

FINDINGS

As amended by the City Planning Commission on November 16, 2017

General Plan/Charter Findings

General Plan Findings

The City of Los Angeles' General Plan consists of the Framework Element, seven required Elements that are mandated by State law, including Land Use, Mobility, Housing, Conservation, Noise, Safety, and Open Space, and optional Elements including Air Quality, Service Systems, and Plan for a Healthy Los Angeles. Thirty five individual community plans comprise the Land Use Element for the City of Los Angeles. This section provides relevant goals, objectives, policies, and programs that are established in the General Plan that form the basis for staff's recommended actions for the proposed project.

1. **General Plan Land Use Designation.** The subject property is located within the Sherman Oaks-Studio City-Toluca Lake-Cahuenga Pass Community Plan, which was last updated and adopted by the City Council on May 13, 1998. The Plan Map designates the subject property for General Commercial land uses, with corresponding zones of C1.5, C2, C4, CR, RAS3, RAS4 and P and a Height District of 1VL. The proposed zone change to (T)(Q)C2-1VL is consistent with the land use designation on the plan map, and thus is in substantial conformance with the purposes, intent, and provisions of the General Plan, as reflected in the adopted Community Plan, and in the adopted Ventura/Cahuenga Boulevard Corridor Specific Plan, an implementing tool of the Community Plan.
2. **General Plan Text.** The Sherman Oaks-Studio City-Toluca Lake-Cahuenga Pass Community Plan sets forth planning purposes, objectives, and policies for land uses within its boundaries. The Community Plan's stated purposes are to promote an arrangement of land uses, streets, and services which will encourage and contribute to the economic, social and physical health, safety, welfare, and convenience of the people who live and work in the community.

General Commercial. The subject property includes eight lots with land use designation of General Commercial, and corresponding Zones of C1.5, C2, C4, CR, RAS3, RAS4 and P. Two lots are zoned C2-1VL fronting Ventura Boulevard (approximately 51,519 square feet) and six lots are zoned [Q]P-1VL fronting Moorpark Street (approximately 27,296 square feet). The proposed C2-1VL Zone for the entire site is consistent with the Community Plan land use designation and removes an otherwise obsolete P zone, limited to parking uses, and allows for a more cohesive/integrated commercial development of the site with associated parking. The C2 Zone permits the proposed commercial uses of a grocery store, retail, restaurant, and office space, and allows for alcohol sales and extended hours of operation with a Conditional Use Approval because it is adjacent to Residential Zone.

The proposed multi-tenant commercial project would be in conformance with the following objectives, and policies of the Sherman Oaks-Studio City-Toluca Lake-Cahuenga Pass Community Plan:

Objective 2.1: To conserve and strengthen viable commercial development.

Policy 2-1.1: New commercial uses shall be located in existing established

commercial areas or existing shopping centers.

Policy 2-1.3: Require that projects be designed and developed to achieve a high level of quality, distinctive character, and compatibility with existing uses and development.

Objective 2-3: To enhance the identity of distinctive commercial districts and to identify pedestrian oriented districts (POD's).

Policy 2-3.2: New development needs to add to and enhance the existing pedestrian street activity.

Objective 2-4: To enhance the appearance of commercial districts.

Policy 2-4.1: Require that any proposed development be designed to enhance and be compatible with adjacent development.

Policy 2-4.2: Preserve community character, scale and architectural diversity.

Policy 2-4.3: Improve safety and aesthetics of parking areas in commercial areas.

The proposed commercial corner development is located on Ventura Boulevard, a major commercial corridor in the San Fernando Valley. The project will replace an underutilized commercial corner site that was comprised mostly of asphalt and auto related uses not in conformance with the Pedestrian goals of the Specific Plan. The new, two-story, mixed commercial building will be of a modern architectural style that will enhance the appearance of this highly visible corner in the community of Sherman Oaks, by incorporating sleek curved building lines that mimics the shape of the site's corner and by adding much needed trees along the three street frontages as well as landscaping along the building frontage and throughout the site. The second level outdoor patio and ground level public plaza with seating areas at the corner, as well as adding a restaurant and retail spaces at grade level will add to and enhance the pedestrian street activity in this area. The raised planter at corner of Ventura Boulevard and Tyrone Avenue, will include the community name of Sherman Oaks, signifying the importance and identity of the commercial area. Most all the parking on site will not be visible from the public right of way, due to the two levels of subterranean parking and surface parking surrounded by the commercial building. The rear loading area and access to the site from Moorpark Street will be enhanced with walls to screen the view of trucks and cars from Moorpark Street, and will include landscaping and soft lighting. As such, the project meets the objectives and policies noted above.

The project has also been conditioned to dedicate and improve the adjacent public right-of-ways, which will serve to enhance the sidewalk and streetscape amenities on Ventura Boulevard, Tyrone Avenue, and Moorpark Street at this location in the Sherman Oaks Streetscape Plan. The improvements will also remove safety hazards, such as the merging right lane to Moorpark Street from Tyrone Avenue, and will improve the pedestrian crosswalks to the site. Other utilities and public services for the site, including the availability of sewer and drainage facilities, have been conditioned to ensure they are adequate. Significant traffic impacts are not expected from the project with said improvements and as conditioned herein, and the site is in close proximity to several bus lines operating along Ventura Boulevard and Moorpark Street.

The Community Plan also sets standards for Urban Design in Chapter V for Commercial projects. The project complies with the Commercial Site Planning design policies in that the building maximizes retail and commercial service uses along the Ventura Boulevard

and Tyrone Avenue frontages, provides front pedestrian entrances for businesses fronting on main commercial streets, and minimizes the number of driveways to the site.

The project is also subject to the Ventura/Cahuenga Boulevard Corridor Specific Plan which at the subject location, allows for a maximum lot coverage of 60 percent, a floor area of 1.0:1, and a maximum height of 30 feet for buildings abutting a major or secondary highway however can exceed 30 feet in height up to the 45-foot height limit per the zone (1VL), if, for each 15 foot increment, or portion of that increment, above 25 feet, at least a ten foot setback from the roof perimeter is provided. In this case, the project has a lot coverage of 58.8 percent, a floor area of .94:1, and includes the required 10-foot building setback at 25 feet, for a maximum height of 32 feet, except for a portion of the building where it is 38 feet 10 inches in height due to the downward slope of the site to the north. The project also complies with the Specific Plan more restrictive required parking and building landscape setback of 18-inches.

Therefore, as conditioned, the proposed development meets the objectives of the Community Plan, is permitted in the C2-1VL Zone, and is consistent with the general plan land use designation.

Entitlement Findings

- 3. Zone Change Findings.** Pursuant to LAMC Section 12.32 C., and based on these findings, the recommended action is deemed consistent with public necessity, convenience, general welfare and good zoning practice.

The instant request is for a Vesting Zone Change to C2-1VL on the approximately 27,296-square foot portion of the Subject Property, currently zoned [Q]P-1VL and a concurrent Building Line Removal in order to allow the construction and operation of an approximately 74,024 square foot, two-story, mixed-use commercial building with a podium-style grocery store (Wholefoods) as the main anchor tenant, with ground floor commercial and office space, a surface parking area behind the ground floor commercial uses, with two levels of subterranean parking, and a truck delivery/loading area at the rear of the site. The Vesting Zone Change would unify the zoning of the Subject Property, consistent with the existing C2-1VL zoning on the majority of the Subject Property encompassing approximately 51,519 square feet of lot area. The requested Vesting Zone Change is beneficial in terms of the public necessity, convenience, general welfare, and good zoning practice for the reasons discussed below.

The subject site is located at the northeast corner of Ventura Boulevard and Tyrone Avenue and is a level, irregular peninsular shaped, slightly downward sloping site to the north, and is bound by Ventura Boulevard to the south, Moorpark Street to the north, and Tyrone Avenue to the west. A public alley bisects and adjoins the property with an eastern access from Calhoun Avenue and northern access from Moorpark Street. With the merging of the subject eight lots and a 3,699 square foot alley portion as one ground lot, the site will be approximately 1.8 acres after street dedications. Vehicle access to the site will be provided from Ventura Boulevard, Moorpark Street, and the public alley from Calhoun Avenue.

The surrounding area is primarily developed with commercial uses along Ventura Boulevard and multi-family and single family use beyond the commercial corridor to the north and south.

Public Necessity - The proposed specialty grocery store provides high quality natural and organic foods that are responsibly and sustainably sourced, and also provides specialty

health food products to meet a wide range of dietary needs. As a specialty grocery store, the proposed operator will help meet public necessity and demand for these specialized types of goods. In addition the proposed Project will include an approximately 4,900-square foot ancillary restaurant at grade level, a small outdoor seating area (public plaza) at the corner, and a prominent outdoor patio on the second floor level at the same subject corner (north of Ventura Boulevard and Tyrone Avenue. The associated restaurant and patio use is anticipated to activate this corner, and foster connectivity with the existing commercial corridor on Ventura Boulevard and provide a location for residents to interact and socialize. The proposed restaurant will also be beneficial in terms of both public necessity and convenience because it will meet a need for a neighborhood-serving restaurant that is conveniently located to residents of the surrounding neighborhoods, local businesses and patrons of the grocery store for use before, during, or after their shopping activities.

Convenience - The proposed Project will be conveniently located along the Ventura Boulevard commercial corridor, in close proximity to existing commercial and retail uses, multi-family and single-family residential neighborhoods, and is served by seven bus lines within 1,500 feet of the site. In addition the Subject Property is located in close proximity to the 101 Ventura Freeway and 405 Freeway, as well as major surface street thoroughfares, including Ventura Boulevard, Van Nuys Boulevard and Sepulveda Boulevard.

There are substantial multi-family and single-family residential communities within 1,500 feet of the site, as well as professional office centers and commercial uses, all of which will make this use convenient for the numerous people that already pass through and patronize the area. The proposed Project will be a convenient pass-by stop for employees, shoppers, and residents within the context of their daily routine.

The Project will provide multiple access points for pedestrians and bicyclists including an enhanced landscaped entry area from the sidewalk at the rear northwest corner of the site at Tyrone Avenue and Moorpark Street and will provide easily accessible short term bike racks within the grade level surface parking lot area. These features make the use more accessible and convenient for those utilizing alternative modes of transportation.

General Welfare - The proposed Project will also be beneficial with respect to the general welfare because it will increase the economic viability of the community in which it is located. The proposed grocery store and ancillary restaurant use will create a significant number of on-site jobs, including but not limited to: cooks, janitors, waiters, cashiers, managers, stockroom workers, security guards, customer service representatives, and workers within the produce, seafood, deli, and bakery departments. In addition to local jobs, the proposed Project will increase demand for goods delivery and transportation services, grocery brokers, and food product vendors, which will in turn stimulate the wider regional and state economy. Since the proposed grocery operator specializes in natural and organic foods and locally sourced produce and foods, the proposed Project will also create a more robust market demand for these types of goods that could benefit local organic farmers and natural and health food vendors.

The proposed Project will also provide a benefit in the form of additional tax revenues for the City, both through the grocery store and restaurant uses, and through the revitalized local commercial environment as a byproduct of the development of a quality new structure and business.

Moreover, the proposed Project will benefit the general welfare of the public, and in particular the local community, because it will provide greater access to a wide array of

healthy, affordable, fresh foods with many organic, natural, and specialty options. The availability of these healthier, high quality, and affordable foods will improve the general welfare of these populations, with potentially greater health outcomes in the long term.

The Subject Property is located within walking distance – approximately 1,500 feet – of several multi-family and single family residential neighborhoods, as well as commercial and office uses, making it a convenient location for the nature of the use. The proposed Project will also include various design elements that promote pedestrian circulation and connectivity to the surrounding area, including the pedestrian entrances located along Ventura Boulevard and an open restaurant deck on the second story, consistent with the design elements addressed in the Community Plan, Sherman Oaks Streetscape Plan and Design Guidelines, Walkability Checklist, and the Citywide Commercial Design Guidelines.

Good Zoning Practice - With respect to good zoning practice, the proposed Project's use and design is substantially consistent with the purposes of the General Plan, Community Plan, and Specific Plan. With the exception of the deviations requested pursuant to the LAMC (Hours of Operation) and the Specific Plan (Height) in conjunction with the instant application, the Project has been designed in substantial conformance with applicable zoning and development limitations. Additionally, the proposed Project is consistent with the land use designation of the Subject Property and sound zoning practices, as it will provide a desirable and beneficial commercial use on commercially zoned property that does not encroach upon or impact residentially zoned properties or neighborhoods.

As part of the instant request, the Applicant is seeking a Vesting Zone Change on a portion of the Subject Property from the [Q]P-1VL to the C2-1VL Zone, consistent with the zoning designation of the entire Subject Property. Concurrent with this Vesting Zone Change, the Applicant is seeking to remove the 15-foot Building Line located along Moorpark Street. The Subject Property is designated for General Commercial Land Uses, which corresponds to the proposed C2-1VL Zone, and is located within the Neighborhood and General Commercial Plan Designation area of the Specific Plan.

The proposed Vesting Zone Change will eliminate the antiquated P Zone on the Subject Property and permit the C2 Zone across the entire site. The Vesting Zone Change is requested on only a fraction of the Subject Property, an approximately 27,296-square foot portion that is currently zoned [Q]P-1VL. The Vesting Zone Change would unify the zoning of the Subject Property, consistent with the existing C2-1VL zoning on the majority of the Subject Property encompassing approximately 51,519 square feet of lot area. This is good zoning practice in consideration of the location of the Subject Property along a commercial corridor where adjoining commercial properties are within the same zone and land use designation. Moreover, the proposed Project will replace an underutilized surface parking lot that is a visual blight to the neighborhood, with a much more beneficial and attractively designed community oriented use which house all required parking within the development. With regards to use, the Specific Plan only limits and regulates certain uses that are not desirable for a community/neighborhood land-use designated area; thus automotive uses and drive-through establishments are prohibited on the Subject Property. Other than these certain uses, the Specific Plan defers to the uses permitted by the underlying zone and land use designation set forth in the regulations of the LAMC. The proposed approximately 52,433 square foot grocery store and ancillary restaurant are in harmony with the Subject Property's land use designation of General Commercial, which "applies to a diversity of retail sales and services, and auto-oriented uses comparable to those currently allowed in the 'C2' zone" Since the General Commercial land use designation promotes uses permitted in the C2 Zone, and the C2 Zone allows grocery stores, the proposed Project is in harmony with the intended land uses for the Subject

Property. The proposed Project will also replace previous improvements on site, including a car care center and car wash, uses that are generally not considered desirable within this Specific Plan area. While the P Zone is only intended to permit parking, the proposed Vesting Zone Change will still allow for a parking use, and will provide sufficient parking to meet Specific Plan requirements. Additionally, the Specific Plan defines the Neighborhood and General Commercial Plan designation as “a focal point for surrounding residential neighborhoods and containing a diversity of land uses, such as restaurants, retail outlets, grocery stores, child care facilities, small professional offices, community meeting rooms, pharmacies, religious facilities, and other similar services” Consistent with these intents, the proposed Project is a neighborhood-serving grocery store that will provide goods and services for the surrounding multi-family, single-family residential and commercial neighborhoods. The C2 Zone encourages this type of use, and the proposed Project will further revitalize and strengthen the viability of this commercial corridor. As such, the proposed Project is in conformance with the zoning and land use designations on the Subject Property, and makes good zoning sense.

“T” and “Q” Classification Findings. Per LAMC Section 12.32-G, 1 and 2, the current action, as recommended, has been made contingent upon compliance with new “T” and “Q” conditions of approval imposed herein for the proposed project. The “T” Conditions are necessary to ensure the identified dedications, improvements, and actions are undertaken to meet the public’s needs, convenience, and general welfare served by the actions required. These actions and improvements will provide the necessary infrastructure to serve the proposed community at this site. The applicant proposed landscaped bulb outs and extension of crosswalks to the project site at the southeast corner of Tyrone Avenue and Moorpark Street, plus the elimination of the right merge lane from Tyrone Avenue to Moorpark Street, as well as the projects new street lights per the Bureau of Street Lighting, and new and improved sidewalks on all three street frontages, will contribute to a safer pedestrian environment in this area. The “Q” conditions that limits the scale and scope of future development on the site are also necessary to protect the best interests of, and to assure a development more compatible with, surrounding properties and the overall pattern of development in the community, to secure an appropriate development in harmony with the General Plan, and to prevent or mitigate the potential adverse environmental effects of the subject recommended action.

4. **Building Line Removal Finding.** Per LAMC 12.32.R, the requested 15-foot building line removal along the property frontage on Moorpark Street is in conformity with 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 highway dedication and improvement. As conditioned, street dedication and the construction of a new sidewalk on Moorpark Street will be required as part of the project. Additionally, the building line is not necessary for the purpose of obtaining minimum, uniform alignment from the street at which buildings, structures or improvements may be built or maintained, since a minimum 18-inch foot front yard setback must be observed from the new lot line for any new building or structure per the Specific Plan. As such, the associated change of zone will assure conformity with the Mobility Element of the General Plan and removal of the building line allows the recommended zoning to have its proper effect on the site.

Specific Plan Exception Findings. Pursuant to LAMC Section 11.5.7 F

5. **That the strict application of the policies, standards and regulations of the geographically specific plan to the subject property would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of such specific plan.**

The applicant is requesting a Specific Plan Exception from the from the Ventura/Cahuenga Boulevard Corridor Specific Plan to permit a building height of 38 feet, 10 inches in lieu of 30 feet otherwise required (Section 7. E.1. b. 1 of the Specific Plan). For properties within the Community Commercial and Neighborhood and General Commercial Plan Designation Areas, buildings abutting a major or secondary highway may exceed 30 feet in height, if, for each 15 foot increment, or portion of that increment, above 25 feet, at least a ten foot setback from the roof perimeter is provided (Section 7. E.1. f. of the Specific Plan) up to the maximum height that the zoning would allow (in this case 1VL, 45 feet). The purpose of the step back provision is to allow for an increase in height over the Specific Plan height limit in a way that would reduce the overall massing of a building as viewed from the street frontage.

The proposed building includes a 10 foot step back at a height of 25 feet, to a maximum height of 32 feet along the Ventura Boulevard and Tyrone Avenue frontage. However the site slopes downward to the north and has a lower grade elevation of approximately 6 feet at the north end of the site, with the north end of the building wall that faces Moorpark Street proposed at a height of 38 feet 10 inches without a stepback. The stepback from the Ventura Boulevard elevation wraps around the building façade on Tyrone Avenue and Moorpark and then stops where the building has the service elevators and delivery area. Thus a majority of the building façade strictly meets the stepback requirement. Although approximately 70 feet of façade does not meet the stepback requirement, the overall development meets the spirit of the stepback condition and doesn't exceed the overall height of 45 feet per the 1VL Height District.

A step back along this portion of the building wall would reduce the ceiling height and otherwise usable space for the back of house operations of the grocery store, where freight is received, and grocery items and coolers are stores. Additionally, a step back along this portion of the building would not be in line with the otherwise fluid roofline of the rest of the building, thus would degrade the appearance and intended architecture of the building. Therefore, due to the sloping of the site, the strict application of the height limit would result in a practical difficulty with respect to building function and design.

6. **That there are exceptional circumstances or conditions applicable to the subject property involved or to the intended use or development of the subject property that do not apply generally to other property in the specific plan area.**

The subject property is an irregular shaped property with three street frontages and is of significant size and depth (1.8 acres and depth of approximately 225 feet) with a downslope topography towards Moorpark Street of approximately 6 feet. The grade differential with the totality of the site having three street frontages, creates an exceptional circumstance for the subject property and for the proposed building, such that the building functions and design would be degraded and/or compromised by having to change to stepback as the grade slopes towards the rear of the site. It would remove usable area on the podium grocery space, which is the main tenant for the site.

7. **That the exception from the geographically specific plan is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property within the geographically specific plan in the same zone and vicinity, but which because of special circumstances and practical difficulties or unnecessary hardships is denied to the property in question.**

Height exceptions to the Ventura/Cahuenga Boulevard Corridor Specific Plan have been granted to other properties in the same zone and vicinity and due to similar circumstances,

including the development at the northeast corner of Ventura Boulevard and Calhoun Avenue, where a 54-foot building height was permitted under Case No. CPC-2003-6205-ZC-SPE-ZAA-SPR-SPP, including a roof element of 58 feet, in lieu of the 30-foot height limit otherwise required, where it was found that the property slopes downward from south to north, with an approximate 8.5-foot difference in elevation between Ventura Boulevard and Moorpark Street and that due to the elevation change and size of the parcel, the Finding was made that “modifications to the height would permit a feasible mixed use development while respecting the need to control the visual impacts of scale and massing from outside the site.”

More recently in 2010, Ralph’s located at the northeast corner of Ventura Boulevard and Hazeltine Avenue, was granted an exception to build a 48-foot height building in lieu of the 30-foot maximum height permitted under Case No. 2009-3462-ZC-CU-CUB-SPE-SPP-SPR. That site was noted to have an approximately 12-foot grade difference from Ventura Boulevard down to Moorpark Street. Similar Findings were made that the project had been designed to meet the general purpose and intent of the specific plan in that it provided a building and site design that encouraged pedestrian activity, maximizing the use of the property at the ground level and establishing a strong street wall, and that the building facade along Ventura Boulevard has been stepped so, as to reduce the overall massing at the street front, creating a more pedestrian scale environment.

In this case, the project also provides a strong street wall that includes a building step back along the major commercial frontages, Ventura Boulevard and Tyrone Avenue, reserving the rear portion of the site for truck loading and unloading and additional access to the site from Moorpark Street. As the site is located in a Pedestrian Development District, the building location on the site maximizes pedestrian uses along the two main commercial street frontages, thus follows the intent of a Pedestrian Development District.

8. That the granting of the exception will not be detrimental to the public welfare or injurious to the property or improvements adjacent to or in the same vicinity of the subject property.

The granting of the exception for building height of 38 feet 10 inches in lieu of 30 feet will not be detrimental to the public welfare or injurious to the property adjacent to or in the same vicinity of the site because the project has been designed to be compatible with the adjacent mix of retail, commercial and professional uses. The building height at 38 feet 10 inches is for only limited portion of the building at the rear of the site and will not result in any significant, adverse environmental impacts as it relates to shade and shadow, or consistency and compatibly with the surrounding properties.

This portion of the building wall is also setback from Moorpark Street by approximately 75 feet as opposed to being located right near the sidewalk. A significant amount of street trees, lower in height parking walls and perimeter landscaping will help to break up the overall massing of the wall.

There are also similar building heights in the immediate area of approximately 40 feet in height, including the three story office building and two-story commercial corner multi-tenant building south of the site, across Ventura Boulevard therefore the height would not be in sharp contrast with the building heights in the area, and, more importantly features a high quality, fluid elegant modern architectural design with varied façade elements, including large windows and patio areas along the two main commercial frontages.

Therefore, the granting of an exception to the 30-foot height limit would not be detrimental to the public welfare or injurious to the property or improvements adjacent to or in the

vicinity of the subject property.

9. **That the granting of the exception will be consistent with the principles, intent and goals of the geographically specific plan and any applicable element of the General Plan.**

The granting of the exception will allow the construction of a two-story mixed-use commercial building on an irregular shaped site with a sloped topography, that will provide a mix of neighborhood serving uses at the site that are in conformance with the General Plan, Community Plan and Specific Plan, as discussed in Finding A. 2, and will result in a cohesive high quality building design that will enhance the appearance the existing commercial area and bring new energy and life to the subject commercial corner.

Site Plan Review Findings. (Pursuant to LAMC Section 16.05)

10. **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 proposed project has been designed to meet all applicable provisions of both the LAMC and the Ventura/Cahuenga Boulevard Corridor Specific Plan and is consistent with the General Plan as discussed in the General Plan/Charter Findings above. However, due to special circumstances relating to the location of the site and its topography, the applicant has requested deviations from both the Code and the Specific Plan. Therefore, in granting the requested Conditional Use Permit for the Commercial Corner, and Height Exception from the Specific Plan, the project would comply with all applicable provisions of this Code and the Specific Plan.

11. **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 is a two-story, 74,024 square-foot mixed-use/multi-tenant commercial building with two levels of subterranean parking including some parking at grade level on an approximate 1.8 acre site at the northeast corner of Ventura Boulevard and Tyrone Avenue. The rear of the site along Moorpark Street, will include a loading area and small dog park. The site is predominately a vacant lot with a few remaining structures to be demolished. The site was previously developed with smaller one story buildings consisting of mostly auto-related uses. Proposed uses at the site include a podium style, 44,729 square foot grocery store with a patio area at the second floor, and a 4,900 square foot restaurant (associated with grocery store tenant), two retail spaces and an office space at grade level.

The building is designed to be compatible with the existing and future development of neighboring properties. Commercial development along Ventura Boulevard in the area includes one (1), two (2)-story and three (3) story commercial or office buildings, most with surface parking lots. These buildings are generally 30 to 40 feet in height and vary in size, but are built close together creating a strong commercial wall. More recent developments, such as a mixed-use commercial and residential building at Ventura and Calhoun is four stories, approximately 54 feet in height and approximately 158,000 square foot, occupying almost half the block. Further east, is an approximate 71,000 square foot grocery store (Ralph's Fresh Faire), with a height of 48 feet (developed in 2014). Properties to the north

are developed with two- and -three story multi-family buildings, a public library, and single family dwellings further north of Moorpark Street.

The proposed building will have a modern style architecture which will include articulations and a building setback of 10 feet at a height of 25 feet along Ventura Boulevard and Tyrone Avenue to reduce the massing and to add visual interest. The building will be curved at the corner of Tyrone and Ventura to mimic the shape of the corner and will feature a prominent second floor patio area that will extend out over the building at grade level.

The building at grade along Ventura and Tyrone Avenue is setback 18-inches from the property line and will include landscaping within the 18-inch setback. The front corner will include an outdoor seating area and public plaza. The rear of the site includes a solid wall (approximately 13 1/2-feet in height, to screen the truck loading or dock area and an approximately 6-foot wall to screen the truck back up area on site. The building at the rear is setback approximately 75 feet from Moorpark. An enclosed dog park is proposed east of the rear parking/loading area.

Height/Bulk/Massing

The project building will be predominately 32 feet in height except for the rear portion of the building which will be 38 feet, 10 inches due to the downslope of the lot. The building height will be compatible with buildings in the surrounding commercial area as described above. The building massing will be somewhat greater than most of the individual buildings in the immediate area due the size of the site, with a building length along Ventura Boulevard of approximately 330 feet, however the building design, architectural features, landscaping, patio, public plaza, and street trees will blend in well with the site and create a focal point for this area. As noted, the commercial buildings in this area are built close together and are similar in height and style, therefore, although the buildings have individual facades, there is still a contiguous strong commercial street wall in this area. The 10-foot building setback at 25 feet along most of the building wall will help to reduce the massing and add visual interest. Also, as noted, approximately half of the building wall facing Moorpark Street will be setback approximately 75 feet from the north property line.

Entrances

The site will have driveway access from Ventura Boulevard and from Moorpark Street as well as alley access from Calhoun Avenue. The access points will lead to a small grade level parking area near the center of the site, as well as two levels of subterranean parking. The parking at grade will be mostly conceal by the commercial spaces at the ground level and loading area wall at the rear, thus not visible from the public right of way.

The project includes direct pedestrian access to the ground level commercial spaces along Ventura Boulevard and Tyrone Avenue, as well as the main entrance to the podium level grocery store. Rear access from the parking level at grade will also be provided for all the commercial use except for the corner restaurant which does not have a rear door.

Pedestrian pathways will be connect to the site from the Moorpark Street driveway and dog park area. The corner of Tyrone Avenue and Moorpark Street will feature a building opening and pedestrian pathway entrance with landscaping that leads to the grade level parking and short term bike parking as well as direct access to commercial rear entrances.

As conditioned, the project will include pedestrian scale lighting along the pathway areas and within the landscape areas along the exterior walls fronting Moorpark Street.

Setbacks

The project observes an 18-inch landscaped setback in front of the building along all three street frontages and rear walls on Moorpark Street as required per the Specific Plan.

Parking

Unlike many of the commercial properties that have surface parking lots (mostly at the rear), this project will locate most of the parking within two levels of subterranean parking and smaller grade level surface parking areas, mostly concealed from street view, behind the commercial spaces or building walls and loading area walls along the Moorpark Street frontage. This arrangement will be compatible with future development as it makes better use of the land. Digital real time parking availability displays will be provided to help reduce potential on-site congestion, such as within the smaller parking area at grade.

Loading Area

Truck loading and unloading will occur at the rear of site from Moorpark Street. The project includes an on-site truck back up area and loading dock for two large trucks. A small truck loading area is located along the north side of the east/west alley closest to the site. The large truck loading area includes a 13 ½ foot high wall along Moorpark Street as well as a sound absorbing CMU block wall material and lid over the truck engine/refrigeration units when the trucks are docked. The small truck loading area is further away from the Moorpark Street frontage, however it will include a solid 8-foot high wall enclosure. As such, the loading and large truck back up areas will occur on site and will be screened from street view as well as include additional noise mitigation.

Lighting

The project has been conditioned to install additional pedestrian-scale and security lighting that would be shielded and down-casted within the site in a manner that prevents the illumination of adjacent public rights-of-way, adjacent properties, and the night sky.

Landscaping

The project will provide landscaping all around the site, in front of the building storefronts at grade, within a raised landscaped planter with a monument sign at the corner of a Tyrone Avenue and Ventura Boulevard, and will include trellises for climbing vines along the exterior truck loading and parking walls fronting Moorpark Street. An approximate 3,000 square foot dog park at the rear of the site, will also include landscaping and trees. The project will add 31 new trees to the site, mostly all street trees along the three street frontages, as well as re-locate eight of existing palm trees at another location along the sidewalk right of way. As noted, the applicant will be improving the northwest corner of Tyrone Avenue and Moorpark Street by eliminating the right turn merge lane and creating an entrance to the site with improved crosswalk and landscaped medians on both sides where the crosswalks will converge to the site. As such, this project will be providing a generous amount of landscaping to site and within this commercial area and in accordance with Sherman Oaks Streetscape Plan.

Trash Collection

Trash and recycling areas will be located within the rear truck loading and back up area and will be enclosed with masonry walls and gates. This location is not within close distance of residential or neighboring properties and will be screened from public view.

Green Energy

Additionally, the project will provide EV ready and EV charged vehicle parking spaces as well as providing solar panels on 35 percent of rooftop area which will help to offset the electrical needs of the grocery store and perform a function that is beneficial to the

community as it will help to reduce the project's carbon footprint by accommodating electric vehicles and cleaner energy generation.

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

The project does not contain any residential uses.

Conditional Use Findings for Commercial Corner. (Pursuant to 12.22 A.23 and 12.24 W 27)

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

New development of the Subject Property to provide a high-end, full service specialty grocery store with a ground floor restaurant, retail space, and office space as well as an outdoor patio on the second level overlooking the subject corner and outdoor public plaza below the patio will be a benefit to the community and will revitalize the northeast corner of Ventura Boulevard and Tyrone Avenue by providing uses that are beneficial to the neighborhood.

The development will also enhance the built environment by replacing a vacant corner, previously used mostly for auto related uses and covered with asphalt, with a new attractive two-story modern building with two levels of subterranean parking and the addition of street trees and landscaping along the three street frontages.

The proposed specialty grocery store is requesting to be open for 24 hours daily to meet the needs of its patrons and operational requirements. The grocery store hours open to the public will be from 6 a.m. to 2 a.m. and the ancillary restaurant hours will be from 6 a.m. to 11 p.m. daily. The grocery store non-public hours from between 2 a.m. and 6 a.m. will be used to allow for stocking, cleaning of the store, food preparation, as well as truck deliveries as conditioned herein. The proposed hours for the grocery store use will be beneficial to an array of customers, including those who shop later in the evening due to different work schedules (e.g. other than 9 a.m. to 5 p.m.) or who prefer to shop later in the evening. The customer shopping hours are on par with other grocery stores in the area, such as Ralph's at Hazeltine Avenue and Ventura Boulevard, which is open 24 hours daily. The proposed 6 a.m. opening for the ancillary restaurant is to be able to serve coffee earlier in the morning than 7 a.m. Such broader range of hours is also beneficial in that it can disperse the number of people that may come to the site at one time.

As such, the 24 hour operation of the grocery store will provide better service to its patrons, provide coffee to early morning customers of the ancillary restaurant, and non-public operational hours will result in a more efficiently run store grocery store.

- 14. That 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 commercial project is located on a major commercial corridor of the San Fernando Valley and within the Sherman Oaks community. The two-story multi-tenant commercial building will be oriented with storefronts facing Ventura Boulevard and Tyrone Avenue. The proposed 44,729 square foot grocery store will be the main anchor tenant on the second level. Parking on site will be provided in two levels of subterranean parking with a small amount of grade level parking more central to the site and predominately

concealed from view behind the proposed storefronts and rear loading and truck back up area walls. Site access will be provided from Ventura Boulevard and Moorpark Street as well as from the public alley from Calhoun Avenue. The proposed commercial uses on site include retail, office, and restaurant space with outdoor patio and public plaza seating areas at the front corner of the site (at Ventura Boulevard and Tyrone Avenue).

The rear of the site along Moorpark Street will include a truck loading dock area and on-site truck back up area, and enclosed trash and recycling containers. The truck loading area will be screened from public view with a solid, approximate 13 ½ foot high wall. The truck back up area will be screened with a combination 6-foot block and wrought iron type wall. The exterior of both walls along the Moorpark Street frontage will have landscaping. Driveway access to the site from Moorpark Street will connect to the grade level parking area and driveway ramps to the subterranean parking levels, as well as to the east/west alley that bisects the site and the Ventura Boulevard driveway. A smaller loading area that can accommodate two smaller trucks, will be located approximately 90 feet into the site off the alley and will be screened with an 8-foot high wall.

Multi-family residential properties, zoned RD1.5-1-RIO, are located north and northeast of the site along Moorpark Street. A public library is also located across Moorpark Street in the RD1.5-1-RIO zone. Further north is a single family neighborhood, zoned R1-1-RIO. The closest residential property is a three story apartment building, approximately 112 feet northwest of the site, across the intersection of Tyrone Avenue and Moorpark Street.

Whereas most the of site activity would be oriented closest to Ventura Boulevard and occur within the permitted Commercial Corner hours of 7 a.m. to 11 p.m., grocery store conditions have been imposed herein for the proposed non-public hours of operation from 11 p.m. to 7 a.m. to include additional sound absorbing features within the truck loading area (acoustic material and sound absorbing truck lid) and will be limited to a maximum of one large truck delivery during that time. All other grocery store non-public uses (e.g. interior cleaning, food preparation, and stocking) will occur indoors. Parking lot cleaning and sweeping, trash collections, and truck deliveries for all other uses at the site, shall occur no earlier than 7 a.m., nor later than 8 p.m., Monday through Friday, and no earlier than 10 a.m., nor later than 4 p.m., on Saturdays and Sundays.

As such, the proposed 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, or the surrounding neighborhood.

Additionally, the project will provide EV ready and EV charged vehicle parking spaces (5 percent plus for any surplus parking) as well as providing solar panels on 35 percent of rooftop area which will help to offset the electrical needs of the grocery store and perform a function that is beneficial to the community as it will help to reduce the project's carbon footprint by accommodating electric vehicles and cleaner energy generation.

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

As discussed above (See Zone Change Finding 1) the project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and Ventura/Cahuenga Boulevard Corridor Specific Plan.

- 16. That based on data provided by the City Department of Transportation or by a licensed traffic engineer, that ingress to and egress from the project will not create a traffic hazard or cause significant traffic congestion or disruption of vehicular circulation on adjacent streets.**

The project has been reviewed and determined by the Department of Transportation (DOT) that ingress and egress from the project will not create a traffic hazard or cause significant traffic congestion or disruption of vehicular circulation on adjacent streets.

On August 8, 2017, DOT issued a Traffic Assessment for the project which concluded based on DOT's traffic impact criteria, that none of the seven signalized intersections as part of the study would be significantly impacted by project-related traffic.

Concerns was raised by the community regarding potential traffic impacts and safety hazards if left turns are allowed into and out of the site from Ventura Boulevard and Moorpark Street. A DOT condition has been imposed that left turns out of the site from Ventura Boulevard or Moorpark Street will be prohibited, however left turns into the site will be allowed as DOT explained more adverse impacts would result by limiting access to the site, such as drivers conducting U-turns or using residential streets in order access the site. Another condition has been imposed that delivery trucks shall be prohibited from turning left into the site.

In addition, the applicant will be required to make street dedications and improvements along all three street frontages. All such improvements will reduce traffic impacts to the area and improve circulation overall. Street improvements will be required to better facilitate left turns into the site from Moorpark Street and to deter left turns out of the site.

- 17. That project approval will not create or add to a detrimental concentration of Mini-Shopping Centers or Commercial Corner Developments in the vicinity of the proposed project.**

The project is a well-thought, high-end commercial project located on a prime commercial corner in the Sherman Oaks community. The main tenant is a 44,729 square foot grocery store at the second floor level. The project has been revised to add retail, restaurant, and office uses at the ground level. This addition at grade level will activate the commercial area in a positive way. The project has been conditioned to ensure the project will not be detrimental to the area.

Conditional Use Findings for Alcohol Sales. (Pursuant to 12.24.W.1)

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

The project is the development of a new two-story multi-tenant commercial building that will include a 44,729 square foot specialty grocery store and an ancillary 4,900 square foot restaurant. The grocery store will be located on the second level with a 2,052 square foot outdoor patio area at the southwest corner of the site. The associated restaurant will be located on the ground floor at the same corner. There will be internal access for patrons between both floors for the restaurant use and second level patio and grocery store. The ground floor restaurant will have a front entrance from the sidewalk area as well as a smaller outdoor eating area.

As discussed earlier (See Finding 5.a.), the development will enhance the built environment by replacing a vacant corner, previously used mostly for auto related uses and covered with asphalt, with a new attractive two-story modern building with two levels of subterranean parking and the addition of street trees and landscaping along the three street frontages.

The Applicant is seeking a Conditional Use for the sale of a full line of alcoholic beverages for on-site instructional tastings and off-site consumption in conjunction with a specialty grocery store and for on-site consumption in conjunction with the operation of the ancillary restaurant.

The availability of alcohol is an essential part of the project, as patrons of supermarkets generally expect these goods to be available. The same holds true for the restaurant which will be associated with the grocery store. The proposed restaurant will provide a place for people to relax in general and will provide an additional dining option for the community. The availability of alcohol in restaurants is also generally expected by patrons. The instructional tastings will provide a service to allow patrons to sample alcohol products for sale in the store before they purchase and to learn more about the product, such as food pairings, etc.

- 19. That 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 operational characteristics will be compatible with the surrounding neighborhood. The Grocery Store will be open to the public from 7 a.m. to 11 p.m. daily as will the restaurant and outdoor patio areas. The store layout will include a wine and spirits section near the back of the store and a designated beer section. All alcohol products that are not on display will be kept in backroom storage areas and will not be accessible to customers, in the form of sample tastings. At times, promotional and instructional alcohol tastings will be offered on-site on the grocery store sales floor. The alcohol products for on-site consumption will be housed within the restaurant, stored out of customer reach, and will be handled only by restaurant employees while serving alcohol. A security guard will be on site during normal business hours. Conditions have been imposed such as requiring employees to go through Star Training for alcohol sales and using an electronic age verification device, to ensure the operation of sales is handled within the confines of the law.

As detailed above, the proposed building and its activities will be compatible with the surrounding properties and uses. The proposed Project is consistent with the pattern of commercial uses in the immediate vicinity. The operational characteristics of the grocery store and ancillary restaurant featuring the sale of alcohol will not be detrimental to the properties in the immediate vicinity and the store will operate with due regard for the adjacent uses.

As such, the proposed Project's location, size, height, operations, and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties and the surrounding neighborhood.

- 20. That the project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable specific plan.**

According to the Community Plan, Sherman Oaks is characterized by "a mix of low level and high rise commercial and office developments along Ventura Boulevard" (Page I-2),

and the goals of the Ventura/Cahuenga Boulevard Corridor Specific Plan are “to assure an equilibrium between the transportation infrastructure and land use development...provide for an effective local circulation system; promote attractive and harmonious site design for multifamily and commercial development... promote and encourage the development of pedestrian activity, while reducing traffic congestion; and maintain the distinct character of each of the five Specific Plan communities located within its boundaries” (Page I-2). The proposed Project will meet several tenets of the Community Plan and Specific Plan, in support of these overarching goals and visions for commercial development in the Sherman Oaks community.

The requested specialty grocery use is in conformance with the objectives of the Community Plan for Commercial Land Uses. Specifically, Goal 2 is “a strong and competitive commercial sector which best serves the needs of the community through maximum efficiency and accessibility while preserving the historic commercial and cultural character of the district”. The establishment of a full service grocery store will serve the needs of the community and will overall provide products in conformance with the Community Plan Goal to provide a strong and competitive commercial sector. The establishment of a full service grocery store will serve the needs of the community. The sale of alcohol for off-site consumption and on-site consumption represents a small portion of the overall sales of the grocery store; however, it is a necessary component of the overall product offering and in conformance with the Community Plan Goal to provide a strong and competitive commercial sector.

The purposes identified in Section 2 of the Specific Plan pertinent to the proposed Project include Purpose D, which is “To assure a balance of commercial land uses in the Specific area that will address the needs of the surrounding communities and greater regional area.” Further consistent with the Specific Plan, the restaurant and grocery store will activate the street frontage on Ventura Boulevard and enhance the area with its designation as a Pedestrian Development District by creating pedestrian access along Ventura Boulevard and Tyrone Avenue and providing outdoor patios areas. The proposed grocery store is a neighborhood-serving use and will provide customers additional amenities as compared to a standard grocery store with its variety of organic produce and health foods and products in addition to a bona-fide restaurant. The proposed Project includes an attractive development and landscaping, ultimately creating an aesthetically pleasing development that will revitalize this commercial area.

As such (and as discussed in earlier Findings), the project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and the Ventura/Cahuenga Specific Plan.

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

The approval of the requested Conditional Use for the sale of a full line of alcoholic beverages for off-site consumption in conjunction with the specialty grocery store and for on-site alcohol consumption in conjunction with the operations of the ancillary restaurant will not adversely affect the welfare of the surrounding community. The proposed Project will provide a neighborhood serving use accessible to the entire community and will incorporate attractive commercial development design features.

As described in the findings above, the specialty grocery store will offer a wide range of goods and services, including specialized produce, meat and deli departments. There will be an in-store bakery and kitchen selling prepared meal items for take-out. The grocery store will also offer a sit-down bona fide restaurant for patrons. These various

departments will require numerous employment positions and present an opportunity for new jobs in the community. Additionally, the restaurant and grocery store hours will operate between 7 a.m. and 11 p.m. thus will not involve the late night sales of alcohol.

The proposed Project provides an opportunity to revitalize the Subject Property as it is currently improved with vacated commercial structures, formerly occupied with automotive care, car wash, fast-food and retail uses, and associated surface parking. The proposed grocery store will provide customers with a high-end retail service and will feature a bona fide ancillary restaurant. Surrounding commercial retail uses are independently operated and comprise a variety of services including restaurants, commercial and professional uses. The addition of these neighborhood serving uses will attract local residents to the area and revive a designated Neighborhood and General Commercial property with a new, attractive development that community resident's desire.

The success of the proposed specialty grocery store depends on its ability to provide a wide range of goods and services. Consumers at large grocery retailers expect that alcohol will be available along with everyday household food and supplies. The off-site sale of alcohol for the grocery store and the on-site sale of alcohol for the restaurant represent a small portion of the overall store sales, but is a critical component of the overall product offering. The overall product offering will ensure return customers and the viability of the grocery store into the future.

As such, the granting of the subject request will not adversely affect welfare of the community and, as outlined above, will benefit the economic vitality of the Sherman Oaks community.

- 22. That 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.**

The off-site alcohol sales will be incidental to the operation of the retail grocery store, which primarily offers a full line of groceries, health foods and products, and the on-site sales will be incidental to the operations of the restaurant, allowing customers to enjoy beverages while they dine. The on-site instructional tastings of a full line of alcohol will allow vendors to promote their products while customers shop.

As the proposed Project is located in an urbanized area and on a major commercial corridor – Ventura Boulevard – which features other neighborhood-serving, commercial uses, including grocery stores, restaurants, and bars which typically include alcohol sales, the requested Conditional Use is appropriate and compatible with such existing uses and will not have an adverse impact on these uses or nearby residential uses. It is not uncommon to find alcohol-serving establishments in an urban, Neighborhood and General Commercial designated area.

The Subject Property is located within Census Tract 1412.01. Per the California Department of Alcoholic Beverage Control ("ABC") there is an overconcentration of on-sale and off-sale licenses in Census Tract 1412.01, with 9 on-sale licenses (where 3 on-

sale licenses are allowed in the census tract) and 3 off-sale licenses (where 2 off-sale licenses are allowed). However, such concentration is not undue concentration in an urban, developed commercial area such as the one the Subject Property is located in. Nonetheless, a letter of public convenience or necessity will be requested for the proposed Project in response to the overconcentration.

According to statistics provided by LAPD (Van Nuys Division), which has jurisdiction over the subject property within Crime Reporting District No. 985 a total of 303 crimes were reported in 2016, (consisting of 229 Part I crimes and 74 Part II arrests), while the citywide average number of crimes was 180 and the high crime reporting district average of 215 crimes for the same period. Of the Part I crimes, the majority of crime was larceny (142). Of the Part II arrests in 2016, there were 7 Narcotics, 13 Liquor Law, 4 Public Drunkenness, 0 Disturbing the Peace, 0 Disorderly Conduct, and 13 DUI related arrests. Although the crimes for 2016 within the subject reporting district exceed the citywide average, this can be attributed to the Part I crime category instead of the Part II crimes which are usually associated with potential impacts involving alcohol use. These numbers do not reflect the total number of arrests in the subject reporting district over the accountable year. Arrests for this calendar year may reflect crimes reported in previous years.

- 23. The proposed use will not detrimentally affect nearby residentially zoned communities in the area of the City involved, after giving consideration to 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..**

Approval of the subject request will not detrimentally affect the nearby residential uses. As the Subject Property is predominantly surrounded by commercial, retail and restaurant uses along Ventura Boulevard, the only immediate residential zones are located across Moorpark Street to the north, with the only residential use being a 3-story, multifamily residential building caddy corner to the Subject Property to the northwest. As shown on the proposed Site Plan, the proposed Project will be oriented towards Ventura Boulevard. As situated, the customer activities associated with the grocery store will occur along the street frontage of Ventura Boulevard and coincide with the Neighborhood and General commercial land use designation, consistent with the commercial uses that characterize Ventura Boulevard.

The operations of the grocery store will ensure that the sale of alcohol for off-site consumption, the on-site instructional tastings, and the sale of alcohol for on-site consumption with the operation of the restaurant will not adversely affect the residential uses in the near vicinity. The grocery store will be operated by Wholefoods, a company that continues to demonstrate that they conduct the sale of alcoholic beverages in full compliance with the condition at the other locations in the City of Los Angeles. The hours of operation proposed for the grocery store and restaurant are limited to 7 a.m. to 11 p.m. and the use will be secondary to the operations of the specialty grocery store and restaurant. One security guard will be on-site during store business hours.

The granting of the subject request will not be detrimental to the nearby residential uses. Development of the Subject Property with a specialty grocery store is consistent with the pattern and proximity of commercial development along Ventura Boulevard and to the residential uses in the immediate vicinity to the north and south of the boulevard, and will provide the surrounding residents with a neighborhood amenity. The operational

characteristics and provision for on-site security will ensure that the Project operates in due regard for the adjacent uses.

Specific Plan Findings.

- 24. That the project substantially complies with the applicable regulations, findings, standards and provisions of the specific plan.**

The Specific Plan includes provisions regulating Floor Area, Setbacks, Lot Coverage, Driveways, Height Limits, Landscaping Requirements, Parking, and Signs. The project conforms to all provisions of the Specific Plan except for the Height, which has been granted a Specific Plan Exception. As such, the project substantially complies with the applicable regulations, findings, standards and provisions of the specific plan.

- 25. That the project incorporates mitigation measures, monitoring measures when necessary, or alternatives identified in the environmental review which would mitigate the negative environmental effects of the project, to the extent physically feasible.**

Mitigation measures and monitoring measures are included in the Conditions of Approval as per Mitigated Negative Declaration ENV 2016-3925-MND, adopted on October 12, 2017.

CEQA

The Deputy Advisory Agency found, based on the independent judgment of the decision-maker, after consideration of the whole of the administrative record, the project was assessed in Mitigated Negative Declaration, No. ENV-2016-3925-MND, adopted on October 12, 2017; and pursuant to CEQA Guidelines, Sections 15162 and 15164, no subsequent EIR, negative declaration, or addendum is required for approval of the project.