed to help ensure that the proposed project would not to endanger, jeopardize, or otherwise constitute a menace to the public convenience, health, interest, safety, or general welfare of persons residing or working in the neighborhood.

C. The proposed use or construction is consistent with the objectives, policies, general land uses, and programs of the General Plan and any applicable specific plan.

The project site is not subject to a specific plan. The proposed project would be consistent with the following General Plan Goals and Policies:

Policy LU-1.3: Encourage new development to enhance the pedestrian experience.

Policy LU-1.21 Provide for the expansion and recruitment of commercial uses that provide economic and fiscal benefits for the City, including entertainment businesses, music and entertainment venues, bars and night clubs, hotels and hospitality, and design and creative arts.

Policy LU-2.2: Consider the scale and character of existing neighborhoods and whether new development improves and enhances the neighborhood when approving new infill development.

Policy LU-2.8: Consider increases in the General Plan's permitted FAR and height for projects in all commercial designations that provide one or more of the following:

- a. Expand existing facilities or introduce new uses which are considered to be of significant importance (public benefits, historical use, socially-valued use, etc.).

- b. Provide significant benefits to the City.
- c. Offer architectural design that is of unusual merit and will enhance the City.
- d. Affordable Housing

Policy LU-4.1: Implement land use patterns that locate a wide range of destinations within a short walk of every West Hollywood resident in order to encourage walking as a desirable mode of transportation.

Policy LU-4.2: Continue to improve the pedestrian environment through a coordinated approach to street tree planting, sidewalk maintenance and enhancement, pedestrian amenities, and a focus on human-scale frontage design for building renovations and new development projects.

Policy LU-4.6: Require commercial development projects to provide for enhanced pedestrian activity in commercial areas through the following techniques:

- a. Minimizing vehicle intrusions across the sidewalk.
- b. Locating the majority of building's frontages in close proximity to the sidewalk edge.
- c. Requiring that the first level of the building occupy a majority of the lot's frontage, with exceptions for vehicle access.
- d. Allowing for the development of outdoor plazas and dining areas.
- e. Requiring that the majority of the linear ground floor frontage be visually and physically "penetrable," incorporating windows and other design treatments to create an attractive street frontage.
- f. Requiring that ground floor uses be primarily pedestrian-oriented.
- g. Discouraging new surface parking lots.

Goal LU-13: Support a vibrant, high-density transit-oriented commercial district centered around the intersection of Santa Monica Boulevard and Fairfax Avenue.

Policy LU-13.4: Encourage ground-floor retail and restaurant uses in all new development. To the greatest extent feasible, the ground-floor uses should cater to the needs of West Hollywood residents.

Policy LU-13.7: Require that development projects incorporate combinations of setback, scale transitions, and buffers, as appropriate, in relation to adjacent residential development.

Policy LU-13.9: As feasible, enhance pedestrian activity along Santa Monica Boulevard through the following building and streetscape improvements:

- a. Improve the streetscape with tree plantings, landscaping and public amenities such as benches.
- b. Locate buildings on or near the sidewalk edge to create an attractive and interesting pedestrian environment.
- c. Support pedestrian activity and business vitality – and the overall experience of the streetscape – through active and transparent ground floor frontages with main entries that face the street.
- d. Encourage projects to incorporate landscape elements into the design of building frontages or courtyards to continue greening of the City's public spaces.

D. The new structure is compatible with the scale, bulk and mass of existing structures in the vicinity of the subject property, and does not impair the integrity and character of the zoning district in which it is to be located.

The proposed project would appear to pedestrians to be one and two stories in height along the Santa Monica frontage with the southern facades set at varying depths from the front property line along Santa Monica Boulevard. Additionally, the third and fourth levels would be stepped back approximately 43 feet from the front property line. The articulated facades and deep horizontal overhangs would appear as a series of varied layers. While the proposed project would be taller than some other commercial buildings along the street, it would visually appear as four stories as allowed in the CC2 zone. The arrangement of these varied layers, in combination with the one-story central section of the building, would visually break up the scale, bulk, and mass of the proposed project, which would be compatible with existing buildings in the vicinity of the site, and would not impair the integrity and character of the CC2 zoning district.

Creative Office Development Bonus – Draft Findings

A. The development is consistent with the City's General Plan;

As discussed above, the proposed project is consistent with the City's General Plan.

B. The development does not exceed the floor area ratio allowed in the CC2 zone, which may include other applicable FAR bonuses;

The proposed project has a FAR of 2.1 based upon 2.0 FAR allowed in the CC2 zone plus 0.1 FAR for a High-Achieving project achieving a minimum of 90 points on the City's Green Building checklist.

C. The development does not exceed four stories above grade;

The proposed project would be four stories above grade.

D. The height, floor area ratio, modulation, and setbacks create a development that is compatible with the character of the street;

The proposed project would be developed at a 2.1 FAR, which is a density and intensity consistent with other commercial projects in the CC2 zone that obtain a 0.1 FAR bonus for achieving 90 points on the City's Green Building checklist. The proposed project would appear to pedestrians to be one and two stories in height along the Santa Monica frontage with the southern facades set at varying depths from the front property line along Santa Monica Boulevard. Additionally, the third and fourth levels would be stepped back approximately 43 feet from the front property line. The articulated facades and deep horizontal overhangs would appear as a series of varied layers. While the proposed project would be taller than some other commercial buildings along the street, it would visually appear as four stories as allowed in the CC2 zone. The arrangement of these varied layers, in combination with the one-story central section of the building, would visually break up the scale, bulk, and mass of the proposed project, which would be compatible with the character of the street.

E. The development will contribute to and enhance the character of the neighborhood and provide pedestrian friendly uses at the street level such as, but not limited to, retail and restaurant(s);

The proposed project would include pedestrian-friendly restaurants, outdoor dining areas, and retail located on the ground level with the pedestrian entrances from Santa Monica Boulevard at street level.

F. The development will be restricted to creative office uses on the second level above grade and higher; and

The proposed project would be providing leases to creative office tenants on the second, third and fourth levels.

G. The development does not result in detrimental impacts to existing or anticipated residential or commercial development in the vicinity of the project.

The proposed project will be subject to environmental review to identify potential impacts and mitigation to help ensure it will not result in detrimental impacts to existing or anticipated residential and commercial development in the vicinity of the proposed project.

Minor Conditional Use Permit for Alcohol Service – Draft Findings

A. The proposed use is allowed within the applicable zoning district with conditional use permit approval, and complies with all other applicable provisions of this Zoning Ordinance and the Municipal Code;

Alcohol sales and service for on-site consumption is allowed in the CC2 zone, pursuant to WHMC Section 19.10.030 Table 2-5, with approval of a Minor Conditional Use Permit. The restaurants would be designed and conditioned to operate in compliance with the requirements of WHMC Section 19.36.060 for alcohol service and Section 19.36.210 for outdoor dining.

B. The proposed use is consistent with the General Plan and any applicable specific plan;

The project site is not subject to a specific plan. The proposed alcohol sales and service in the restaurants in the project would help the restaurants be successful, and would be consistent with the following General Plan Goals and Policies:

Goal LU-13: Support a vibrant, high-density transit-oriented commercial district centered around the intersection of Santa Monica Boulevard and Fairfax Avenue.

Policy LU-13.4: Encourage ground-floor retail and restaurant uses in all new development. To the greatest extent feasible, the ground-floor uses should cater to the needs of West Hollywood residents.

C. The site is physically adequate for the type, density, and intensity (e.g., number of employees and customers) of use being proposed, including provision of services (e.g., sanitation and water), public access, and the absence of physical constraints;

The proposed project would be located on Santa Monica Boulevard, which supports a wide variety of commercial uses including restaurants serving alcohol. The proposed project would be consistent with the density and intensity of uses in the CC2 zone with a proposed FAR of 2.1. All utilities are readily available. With its primary frontage on Santa Monica Boulevard, the project site is ideally suited to provide convenient public access by walking, transit, and private vehicle. Vehicle ingress and egress to and from the below-grade parking levels would occur at the northwest corner of the site from Laurel Avenue thereby enhancing the pedestrian

environment on Santa Monica Boulevard by removing driveways from that frontage and limiting pedestrian and vehicle interaction. There appear to be no physical constraints on the site.

D. The design, location, size, and operating characteristics of the proposed use are compatible with the existing and future land uses on-site and in the vicinity of the subject property;

The proposed alcohol sales and service for on-site consumption would be similar to other restaurants located on Santa Monica Boulevard, which are compatible with the commercial character of the Boulevard and neighborhood. The restaurants serving alcohol would be located on the ground floor, on the south side of the proposed building with direct pedestrian access from Santa Monica Boulevard, with four levels of office space north of the restaurants providing a physical and acoustical separation from the residential properties to the north.

E. The establishment, maintenance, or operation of the proposed use at the location proposed will not endanger, jeopardize, or otherwise constitute a menace to the public convenience, health, interest, safety, or the general welfare of persons residing or working in the vicinity of the proposed use.

The proposed alcohol sales and service for on-site consumption would be similar to other restaurants located on Santa Monica Boulevard, which are compatible with the commercial character of the Boulevard and neighborhood. The restaurants proposed to serve alcohol would not be located within close proximity to houses of worship, schools, playgrounds or parks, and would not create adverse impacts to those sensitive uses. The proposed request for alcohol sales and service will be considered by the planning commission and city council following the required environmental review. Potential impacts will be identified and conditions can be imposed to help ensure that the proposed project would not endanger, jeopardize, or otherwise constitute a menace to the public convenience, health, interest, safety, or general welfare of persons residing or working in the neighborhood.

Minor Conditional Use Permit for Extended Hours for 24-Hour Diner – Draft Findings

A. The proposed use is allowed within the applicable zoning district with conditional use permit approval, and complies with all other applicable provisions of this Zoning Ordinance and the Municipal Code;

A business with extended hours of operation between 2:00 am and 6:00 am is allowed in the CC2 zone, pursuant to WHMC Section 19.10.030 Table 2-5, with approval of a Minor Conditional Use Permit. The 24-hour diner would be designed and conditioned to comply with the requirements of WHMC Section 19.36.130. A security guard will be provided on-site in the 24-hour diner from at least 2:00 am to 6:00 am in compliance with the WHMC requirement.

B. The proposed use is consistent with the General Plan and any applicable specific plan;

The project site is not subject to a specific plan. Similar to the findings above, the extended hours operation of the 24-hour diner would be consistent with the General Plan Goals and Policies by encouraging and enhancing pedestrian activity and visibility throughout the night, which would help improve safety for the area.

C. The site is physically adequate for the type, density, and intensity (e.g., number of employees and customers) of use being proposed, including provision of services (e.g., sanitation and water), public access, and the absence of physical constraints;

The proposed project would be developed at a 2.1 FAR, which is a density and intensity consistent with other commercial projects in the CC2 zone that obtain a 0.1 FAR bonus for achieving 90 points on the City's Green Building checklist. The site is located on Santa Monica Boulevard that supports public access by private vehicle, shared vehicle, transit (bus), and walking. Vehicle ingress and egress to and from the below-grade parking levels would occur at the northwest corner of the site from Laurel Avenue, thereby enhancing the pedestrian environment on Santa Monica Boulevard by removing driveways from that frontage and limiting pedestrian and vehicle interaction.

D. The design, location, size, and operating characteristics of the proposed use are compatible with the existing and future land uses on-site and in the vicinity of the subject property; and

The proposed 24-hour diner would be located on the ground floor at the southeast corner of the proposed building, adjacent to the existing nightclub, with direct pedestrian access from Santa Monica Boulevard and four levels of office space north of the diner, providing a physical and acoustical separation from the residential properties to the north. The location would allow patrons of the existing and proposed nightclubs to patronize the 24-hour diner without driving.

E. The establishment, maintenance, or operation of the proposed use at the location proposed will not endanger, jeopardize, or otherwise constitute a menace to the public convenience, health, interest, safety, or the general welfare of persons residing or working in the vicinity of the proposed use.

The extended hours operation of the diner will be considered by the planning commission and city council following the required environmental review. Potential impacts will be identified and conditions can be imposed to help ensure that the proposed additional hours of operation will not endanger, jeopardize, or otherwise constitute a menace to the public convenience, health, interest, safety, or general welfare of persons residing or working in the neighborhood.

Conditional Use Permit for Nightclub – Draft Findings

A. The proposed use is allowed within the applicable zoning district with conditional use permit approval, and complies with all other applicable provisions of this Zoning Ordinance and the Municipal Code;

A bar / nightclub is allowed in the CC2 zone, pursuant to WHMC Section 19.10.030 Table 2-5, with approval of a Conditional Use Permit. The bar / nightclub would be designed and conditioned to comply with the requirements of WHMC Section 19.36.200.

B. The proposed use is consistent with the General Plan and any applicable specific plan;

The project site is not subject to a specific plan. The proposed bar / nightclub would be consistent with the following General Plan Policies:

Policy LU-1.5 Encourage the retention and success of existing, and the incubation of new, commercial establishments that serve the needs of residents.

Policy LU-1.8 Promote the establishment, retention, and expansion of businesses that provide employment for West Hollywood's residents and the surrounding region.

Policy LU-1.10 Encourage new non-residential land uses that contribute to a strong and diversified local economy.

Policy LU-1.21 Provide for the expansion and recruitment of commercial uses that provide economic and fiscal benefits for the City, including entertainment businesses, music and entertainment venues, bars and night clubs, hotels and hospitality, and design and creative arts.

C. The site is physically adequate for the type, density, and intensity (e.g., number of employees and customers) of use being proposed, including provision of services (e.g., sanitation and water), public access, and the absence of physical constraints;

The proposed project would be developed at a 2.1 FAR, which is a density and intensity consistent with other commercial projects in the CC2 zone that obtain a 0.1 FAR bonus for achieving 90 points on the City's Green Building checklist. The site is located on Santa Monica Boulevard, which supports public access by private vehicle, shared vehicle, transit (bus), and walking. Vehicle ingress and egress to and from the below-grade parking levels would occur at the northwest corner of the site from Laurel Avenue thereby enhancing the pedestrian environment on Santa Monica Boulevard by removing driveways from that frontage and limiting pedestrian and vehicle interaction. There appear to be no physical constraints on the site.

D. The design, location, size, and operating characteristics of the proposed use are compatible with the existing and future land uses on-site and in the vicinity of the subject property;

The bar / nightclub would be located below-grade on the B1 level and would be a relatively small 3,153 square feet including the restrooms. The bar would operate only between 6:00 pm and 2:00 am daily. Patrons would enter the bar from the Santa Monica Boulevard frontage, thereby providing a physical and acoustical buffer from the residential properties to the north of the building. Located completely below-grade, the bar / nightclub would be acoustically isolated. Accordingly, the location, size, and operating characteristics of the bar / nightclub would be compatible with existing and future uses on the site and in the vicinity of the establishment.

E. The establishment, maintenance, or operation of the proposed use at the location proposed will not endanger, jeopardize, or otherwise constitute a menace to the public convenience, health, interest, safety, or the general welfare of persons residing or working in the vicinity of the proposed use.

The proposed bar / nightclub will be considered by the planning commission and city council following the required environmental review. Accordingly, potential impacts will be identified and conditions can be imposed to help ensure that the proposed bar / nightclub will not to endanger, jeopardize, or otherwise constitute a menace to the public convenience, health, interest, safety, or general welfare of persons residing or working in the neighborhood.

Administrative Permit for Outdoor Dining – Draft Findings

A. The proposed use or construction is allowed by Article 19-2 (Zoning Districts and Allowable Land Uses) within the applicable zoning district with administrative permit approval, and complies with all other applicable provisions of this Zoning Ordinance and the Municipal Code;

Outdoor dining is allowed in the CC2 zone with the approval of an Administrative Permit. The outdoor dining areas would be designed and operated in compliance with the requirements of WHMC Sec. 19.36.210. including physically and clearly defining the outdoor dining areas as part of the restaurant they serve since alcohol sales and service for on-site consumption is proposed within the outdoor dining areas. Landscaping would be provided in the outdoor dining areas.

B. The proposed use or construction is consistent with the objectives, policies, general land uses, and programs of the General Plan, and any applicable specific plan;

The proposed project site is not located within a specific plan area. Consistent with the above findings, outdoor dining areas would be consistent with the following General Plan Goals and Policies:

Policy LU-1.3: Encourage new development to enhance the pedestrian experience.

Policy LU-4.2: Continue to improve the pedestrian environment through a coordinate approach to street tree planting, sidewalk maintenance and enhancement, pedestrian amenities, and a focus on human-scale frontage design for building renovations and new development projects.

Policy LU-4.6: Require commercial development projects to provide for enhanced pedestrian activity in commercial areas through the following techniques:

d. Allowing for the development of outdoor plazas and dining areas.

e. Requiring that the majority of the linear ground floor frontage be visually and physically “penetrable,” incorporating windows and other design treatments to create an attractive street frontage.

f. Requiring that ground floor uses be primarily pedestrian-oriented.

Goal LU-13: Support a vibrant, high-density transit-oriented commercial district centered around the intersection of Santa Monica Boulevard and Fairfax Avenue.

Policy LU-13.4: Encourage ground-floor retail and restaurant uses in all new development. To the greatest extent feasible, the ground-floor uses should cater to the needs of West Hollywood residents.

Policy LU-13.9: As feasible, enhance pedestrian activity along Santa Monica Boulevard through the following building and streetscape improvements:

c. Support pedestrian activity and business vitality – and the overall experience of the streetscape – through active and transparent ground floor frontages with main entries that face the street.

d. Encourage projects to incorporate landscape elements into the design of building frontages or courtyards to continue greening of the City’s public spaces

C. The new structure or addition is compatible with the scale, bulk and mass of existing structures in the vicinity of the subject property, and does not impair the integrity and character of the zoning district in which it is to be located.

All three of the outdoor dining areas would be located at grade level. The first of the three outdoor dining areas would be approximately 904 square feet with approximately 70 seats located in a courtyard serving a restaurant located near the center of the proposed project. The second outdoor dining area would be approximately 786 square feet with approximately 52 seats serving the proposed 24-hour diner at the southeast corner of the proposed project and the third outdoor dining area would be approximately 248 square feet with approximately 24 seats serving a small café located near the center of the Santa Monica Boulevard frontage.

The second and third outdoor dining area are proposed to encroach into the public sidewalk by five feet to help engage and enhance pedestrian activity along the Santa Monica Boulevard frontage of the proposed project consistent with the policies of the General Plan. The proposed outdoor dining areas would be physically separated from the residential properties to the north of the project site by four levels of office space, providing a visual, operational, and sound buffer between the outdoor dining areas and the residential uses. Although the outdoor dining areas would not have bulk or mass, the outdoor dining areas would provide visual interest to the building and street, augment the compatibility of the proposed project with existing buildings in the vicinity, and would not impair the character of the CC2 zoning district.



City of West Hollywood
California 1984

Module: ProjectTRAK
Receipt: 568778 090915
September 09, 2015

City of West Hollywood
8300 Santa Monica Boulevard
West Hollywood, CA 90069
Phone: 323-846-6400
www.weho.org

RECEIPT

Address	7965 SANTA MONICA BLVD
Applicant	LATHAM & WATKINS LLP
Owner	L & R LAUREL PROJECT (CA), LLC
Paid By	WILLIAM TRUEBLOOD
Project #	MP15-0035

Description	Total	Amount Paid
ADMINISTRATIVE PERMIT	\$4,107.00	\$4,107.00
ADMINISTRATIVE PERMIT	\$1369.00	\$1,369.00
ADMINISTRATIVE PERMIT	\$1369.00	\$1,369.00
ADMINISTRATIVE PERMIT	\$1369.00	\$1,369.00
CONDITIONAL USE PERMIT	\$6,844.00	\$6,844.00
MAJOR - PC APPROVAL	\$6844.00	\$6,844.00
DEMOLITION PERMIT	\$1,299.00	\$1,299.00
CLASS A - PC APPROVAL	\$1299.00	\$1,299.00
DEVELOPMENT PERMIT	\$12,150.00	\$12,150.00
CLASS A - OVER 10K SF	\$12150.00	\$12,150.00
MINOR CONDITIONAL USE PERMIT	\$25,775.00	\$25,775.00
DIRECTOR APPROVAL	\$5155.00	\$5,155.00
DIRECTOR APPROVAL	\$5155.00	\$5,155.00
DIRECTOR APPROVAL	\$5155.00	\$5,155.00
DIRECTOR APPROVAL	\$5155.00	\$5,155.00
DIRECTOR APPROVAL	\$5155.00	\$5,155.00
SURCHARGES	\$11,507.13	\$11,507.13
GENERAL PLAN MAINTENANCE SURCHARGE	\$2030.67	\$2,030.67
TECHNOLOGY SURCHARGE	\$4061.34	\$4,061.34
ZONING CODE UPDATE & MAINTENANCE SURCHAR	\$5415.12	\$5,415.12

Check the status of your project or permit at <http://permits.weho.org>



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RECEIPT

Address	7965 SANTA MONICA BLVD
Applicant	LATHAM & WATKINS LLP
Owner	L & R LAUREL PROJECT (CA), LLC
Paid By	WILLIAM TRUEBLOOD
Project #	MP15-0035

Description	Total	Amount Paid
ZONING TEXT OR MAP AMENDMENT	\$17,514.00	\$17,514.00
ZONING TEXT OR MAP AMENDMENT	\$17514.00	\$17,514.00
Total for Project MP15-0035	\$79,196.13	\$79,196.13

Total for Receipt 568778 090915	\$79,196.13	\$79,196.13
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Check the status of your project or permit at <http://permits.weho.org>