

FINDINGS

General Plan/Charter Findings

The subject site is located within the area covered by the Wilshire Community Plan adopted by the City Council on September 19, 2001. The Community Plan is part of the City's Land Use Element, which sets forth specific land use requirements and required entitlements for projects in the Wilshire area.

The site is located within the Wilshire Center Regional Commercial Center. It includes a dense collection of high rise office buildings, large hotels, regional shopping complexes, churches, entertainment centers, both high-rise and low-rise apartment buildings, as well as the Vermont, Normandie, and Western Metro Red Line subway stations along Wilshire Boulevard. The Regional Center Commercial land use designation allows for the construction of commercial, parking, and high-density multi-family residential uses. Development of the Project would include apartment units and ground floor retail, which would be consistent with the Regional Center Commercial land use designation.

Charter Findings - City Charter Sections 556 and 558 (General Plan Amendment).

The proposed General Plan Amendment complies with Sections 556 and 558 in that the plan amendment is consistent with numerous goals, policies and objectives of the Citywide General Plan Framework and the Wilshire Community Plan to provide adequate housing for all economic, age and ethnic segments of the community, to locate higher residential densities and encourage mixed-use development near transit stations, and to develop mixed-use projects along major boulevards.

The General Plan Amendment would increase density and FAR on the site fronting a Mixed-Use Boulevard, encouraging growth within the Wilshire Center Regional Commercial area. There have been numerous transit investments in the vicinity over the past three decades, and the proposed General Plan Amendment will allow targeted growth this transit infrastructure.

1. **General Plan Land Use Designation.** The Wilshire Community Plan designates the subject site as Regional Center Commercial with corresponding zones of CR, C1.5, C2, C4, P, PB, RAS3, RAS4, R3, R4 and R5. The proposed project will be located in the C2 Zone.

Framework Element

The Citywide General Plan Framework Element is a guide for communities to implement growth and development policies by providing a comprehensive long-range view of the City as a whole. The Element establishes categories of land use -- Neighborhood District, Community Center, Regional Center, Downtown Center, and Mixed-Use Boulevard -- that are broadly described by ranges of intensity/density, heights, and lists of typical uses. The definitions reflect a range of land use possibilities found in the City's already diverse urban, suburban, and rural land use patterns.

The Regional Centers are intended to serve as the focal points of regional commerce, identity, and activity. They contain a diversity of uses such as corporate and professional offices, retail commercial malls, government buildings, major health facilities, major entertainment and cultural facilities and supporting services. The development of sites and structures integrating housing with commercial uses is encouraged in concert with supporting services, recreational uses, open spaces, and amenities. They are typically high-density places whose physical

form is substantially differentiated from the lower-density neighborhoods of the City. Generally, regional centers will range from FAR 1.5:1 to 6:1 and are characterized by six- to twenty-story (or higher) buildings as determined in the community plan. Their densities and functions support the development of a comprehensive and inter-connected network of public transit and services.

The Citywide General Plan Framework text defines policies related to growth and includes policies for land use, housing, urban form/neighborhood design, open space/conservation, economic development, transportation, and infrastructure/public services. The proposed project would be in conformance with several goals of the Framework as described below.

A. Land Use Chapter, Framework Element: Issue One: Distribution of Land Use of the Framework Element's Land Use Chapter (Chapter Three) establishes general principles to encourage growth and increase land use intensity around transit nodes, to create a pedestrian oriented environment while promoting an enhanced urban experience and provide for places of employment.

Objective 3.4 of Issue One: Distribution of Land Use: Encourage new multi-family residential, retail commercial, and office development in the City's neighborhood districts, community, regional, and downtown centers as well as along primary transit corridors/boulevards, while at the same time conserving existing neighborhoods and related districts.

Policy 3.4.1: Conserve existing stable residential neighborhoods and lower-intensity commercial districts and encourage the majority of new commercial and mixed-use (integrated commercial and residential) development to be located (a) in a network of neighborhood districts, community, regional, and downtown centers, (b) in proximity to rail and bus transit stations and corridors, and (c) along the City's major boulevards, referred to as districts, centers, and mixed-use boulevards, in accordance with the Framework Long-Range Land Use Diagram.

Objective 3.10: Reinforce existing and encourage the development of new regional centers that accommodate a broad range of uses that serve, provide job opportunities, and are accessible to the region, are compatible with adjacent land uses, and are developed to enhance urban lifestyles

The above objectives seek to concentrate commercial development in existing commercial districts and in areas that are able to support such development which are in close proximity to rail and bus transit stations. The project will meet this objective by providing new housing units along the 8th Street commercial corridor. As conditioned, the Project will be designed in harmony with the existing neighborhood and minimize impacts on neighboring properties. The Project will incorporate measures to reduce impacts to the removal of non-protected trees, habitats of nesting native birds, noise, and public services (Police and Fire) for the surrounding community. The character of the area includes a mix of commercial uses, as well as high density residential uses, and the Project's recommended density and height will be compatible with adjacent land uses.

B. Economic Development Chapter, Framework Element

Objective 7.2: Establish a balance of land uses that provides for commercial and industrial development which meets the needs of local residents, sustains economic growth, and assures maximum feasible environmental quality.

Objective 7.3: Maintain and enhance the existing businesses in the city.

Objective 7.6: Maintain a viable retail base in the city to address changing resident and business shopping needs.

The project is the construction of a new mixed-use development consisting of 354 residential apartment units and 52,619 square feet of ground floor commercial retail. The project can help sustain economic growth and maintain a viable retail base in the city. The site currently contains an underutilized grocery store, general retail, restaurant, wholesale market, and a surface parking lot. Regional centers typically provide a significant number of jobs, and the Project will contribute to this. The development of sites and structures integrating mixed use is encouraged in concert with supporting services, recreational uses, open spaces, and amenities. The mixed-use development is consistent with ongoing redevelopment efforts in the community. The Project will also add to the Wilshire Center/Koreatown area by providing commercial uses that specifically caters to on-site residents and residents and the business community nearby the site. The Project supports revitalization by developing an underutilized commercial development with a use that will provide an economic and social benefit to the residential, commercial, and other types of uses located in the area. The proposed project will generate an additional influx of patrons to the area who will likely frequent the various retail and restaurant businesses along the Wilshire Corridor.

Housing Element

Policy 2.1.3: Encourage mixed-use development which provides for activity and natural surveillance after commercial business hours.

Policy 2.1.4: Enhance livability of neighborhoods by upgrading the quality of development and improving the quality of the public realm, including streets, streetscape and landscaping to provide shade and scale.

The Project will provide an increase in the number of housing units in an urban setting along with a street level grocery store and commercial retail uses accessible from the street. This project will activate the street by generating pedestrian activity during and after normal commercial business hours. The development will replace currently under-utilized commercial uses with a building that improves the quality of the public realm with a pedestrian-scale design in an urban setting. At the street level the Project proposes a combination of street trees, shrubs and ground cover to enhance the public realm.

Objective 2.3: Encourage the location of housing, jobs, and services in mutual proximity. Accommodate a diversity of uses that support the needs of the City's existing and future residents.

Policy 2.3.1: Encourage and plan for high-intensity residential and commercial development in centers, districts, and along transit corridors, as designated in the Community Plans and the Transportation Element of the General Plan, and provide for the spatial distribution of development that promotes an improved quality of life by facilitating a reduction of vehicular trips, vehicle miles traveled in order to mitigate traffic congestion, air pollution, and urban sprawl.

Policy 2.3.3: Encourage the development of new projects that are accessible to public transportation and services consistent with the community plans. Provide for the development of land use patterns that emphasize pedestrian/bicycle access and use in appropriate locations.

The Project location is well served by a large variety of transit options. The site is located near a major transit corridor, Wilshire Boulevard, which is served by Metro bus lines and DASH routes. The site is also less than a half mile from the Western Metro subway station along Wilshire Boulevard. Its proximity to local and rapid public transit routes will facilitate a reduction of vehicle trips and vehicle miles traveled, thus helping to mitigate traffic congestion, air pollution, and urban sprawl. Also, the Project will provide for the development of land use patterns that emphasize bicycle access and use. The proposed project will include bike racks for the commercial uses and secured bicycle storage for the residential tenants.

Policy 1.1.2 Expand affordable rental housing for all income groups that need assistance.

A minimum of five percent (19 units) shall be reserved for residents earning moderate incomes and a minimum of five percent (19 units) shall be reserved for residents earning low incomes thereby complying with the policy of the housing element.

Transportation Element

The Transportation Element of the General Plan guides development of a citywide transportation system with the goal of ensuring the efficient movement of people and goods. The Transportation Element recognizes that primary emphasis must be placed on maximizing the efficiency of existing and proposed transportation infrastructure through advanced transportation technology, reduction of vehicle trips, and focused growth in proximity to public transit.

The Project will advance numerous policies contained in the Transportation Element. Chief among them are:

Objective 3: Support development in regional centers... major activity areas and along mixed-use boulevards.

Policy 3.12: Promote the enhancement of transit access to neighborhood districts, community and regional centers, and mixed-use boulevards.

Policy 3.13: Enhance pedestrian circulation in ... appropriate locations in regional centers and along mixed use boulevards; promote direct pedestrian linkages between transit portals/platforms and adjacent commercial development through facilities orientation and design.

The Project advances these policies because it will be located within a half mile from an existing Metro subway station and just south of a major transportation corridor that provides substantial public transit opportunities and facilities. The development of the residential units, and grocery store with an outdoor patio would promote ground floor pedestrian activity and circulation and would create direct pedestrian connections between the new Project and the street, in express conformity with the Transportation Element's policies and objectives. The proposed development contributes to the General Plan's goal to increase development within commercial districts that centralizes both housing and commercial uses while enhancing the accessibility of such uses to public transit.

Land Use Element – Wilshire Community Plan

The Project site is located in the Wilshire Community Plan area, which is one of the 35 community plans in the City of Los Angeles. Together, these plans comprise The Land Use Element of the General Plan and regulate how land is to be utilized. Each plan contains goals

and policies to guide development in the plan area. The Wilshire Community Plan Area is often spoken of as the Mid-City Section of Los Angeles - the eastern edge of the approximately 2.5-mile wide by 6-mile long plan area is about 6 miles west of Downtown Los Angeles, while the western edge abuts the City of Beverly Hills. The area includes about 8,954 acres, which is approximately 3 percent of the total land in the City of Los Angeles.

The General Plan amendment to the Wilshire Community Plan map will designate the site for Regional Center Commercial land use with corresponding zones of CR, C1.5, C2, C4, P, PB, RAS3, RAS4, R3, R4 and R5. The proposed project is consistent with the existing land use patterns along 8th Street and Oxford Avenue. The Project will advance numerous objectives and policies contained in the Wilshire Community Plan, including:

Residential Policies and Objectives:

Objective 1-2. Reduce vehicular trips and congestion by developing new housing in close proximity to regional and community commercial centers, subway stations, and existing bus routes.

Policy 1-2.1 Encourage higher density residential uses near major public transportation centers.

Policy 1.4-3 Encourage multiple family residential and mixed use development in commercial zones.

Commercial Policies and Objectives

Objective 2-1: Preserve and strengthen viable commercial development and provide additional opportunities for new commercial development and services within existing commercial areas.

Policy 2-1.1: New commercial uses should be located in existing established commercial areas or shopping centers.

Policy 2-1.3: Enhance the viability of existing neighborhood stores and businesses which support the needs of local residents and are compatible with the neighborhood.

Objective 2-2: Promote distinctive commercial districts and pedestrian-oriented areas.

Policy 2-2.1: Encourage pedestrian-oriented design in designated areas and in new development.

Policy 2-2.3 Encourage the incorporation of retail, restaurant, and other neighborhood serving uses in the first floor street frontage of structures, including mixed use projects located in Neighborhood Districts.

Objective 2-3: Enhance the visual appearance and appeal of commercial districts.

Policy 2-3.1: Improve streetscape identity and character through appropriate controls of signs, landscaping, and streetscape improvements; and require that new development be compatible with the scale of adjacent neighborhoods.

The Project is a new 102 feet in height (seven-story) mixed-use project above a 3-level subterranean parking garage. The development will include 364 dwelling units and approximately 52,619 square feet of ground-floor commercial space located on 8th Street

between Oxford Avenue and Serrano Avenue, two blocks south of Wilshire Boulevard. The Project provides residential units in close proximity to existing jobs and services. The Project will be located within close proximity to an existing Metro subway station and just south of a major transportation corridor that provides substantial public transit opportunities and facilities.

The Project site is located within the Wilshire Center Regional Commercial Center. It includes a dense collection of high rise office buildings, large hotels, regional shopping complexes, churches, entertainment centers, both high-rise and low-rise apartment buildings, as well as the Vermont, Normandie, and Western Metro Red Line subway stations along Wilshire Boulevard. The Regional Commercial land use designation allows for the construction of commercial, parking, and high-density multi-family residential uses. The area contains a variety of high-intensity urban activities in a compact built environment that includes commercial, residential, cultural, recreational, and hotel uses. Accordingly, this Regional Center area is a proper location for the proposed mixed-use development, because it is a focal point of regional interests, commercial stores, cultural facilities and offices. Therefore, the proposed mixed-use project is appropriate for this area.

The Wilshire Community Plan encourages mixed-use developments in regional and community commercial centers. The Wilshire Community Plan Objective 2-1 encourages the City to preserve and strengthen viable commercial development and provide additional opportunities for new commercial development and services within existing commercial areas. The area contains a variety of high-intensity urban activities in a compact built environment that includes commercial, residential, cultural, recreational, and hotel uses. These diverse uses support balanced community development and create increased interest for a variety of visitors who come to the area.

2. **Vesting Zone Change Findings.** Pursuant to Section 12.32 of the Municipal Code, and based on these findings, the recommended action to rezone the property from (Q) C2-1 and (T)(Q)C2-1 to C2-2 is deemed consistent with public necessity, convenience, general welfare and good zoning practice.

The proposed project is a new 102 feet in height (seven-story) mixed-use project above a 3-level subterranean parking garage. The development will include 364 dwelling units and approximately 52,619 square feet of ground-floor commercial space. Approximately 38,738 square feet of open space is proposed, which includes space on the ground floor accessible to the public; an outdoor recreation deck, indoor gym and recreation room, a dog run on the 3rd floor; and two terraces on the 7th floor. The project would include approximately 791 vehicle parking spaces and 455 bicycle parking spaces. The proposed development ("Development Project") would occur within the southern portion of the Project Site ("Development Site"). The Development Site consists of eight contiguous lots bounded by South Oxford Avenue on the west, South Serrano Avenue on the east, West 8th Street on the south. The Development Site is currently improved with a 2-story grocery store, commercial retail building and related surface parking. The property is approximately 2.18 acres and the total project size is 379,520 square feet. The Development Site is primarily zoned (T)(Q)C2-1 and (Q)C2-1 and designated in the Wilshire Community Plan as Neighborhood Commercial. The remainder of the Project Site consisting of the Add Area is zoned (T)(Q) R4-1, R4-2 and R3-2 and designated as High Medium Residential.

The Zone Change to (T)(Q)C2-2D, would allow for a consistent zoning designation for the entire site. The proposed Vesting Zone Change would lead to a development that would be deemed consistent with public necessity, convenience, general welfare and good zoning practice. The Wilshire Community Plan designates the Project site for Neighborhood Commercial uses, which corresponds to the C1, C1.5, C2, C4, P, CR, RAS3 and RAS4

Zones. The recommended zone change to (T)(Q)C2-2D is consistent with the General Plan Land Use Designation of Regional Center Commercial, as the C2 Zone is one of the corresponding zones. For the C2 Zone, the Height District 2 allows unlimited height and a maximum FAR of 6:1. The proposed project will be built to a height of 102 feet and an FAR of 4:1.

Mixed-use development is also permitted by-right in commercial areas citywide, and, therefore the proposed project and the proposed zone change is not only consistent with the existing planned land use but also the surrounding land use development pattern. Additionally, the Wilshire Community Plan supports applicable commercially zoned portions of the Wilshire Center (Commercial areas within the area bounded by 6th Street, Vermont Avenue, 8th Street, and Western Avenue) as mixed-use boulevards and districts. The block in which the site is located currently has a mix of higher density residential and commercial uses.

Public Necessity

The rezoning of the site to accommodate the conditioned project will be consistent with public necessity as it will increase both housing and commercial opportunities in the Wilshire Community of Los Angeles, in close proximity to existing jobs and services. The Project site is located within the Wilshire Center Regional Commercial Center. It includes a dense collection of high rise office buildings, large hotels, regional shopping complexes, churches, entertainment centers, both high-rise and low-rise apartment buildings, as well as the Vermont, Normandie, and Western Metro Red Line subway stations along Wilshire Boulevard. The Regional Commercial land use designation allows for the construction of commercial, parking, and high-density multi-family residential uses.

The C2 Zone allows for the proposed project. In order to provide a mixed-use project at the level that is being proposed it is necessary to have the provisions of the C2 Zone, which allow for the proposed density and height. Thus, a zone change to C2 has been proposed. As conditioned, the design of the Project will enhance the neighborhood and will contribute to the activity of the Wilshire commercial corridor.

Convenience

The objectives of the Wilshire Community Plan include providing adequate land for new multiple family residential units and strengthening existing commercial areas and designing new development to be compatible with adjacent residential neighborhoods. Changing the existing zone to the C2 Zone will allow for the development of a ground floor retail and residential mixed use project that complements adjacent neighborhoods. The increase in the number of residential units in this Regional Center Commercial area will encourage the viability of the Wilshire Boulevard corridor. The Public Convenience is also served by centrally locating employment and residential opportunities in one of the City's Regional Centers.

The development of mixed use projects reduces reliance on the car by locating housing near job centers and shopping destinations. The Project will be located less than a mile from an existing Metro subway station and just south of a major transportation corridor that provides substantial public transit opportunities and facilities. The site is located near many office, residential, retail and restaurant uses. These opportunities increase pedestrian activity, which in turn benefits local businesses and neighborhoods.

General Welfare

The proposed project will promote general welfare of the community by the following:

- Help meet local housing and job needs
- Enhance the sense of community in the area by providing a mixed-use development near substantial public transit opportunities and facilities

- Revitalize an under-utilized site

Good Zoning Practice

The requested Vesting Zone Change from (Q) C2 and (T)(Q)C2 Zones to (T)(Q)C2-2D is in substantial conformance with the purposes, intent and provisions of the General Plan, and is consistent with good zoning practice because it will provide for development of a mixed use project that complements both the commercial and residential character of the area. As requested, this zone change would allow for consistent zoning across the site, which is currently zoned (Q) C2 and (T)(Q) C2, allowing for better overall site design. The density and project size, with the 4.0:1 FAR, is compatible and consistent with the dense multifamily and commercial uses in the area. The proposed Zone Change will enhance the pedestrian experience, provide new opportunities for commercial development, meet local housing needs, and provide a development compatible with the surrounding area. This would enable the Project to help bring critical investment to the Koreatown area, contributing to an economic environment that fosters entertainment-related uses, increased pedestrian activity, and jobs. The Project represents the creative re-use of an existing, underutilized site, near a major transit corridor.

The proposed Vesting Zone Change is consistent with the surrounding uses and development pattern. The surrounding zoning consists of C2-1,(Q)C2-2, (T)(Q)R4-1 and (T)(Q)C2-1. The area is characterized by a mix of multi-family residential and commercial uses. North of the project site is a 2-story multi-family residential use zoned (T)(Q)R4-1. South of the project site is a 2-story commercial retail development zoned C2-1. East of project site is a surface parking lot zoned (T)(Q)C2-1. West of the project site is a 4-story mixed-use hotel retail use zoned [Q]C2-2.

4. Height District Change Findings. Pursuant to Section 12.32 F of the Municipal Code, and based on these findings, the recommended action is deemed consistent with the public necessity, convenience, general welfare and good zoning practice.

The applicant requests a Height District Change from Height District No. 1 to Height District No. 2. The change to Height District No. 2 would permit a Floor Area Ratio (FAR) of 6:1 in lieu of a FAR of 1.5:1 with Height District No. 1. However, the project will observe a reduced FAR of 4:1 through the "D" Limitation. The Height District change would allow for the construction, operation, and maintenance of the proposed mixed-use project, which is consistent with the General Plan and is beneficial to the public necessity, convenience, general welfare and good zoning practice. The increased FAR will be more appropriate and beneficial for a mixed-use project, while maintaining compatibility with existing surrounding uses and future growth patterns within this transit-rich urban community.

5. Building Line Removal Findings. Pursuant to Section 12.32 R of the Municipal Code, and based on these findings, the recommended action is deemed consistent with the public necessity, convenience, general welfare and good zoning practice.

The requested building line removal is in conformity with the public necessity, convenience, general welfare and good zoning practice in that its retention on the subject property is no longer necessary for the purpose of reserving a portion of the property for future dedication and improvement. In addition, building lines are no longer utilized as a mechanism to establish a minimum, uniform alignment and setback along the street.

Ordinance No. 114,296 (Case 1434) and Ordinance No. 114,320 (Case 1435) established a 15-foot building line along the east side of Oxford Avenue and west side of Serrano Avenue respectively. Currently there is a 15-foot building line on Lots 77, 78, and 79 along South Oxford Avenue and Lots 113, 114, and 115 along South Serrano Avenue of the property.

The purpose of the amendments to the ordinances is to bring the property into conformance with surrounding properties that have also removed their respective building lines and to allow for the property area to be calculated as the Buildable Area, which would be consistent with development standards for a mixed-use project in a commercial zone per LAMC Section 12.22.A.18. The project's density would be consistent with existing development and projected growth in the surrounding area.

Removal of the building line would bring the subject site to current planning practices.

- 6. Conditional Use for Alcohol Permit Findings** – Pursuant to 12.24. W1 of the Municipal Code. The Applicant requests a Conditional Use to permit the sales of alcoholic beverages for off-site consumption with a ground floor 32,514 square-foot grocery store which will replace the existing grocery store currently on-site.

- A. The project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential of beneficial to the community, city or region.*

The applicant is requesting a Conditional Use to permit the sale of alcohol for off-site consumption in conjunction with the construction of a new mixed-use development consisting of 354 residential apartment units and 52,619 square feet of ground floor commercial retail which includes a 32,514 square-foot grocery store. The proposed full-service grocery store would utilize the conditional use permit to sell alcoholic beverages for off-site consumption. It would replace the current underutilized uses of the Property that consists of a two-story grocery store with smaller commercial spaces and a surface parking lot. The property was previously granted a Conditional Use for the sale of alcoholic beverages for off-site consumption for the existing grocery store and for the sale of alcoholic beverages for on-site consumption for the restaurant per CPC-2006-9524-ZC-CUB-CU-SPR.

Approval of the Conditional Use will contribute to the success and vitality of the proposed full-service grocery store, and reinvigoration of the site and vicinity. Approval of alcohol sales will increase the availability of a public convenience for on-site residents and patrons who live, work and play within the surrounding neighborhood. The proposed sell of alcohol for off-site consumption will be an accessory use to the grocery store that will provide a service and convenient access to goods for the surrounding community. The Project location is easily accessible in that it is built in close proximity to an existing subway station with connections to downtown and greater Los Angeles. Finally, the establishment will benefit the City through generation of additional sales tax revenue, and business license and other fees, and by providing additional short-term and long-term employment opportunities.

- B. The project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.*

The site consists of eight contiguous lots bounded by South Oxford Avenue on the west, South Serrano Avenue on the east, West 8th Street on the south. The Project Site is currently improved with a 2-story grocery store, general retail, restaurant, wholesale market and a related surface parking lot. The site is approximately 2.18 acres.

The addition of alcohol sales will be within a grocery store with operating hours from 8:00 a.m. to 12:00 a.m. daily and will be compatible with the surrounding properties as the subject property will be a mixed-use development located proximate to commercial uses. In addition, the property had been granted a Conditional Use for the sale of alcoholic beverages for off-site consumption of alcohol for the existing grocery store and for the sale of alcoholic beverages for on-site consumption for the restaurant per Case No. CPC 2006-9524-ZC-CUB-CU-SPR.

The subject site has a land use designation of Neighborhood Office Commercial with the corresponding zones C1, C1.5, C2, C4, P, CR, RAS3 and RAS4 in the Wilshire Community Plan. The site's proposed zoning is (T)(Q)C2-2D and is in Council District 10. The site is not located within any Specific Plan areas but is located in the Los Angeles State Enterprise Zone, Transit Priority Area and the Wilshire Center/Koreatown Redevelopment Project Area of the former CRA/LA.

The sale of alcohol is a typical amenity in grocery stores located in commercial areas and is common and often an expected amenity provided to the surrounding residents, and visitor community.

C. The project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any specific plan.

There are eleven elements of the General Plan. Each of these elements establishes policies that provide for the regulatory environment in managing the City and for addressing environmental concerns and problems. The majority of the policies derived from these elements. There are eleven elements of the General Plan. Each of these Elements establishes policies that provide for the regulatory environment in managing the City and for addressing environmental concerns and problems.

The majority of the policies derived from these Elements are in the form of Code Requirements of the Los Angeles Municipal Code. Except for those entitlements described herein, the project does not propose to deviate from any of the requirements of the Los Angeles Municipal Code. The Land Use Element of the City's General Plan divides the city into 35 Community Plans. The Wilshire Plan Map designates the property for Neighborhood Office Commercial land uses with corresponding zones C1, C1.5, C2, C4, P, CR, RAS3 and RAS4.

The site's proposed zoning is (T)(Q)C2-2D, which is consistent with the proposed land use designation of Regional Center Commercial. The allowance to have alcohol for off-site sales at a grocery store is not specifically addressed in the Community Plan text. In such cases, the intent of the Plan must be interpreted. The proposed request will provide a service and amenity in a commercial district of the community thereby consistent with a number of goals of the adopted Wilshire Community Plan including Goal 2: Encourage strong and competitive commercial sectors which promote economic vitality and serve the needs of the Wilshire community through well-designed, safe and accessible areas, while preserving historic and cultural character; Objective 2-1: Preserve and strengthen viable commercial development and provide additional opportunities for new commercial development and services within existing commercial areas.

The Los Angeles Municipal Code authorizes the City Planning Commission to grant the requested conditional use in the zones corresponding to the Plan land use designation. The conditional authorization for the sale of alcohol for off-site consumption within a new grocery store is allowed through the approval of the City Planning Commission subject to certain findings. The required findings in support of the Wilshire Community Plan have been made herein. The request to permit the off-site sale of alcohol located within a proposed grocery store in a proposed mixed-use development is consistent with the intent of these provisions.

D. The proposed use will not adversely affect the welfare of the pertinent community.

The project would enhance the surrounding neighborhood providing new housing opportunities, and introduce neighborhood-serving uses to the community. The project would replace the current underutilized uses on the property which consist of a two-story grocery store with smaller commercial spaces and a surface parking lot. The proposed project would provide 364 apartment units and approximately 52,619 square feet of commercial opportunities for neighborhood amenities and services, which will include a grocery store. The proposed 32,514 square-foot full-service grocery store would utilize the conditional use permit to sell alcoholic beverages for off-site consumption. The property had been granted a Conditional Use for the sale of alcoholic beverages for off-site consumption of alcohol for the existing grocery store and for the sale of alcoholic beverages for on-site consumption for the restaurant per Case No. CPC 2006-9524-ZC-CUB-CU-SPR.

The project's well designed and mixed-use character would promote a synergy between commercial corridors along West 8th Street and Western Avenue and the residential uses adjacent to major thoroughfares, such as multi-family residences along Oxford and Serrano Avenues.

Approval of the Conditional Use will contribute to the success and vitality of the proposed full-service grocery store, and reinvigoration of the site and vicinity. Approval of alcohol sales will increase the availability of a public convenience for on-site residents and patrons who live, work and play within the surrounding neighborhood. The Project location is easily accessible in that it is built in close proximity to an existing subway station with connections to downtown and greater Los Angeles. Finally, the establishment will benefit the City through generation of additional sales tax revenue, and business license and other fees, and by providing additional short-term and long-term employment opportunities.

E. The granting of the application will not result in an undue concentration of premises for the sale or dispensing for consideration of alcoholic beverages, including beer and wine, in the area of the City involved, giving consideration to applicable State laws and to the California Department of Alcoholic Beverage Control's guidelines for undue concentration; and also giving consideration to the number and proximity of these establishments within a one thousand foot radius of the site, the crime rate in the area (especially those crimes involving public drunkenness, the illegal sale or use of narcotics, drugs or alcohol, disturbing the peace and disorderly conduct), and whether revocation or nuisance proceedings have been initiated for any use in the area.

According to the local Department of Alcoholic Beverage Control office, in Census Tract No. 2125.02 within which the Project is located, the maximum number of on-site licenses permitted is 2, with 19 existing, and the maximum number of off-site licenses permitted is 1, with 3 existing (of which, one license represents the grocery store currently located on

the subject site). The number of permitted licenses is based on the population of the census tract, and in the most recent Census update (2010) the population was reported to be 2,165 residents. There exists an overconcentration of alcohol licenses in the subject census tract. Since there is currently an off-site sale license located at the subject site, the off-site sale of alcohol at the proposed grocery store would not result in the addition of a new license. In addition, the subject site is within a Regional Center land use designation where a concentration of licenses is anticipated given the range of uses permitted and encouraged within a Center. Finally, the grocery store will be located within one self-contained complex and monitored as part of the development's overall security and operational oversight.

While this may appear to be an overconcentration of licenses due to the raw numbers, it should be pointed out that the ABC criteria do not take into account that this request does not result in the addition of a new permit to serve alcohol as the current grocery store sells alcohol for off-site consumption. The continued offering of alcohol will be an amenity provided to the residents on-site and in the surrounding area. The ABC also recognizes that high activity entertainment, retail, government and commercial centers, such as within the Wilshire Regional Center, are supported by a significant visitor/employee population in addition to the resident population base. The ABC has discretion to approve an application if there is evidence that normal operations will not be contrary to public welfare and will not interfere with the quiet enjoyment of property by residents. This is reflected in the licensing statistics noted above. Within this urban context, the proposed establishments, permitted to sell and dispense a full line of alcoholic beverages, will be consistent with the character of development in the area. Therefore, it can be reasonably assured that the economic welfare of the community will not be adversely impacted.

Within Census Tract 2125.02 there are currently 19 establishments with on-site only sales, and with 3 off-site only sales. According to crime statistics from the Los Angeles Police Department, a total 113 of Part II Crimes (Arrests) were reported during 2015 within Reporting District No. 2033, which has jurisdiction over the subject property. This is more than the 181 reported Part II offences on average, per district City-wide.

Part II Crimes that are related to alcohol consumption include; Drunkenness (13), Disorderly Conduct (0), and DWI related (24). Although these related arrests (113 total) comprise about 62 percent of the total Part II Crimes reported (181) for Reporting District No. 2033, approval of the Conditional Use will not likely contribute to a substantial increase in these types of offences, particularly since there is an existing active off-site sale license at the subject site.

Furthermore, to ensure that the Project will not create detrimental impacts on the surrounding area, the specific details of the establishment will be reviewed pursuant to a Plan Approval. This will allow for a comprehensive review with input from the prospective tenant, the Los Angeles Police Department, the Los Angeles Fire Department, and the City Council office. Security plans, floor plans, seating limitations, and other recommended conditions, as well as the mode and character of the operation, will be addressed and assured through the imposition of site-specific conditions. This extra protection will ensure that no adverse impacts could result due to off-site alcohol sales and consumption.

- F. *The proposed use will not detrimentally affect nearby residentially zoned communities in the area of the City involved, after giving consideration of the distance of the proposed use from residential buildings, churches, schools, hospitals, public playgrounds, and other similar uses, and other establishments dispensing, for sale or other consideration, alcoholic beverages, including beer and wine.*

The grocery store will be incorporated into the mixed-use development and separated from nearby residential uses by distance and physical development. The site itself is located across the street from the C2 Zone. However, the area contains a mix of commercial, office, residential, hotel and surface parking uses. Because the C2 Zone in the Wilshire Community Plan is a corresponding zone in the Regional Center Commercial Land Use designation, the provision of commercial retail and hotels nearby these zone are expected within the Community Plan. The Regional Center Commercial land use category encourages commercial uses, including mixed-use, commercial and higher density residential uses. However, alcohol is only permitted through a Conditional Use permit.

There are no sensitive uses located within 1,000 feet of the subject site. The nearest public schools are Hobart Boulevard Elementary and Wilton Place Elementary schools located approximately 1,200 and 1,800 feet from the property respectively. The nearest parks and churches are also more than 1,000 feet away from the Subject Property. This grant has placed numerous conditions on the proposed project to minimize potential impacts and possible nuisances for the surrounding area. The Conditions placed on the grocery store alcohol sales will make the operator accountable to the sensitive uses within the area. The off-site sale of alcohol at a grocery store within a mixed use development is appropriate in that it is convenient for residents on-site and in the surrounding area, consistent with the operation of numerous other grocery stores in the area which are permitted to sell and dispense alcoholic beverages for off-site consumption. Therefore, it can be concluded that the proposed use, conducted in full compliance with the Conditions of approval, will not detrimentally affect nearby sensitive uses. The Project will not be detrimental to the character of development in the immediate neighborhood.

The off-site sale of alcoholic beverages at a Grocery Store is an essential component to establishing a vibrant, energized, pedestrian-friendly atmosphere, consistent with the Project Site's designation as a Regional Center. Allowing the sale of alcohol at the Project Site will advance the public convenience and necessity by servicing the demand for alcoholic sales consistent with the Project.

Alcohol sales are not expected to create law enforcement problems as the Project Site contains a grocery store that currently sells alcohol for off-site consumption. As part of the Project's security plan, security officers may be stationed at key locations within the Project Site to preserve the safety of the Project's residents, tenants, and visitors. The Project would provide high quality jobs in proximity to vibrant restaurant and retail uses. Therefore, the sale of alcoholic beverages at the Site is not expected to create the type of crime problem California Business & Professions Code Sections 23958 and 23598.4 seek to prevent.

7. Site Plan Review Findings

The applicant is requesting a Site Plan Review for a project which results in an increase of 50 or more residential units.

- a. *The Project is in substantial conformance with the purposes, intent and provisions of the General Plan applicable community plan, and any applicable specific plan.*

The Project is located within the Wilshire Community Plan area, which designates the Project site for Neighborhood Office Commercial. The Neighborhood Office Commercial land use category corresponds to the C1, C1.5, C2, C4, P, CR, RAS3,

and RAS4 Zones. The project also proposes an amendment to the General Plan Land Use designation from Neighborhood Office Commercial to Regional Center Commercial. The Zone Change and General Plan Land Use amendment will encompass the "Development Project". For the C2 Zone, the Height District 2 allows unlimited height. The proposed project will be built to a height of 102 feet with an FAR of 4:1.

The Project site is located within the Wilshire Center Regional Commercial Center, which is described as "a dense collection of high rise office buildings, large hotels, regional shopping complexes, churches, entertainment centers, and both high and low-rise apartment buildings." This Center also includes the Vermont, Normandie, and Western Metro Red Line subway stations along Wilshire Boulevard. The Regional Commercial land use designation allows for the construction of commercial, parking, and high-density multi-family residential uses. The area contains a variety of high-intensity urban activities in a compact built environment that includes commercial, residential, cultural, recreational, and hotel uses. These diverse uses support balanced community development and create increased interest for a variety of visitors who come to the area. Therefore, the proposed mixed-use project is appropriate for this area.

One of the long-term goals of the General Plan is to encourage commercial development within designated Regional Centers and the proposed project as it relates to use, design, size and height is consistent with the plan's vision for these areas. As such, the Framework Element of the General Plan encourages development that *"accommodate[s] a broad range of uses that serve the needs of adjacent residents, promote[s] neighborhood and community activity...and are...desirable places in which to...work and visit, both in daytime and nighttime."* The Project furthers several General Plan objectives, including encouraging infill projects and locating new development near public transit and shopping, services and employment. The Project represents the creative re-use of an existing, underutilized site, near a major transit corridor.

- b. *The Project consists of an arrangement of buildings and structures (including height, bulk and setbacks), off-street parking facilities, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements that is or will be compatible with existing and future development on adjacent properties and neighboring properties.*

The proposed project involves the demolition of the existing buildings and the construction, use and maintenance of a new seven-story, 102-foot tall, mixed use development consisting of 364 apartment units and 52,619 square feet of ground floor commercial space that is proposed for retail uses. The proposed project is a new seven-story mixed-use project above a 3-level subterranean parking garage. The development will include 364 dwelling units and approximately 52,619 square feet of ground-floor commercial space. Approximately 38,524 square feet of open space is proposed, which includes space on the ground floor accessible to the public; an outdoor recreation deck, indoor gym and recreation room, a dog run on the 3rd floor; and two terraces on the 7th floor. The height of the Project is 102 feet. The project would include approximately 791 vehicle parking spaces and 455 bicycle parking spaces.

As detailed above, in the General Plan Text Findings section, the proposed project as conditioned is in compliance with the Land Use Chapter and Economic

Development Chapter of the General Plan Framework; the Transportation Element; the Housing Element; and the Land Use Element–Wilshire Community Plan. The site is not located within a Specific Plan.

The Wilshire Community Plan includes several objectives and policies that promote distinctive pedestrian-oriented areas, encourage the improvement of streetscape identity and character, and encourage pedestrian-oriented design and this project is consistent with these objectives and policies. The intent of mixed use development is to provide housing in close proximity to jobs and services, to reduce vehicular trips, traffic congestion and air pollution, and to stimulate vibrancy and activity in pedestrian-oriented areas. The proposed project will consist of a development that is complementary to the neighborhood. These policies encourage established commercial sectors to promote economic vitality while serving the needs of the Wilshire Community.

The Project is consistent with many of the Urban Design Policies for individual projects in the Wilshire Community Plan that are intended to ensure that new projects are compatible with existing and future development on neighboring properties.

- c. *The residential project provides recreational and service amenities to improve habitability for its residents and minimize impacts on neighboring properties.*

The Project is consistent with many of the Urban Design Policies for individual projects in the Wilshire Community Plan that require recreational and service amenities to improve habitability for its residents. The Project includes many types of open and common spaces that would appeal to a variety of household types. The project proposes several active and passive recreational areas appropriate for residents of varied age range, lifestyle, and interests. The variety of recreational amenities would include a swimming pool and spa, a recreation deck, a gym room, a recreation room for indoor entertainment activities, a dog park, and several terraces in addition to the private balcony included in most units. These recreational and service amenities will improve habitability for residents.

8. CEQA Findings

A Mitigated Negative Declaration (ENV-2015-4614-MND) was prepared for the proposed project. On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that, with imposition of the mitigation measures described in the MND, there is no substantial evidence that the proposed project will have a significant effect on the environment. The attached Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are with the Environmental Review Section of the Planning Department in Room 750, 200 North Spring Street.

Subsequent to the end of the publication period of the MND (October 3, 2016), the applicant revised the project description to include the merger of 5.5 feet from Oxford Avenue and 8.5 feet from Serrano Avenue into the site. Since the Project description had changed, an errata of the MND was prepared. This errata is dated November 10, 2016. No additional mitigation measures are required. As this revised project represents the same project, per CEQA Guidelines Section 15073.5, recirculation of the previously issued MND is not required.