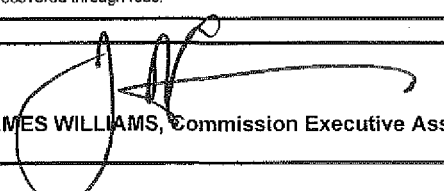


TRANSMITTAL TO CITY COUNCIL

Case No.(s)	Planning Staff Name(s), and Contact No.	C.D. No.
CPC-2007-4661-CU	THEODORE IRVING 213-978-1366	10
Items Appealable to Council:	Last Day to Appeal:	Appealed:
CU	MAY 18 2010	Yes ☒ No ☐
Location of Project (Include project titles, if any.)		
3650-3670 S. CRENSHAW BOULEVARD		
Name(s), Applicant / Representative, Address, and Phone Number.		
M AND A GABEE, INC. 9034 W. SUNSET BLVD. WEST HOLLYWOOD, CA 90069 REP: MILAN GARRISON MG RESOLUTIONS 595 E. COLORADO BLVD. 528 PASADENA, CA 91101 626-584-1098		
Name(s), Appellant / Representative, Address, and Phone Number.		
LORRI HIGGINGS CONCERNED CITIZENS OF NORTON AVENUE 3711 S. NORTON AVENUE LOS ANGELES, CA 90018 323-807-7212		
Final Project Description (Description is for consideration by Committee/Council, and for use on agendas and official public notices. If a General Plan Amendment and/or Zone Change case, include the prior land use designation and zone, as well as the proposed land use designation and zone change (i.e. "from Very Low Density Residential land use designation to Low Density land use designation and concurrent zone change from RA-1-K to (T)(Q)R1-1-K). In addition, for all cases appealed in the Council, please include in the description <u>only</u> those items which are appealable to Council.)		
Construction of a new, approximately 296,567 square-foot retail shopping center ("District Square") consisting of two two-story commercial buildings having a maximum height of 45 feet, and a total of 998 on-site parking spaces between on-grade and rooftop parking areas, on an approximately 6.5-acre (283,140-square-foot) parcel in the [Q]C2-1 Zones. The existing commercial improvements on the property, totaling approximately 85,100 square feet and a 406-stall on-grade parking lot, will be demolished and portions of the property fronting Crenshaw Boulevard will be dedicated and improved to widen the roadway, while public right vacations are proposed for Rodeo Place and an alley west of Norton Avenue.		
Fiscal Impact Statement *Determination states administrative costs are recovered through fees.	Environmental No.	Commission Vote:
Yes ☒ No ☐	ENV-2007-4662-MND	5-0
 JAMES WILLIAMS, Commission Executive Assistant I		Date: MAY 20 2010

MASTER APPEAL FORM

City of Los Angeles – Department of City Planning

ORIGINAL

APPEAL TO THE: Los Angeles City Council
(DIRECTOR, AREA PLANNING COMMISSION, CITY PLANNING COMMISSION, CITY COUNCIL)

REGARDING CASE #: CPC-2007-4661-CU,

PROJECT ADDRESS: 3650-3670 Crenshaw Boulevard, Los Angeles 90018

FINAL DATE TO APPEAL: May 18, 2010

- TYPE OF APPEAL:
1. ☐ Appeal by Applicant
 2. ☒ Appeal by a person, other than the applicant, claiming to be aggrieved
 3. ☐ Appeal by applicant or aggrieved person from a determination made by the Department of Building and Safety

APPELLANT INFORMATION – Please print clearly

Name: Lori Higgins for Concerned Citizens of Norton Avenue

- Are you filing for yourself or on behalf of another party, organization or company?

☒ Self ☒ Other: Concerned Citizens of Norton Avenue

Address: L. Higgins- C. Mueller 3711 S. Norton, Enoch Randolph 3665 S. Norton,

M. Lyum 3705 S. Norton D. Honda 3699 S. Norton Zip: 90018

Telephone: (323) 807-7212 E-mail: lori.higgins@gmail.com/greatart@sbcglobal.net

- Are you filing to support the original applicant's position?

☐ Yes ☒ No

ORIGINAL

REPRESENTATIVE INFORMATION

Name: Lori Higgins

Address: 3711 S. Norton Avenue

Los Angeles, CA Zip: 90018

Telephone: 323-807-7212 E-mail: lori.higgins@gmail.com/greatart@sbcglobal.net

This application is to be used for any appeals authorized by the Los Angeles Municipal Code for discretionary actions administered by the Department of City Planning.

JUSTIFICATION/REASON FOR APPEALING – Please provide on separate sheet.

Are you appealing the entire decision or parts of it?

☒ Entire

☐ Part

Your justification/reason must state:

- The reasons for the appeal
- How you are aggrieved by the decision
- Specifically the points at issue
- Why you believe the decision-maker erred or abused their discretion

ADDITIONAL INFORMATION/REQUIREMENTS

- Eight (8) copies of the following documents are required (1 original and 7 duplicates):
 - Master Appeal Form
 - Justification/Reason for Appealing document
 - Original Determination Letter
- Original applicants must provide the original receipt required to calculate 85% filing fee.
- Original applicants must pay mailing fees to BTC and submit copy of receipt.
- Applicants filing per 12.26 K "Appeals from Building Department Determinations" are considered original applicants and must provide notice per 12.26 K 7.
- Appeals to the City Council from a determination on a Tentative Tract (TT or VTT) by the City (Area) Planning Commission must be filed within 10 days of the written determination of the Commission.
- A CEQA document can only be appealed if a non-elected decision-making body (i.e. ZA, APC, CPC, etc...) makes a determination for a project that is not further appealable.

"If a nonelected decision-making body of a local lead agency certifies an environmental impact report, approves a negative declaration or mitigated negative declaration, or determines that a project is not subject to this division, that certification, approval, or determination may be appealed to the agency's elected decision-making body, if any."

--CA Public Resources Code § 21151 (c)

I certify that the statements contained in this application are complete and true:

Appellant Signature: _____

Date: _____

Planning Staff Use Only

Amount 102.35	Reviewed and Accepted by Jack Chiang	Date 5/17/2010
Receipt No. 282586	Deemed Complete by [Signature]	Date 5/18/10

☒

Determination Authority Notified

☐

Original Receipt and BTC Receipt (if original applicant)

Los Angeles City Planning Department
200 N. Spring Street
Room 272
Los Angeles, CA 90012-4801

Case No: CPC-2007-4661-CU
CEQA: ENV-2007-4662-MND

Location: 3650-3670 S. Crenshaw
Council District 10-Wesson

Applicant M and A Gabee, Inc.
Rep: Milan Garrison, MG Resolutions

Based on the *Conditional Use* n, in our opinion as property owners and residents of Norton Avenue, there are not enough constraints or changes invoked by the City Planning Commission to forego an environmental impact report, nor are there enough restrictions given to the development of the project known as District Square at 3650-3670 S. Crenshaw Boulevard.

In point,

A) There is a water table less than 10' below the surface of the proposed project. There is a significant potential for liquefaction of the ground in a seismic event.

B) The proposed area was previously a swamp, similar to the area below the 10 freeway overpass at La Cienega which was found to be seismically unsound during the earthquake of 1994. (The collapse of the freeway overpass resulted in a year of emergency repairs and closed the freeway for the duration of that time). It would stand to reason that there is a significant negative impact on the adjacent R1 properties in the event of a seismic event. The potential for this impact has not been assessed.

C) Long term heavy construction of the scope and magnitude of this project (which is oversized for the property) will impact the structural integrity of the adjacent homes based on heavy construction affecting the foundation base of these homes constructed in 1940. This effect needs to be addressed before any construction commences.

D) Impact to privacy, light, breeze, air quality, impacts are significant and the impact to the neighborhood has been dismissed as minimal by the City Planning Department. Many of the residents have gardens in their yards which will be affected by the shadow of the parking structure, the overflow of traffic fumes and trash blowing into the yards, which is already a problem from Ralphs.

E) Traffic containment and overflow into the existing residential neighborhood, which will be further impacted by the opening of the Light Rail Expo at Crenshaw and other north/south thoroughfares causing a marked increase in traffic flow, has not been addressed. Commuters even currently use the adjacent north/south streets of Norton and Grayburn to bypass traffic at Crenshaw and Rodeo. Drivers use excessive speed and carelessness in these situations. This will be increased exponentially by the Expo Rail and the proposed District Square.

F) Negative visual impact on the adjoining properties on Norton Avenue is egregious. The proposed structure is aesthetically displeasing and looms over the adjacent property.

G) Sound levels and fuel emission by increased deliveries, traffic and overflow traffic has not been addressed in a responsible manner.

H) Property devaluation based on the proximity of the site will be substantial.

I) The fact that the City Planning Commission feels that a mitigated 5' setback for a 35' foot wall, then a 10' setback for a 45' foot wall that abuts R-1 properties is acceptable is outrageous. The residents who are the most impacted have not been properly notified of this looming behemoth parking structure. The residential homes on Norton are at most 16' to the roof apex with a 6' wall at the back property line that will abut this 35' parking structure.

J) Impact of sound and light during the night cannot be curtailed by currently proposed changes; the homes constructed in 1940 do not have insulation or dual-paned sound proof glass, or vent buffers to minimize sound impact. Ralphs requested being relieved of the delivery hour restrictions currently in place to minimize disturbance to the residences.

Inadequate Review and Public Notice & Project Changes

In light of the above stated facts, and based on the push by the developer without proper notification to the property owners on Norton Avenue of the proposed development and the subsequent hearings, I am requesting this appeal to the determination.

The District Square project clearly violates and circumvents covenants and City Planning guidelines put in place to help protect communities from encroaching commercial developments for the sole use of recreational shopping and "for-profit" ventures.

The last notification of public hearing any of the residents received was for a January 27 hearing for alcoholic beverage license. One person on the street was the only one aware of any of the hearings and that is because she pursued the information with various public agencies and the developer. When the development renditions were sent out at her request, the elevation showing the scope of the wall adjacent to our property was conveniently left out of the package.

In light of these facts, we are presenting this appeal to the City Planning Commission and will file a similar petition with CEQA for the State of California for allowing this project to be fast tracked through appropriate channels and bypass the laws set in place to protect homeowners from unwanted development that impacts property values or owner's rights to a comfortable existence. This project clearly violates legal process and will negatively impact the adjoining R-1 property in a most dramatic fashion.

Lori Higgins
Concerned Citizens of Norton Avenue

Charlene Mueller, 3711 S. Norton Avenue
Armita Lipjanec 3711 S. Norton Avenue
Gleonna Higgins 3711 S. Norton Avenue
Lori Higgins 3711 S. Norton Avenue
Monique Lyum 3705 S. Norton Avenue
Renee Anderson 3675 S. Norton Avenue
Enoch Randolph 3665 S. Norton Avenue
Dixie Honda 3701 S. Norton Avenue
Willa Snorton 3714 S. Norton Avenue



Los Angeles CITY PLANNING COMMISSION

200 N. Spring Street, Room 272, Los Angeles, California, 90012-4801

(213) 978-1300

www.lacity.org/PLN/index.htm

Determination Mailing Date: MAY 03 2010

CASE NO.: CPC-2007-4661-CU

CEQA: ENV-2007-4662-MND

Location: 3650-3670 S. Crenshaw Blvd.

Council District: 10 – Wesson

Plan Area: West Adams-Baldwin Hills-Leimert

Request(s): Conditional Use

Applicant: M and A Gabee, Inc.

Rep: Milan Garrison, MG Resolutions

At its meeting on April 8, 2010, the following action was taken by the City Planning Commission:

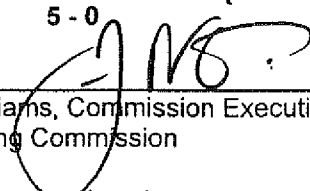
1. **Approved a Conditional Use** for a Major Commercial Development consisting of a 2-story, 45 feet in height, approximately 296,567 square-foot new commercial retail space on a 6.5-acre site.
2. **Approved a Conditional Use** for three (3) establishments for the sale and dispensing of a full-line of alcoholic beverages for off-site consumption in conjunction with a supermarket, a pharmacy and a retail use.
3. **Disapproved a Conditional Use** for the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with two sit-down type restaurant facilities within the shopping center development.
4. **Approved a Conditional Use** to allow a maximum 35 feet in building height setback 5 feet from the abutting R1 Zone and an additional 10 feet in building height to maximum of 45 feet in height setback 10 feet from the 35 feet height portion.
5. **Adopted the attached Conditions of Approval.**
6. **Adopted the attached Findings.**
7. **Adopted Mitigated Negative Declaration ENV-2007-4662-MND.**
8. **Advised** the applicant that, pursuant to California State Public Resources Code Section 21081.6, the city shall monitor or require evidence that any mitigation conditions are implemented and maintained throughout the life of the project and the city may require any necessary fees to cover the cost of such monitoring.
9. **Advised** the applicant that pursuant to State Fish and Game Code Section 711.4, a Fish and Game fee and/or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination (NOD) filing.

Fiscal Impact Statement: There is no General Fund impact as administrative costs are recovered through fees.

This action was taken by the following vote:

Moved: Freer
Seconded: Roschen
Ayes: Kezios, Romero, Woo
Absent: Cardoso, Burton, Holoman, Orozco

Vote: 5 - 0



James Williams, Commission Executive Assistant I
City Planning Commission

Appeals: Any aggrieved party may appeal the decision of the City Planning Commission to the City Council within 15 days after the mailing date of this determination. Any appeal not filed within the 15-day period shall not be considered by the Council. All appeals shall be filed on forms provided at the Planning Department's Public Counters at 201 N. Figueroa Street, Fourth Floor, Los Angeles, or at 6262 Van Nuys Boulevard, Suite 251, Van Nuys.

Final Appeal Date: MAY 18 2010

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Attachments: Conditions of Approval, Findings
City Planner: Theodore Irving

CONDITIONS OF APPROVAL

A. Entitlement Conditions

1. **Use.** The use and area regulations for the new development on-site shall be limited to those permitted in the [Q]C2-1 Zone as defined in Section 12.14 of the LAMC.
2. **Site Plan.** Prior to the issuance of any building permits, a revised detailed development plans including a site plan, elevations, facades, and architectural treatment, and landscaping / irrigation plans shall be submitted for review and approval by the Planning Department. The plans shall comply with the Los Angeles Municipal code, the subject conditions, and the intent of the subject permit authorization.
3. **Floor Area.** The floor area of all buildings shall be in conformance with the Height District No. 1.
4. **Height (Transitional).** The easterly wall shall be a maximum 35 feet in building height, setback 5 feet from the abutting R Zone and an additional 10 feet in building height to a maximum of 45 feet in height setback 10 feet from the 35 feet height portion.
6. **Parking.** Parking shall be provided in compliance with Los Angeles Municipal Code, Section 12.21-A 4.

B. Other Conditions

7. **Crenshaw Corridor Specific Plan.** Prior to the issuance of any building permit, the propose project shall obtain a Project Permit Compliance from the Crenshaw Corridor Specific Plan (Ordinance 178,230).
8. **Rodeo Road Elevation –**
 - a. A minimum 50% transparency shall be provided along the northerly elevation.
 - b. There shall be no block walls along Rodeo Road.
 - c. The second floor shall be setback from the first floor.
9. **Rear yard setback -** The proposed project shall observe a 5 feet setback from the rear property line abutting the R1 zone properties.
10. **Southerly Elevation -** Vines shall be installed along the southerly facing wall.
11. **Urban Design –** Prior to the issuance of any building permit, the applicant shall obtain an approval from the Planning Department's Urban Design Studio.
12. **Roof Top –** No lights shall be dispersed onto the R1 Zone properties (No light poles).
13. **Architectural & Building Design**
 - a. Projects shall be designed with articulation which provides variation and visual interest.

- b. Transparent building elements such as windows and doors shall occupy a minimum of 50% of the exterior wall surface of the ground floor façade.
- c. All exterior building walls shall provide a break in the plane, or a change in material, every 20 feet in horizontal length and every 15 feet in vertical length, created by an articulation or architectural detail, such as:

A change in plane of at least 6 inches for a distance of not more than 20 feet,
Recessed entryways, recessed windows, or pop out windows,
Porticoes, building overhangs, projections or cantilevered designs,
Other architectural features that create a visual break.

- d. Not more than 30% of the total exterior surface area of any building façade or of any visible side or rear elevation shall be free from architectural features or articulation(s).
 - e. All buildings shall apply at least two types of complementary building materials to exterior building facades. Accents such as decorative glass block, brick or tile, are materials that are encouraged as accents.
 - f. Building materials such as brick, stone, metal, glass, tile or any similar material shall be employed to provide relief to untreated portions of exterior building facades.
 - g. Architectural, ancillary, and open space features shall be incorporated into the overall design of the project.
 - h. All windows shall be made of transparent, non-reflective glass.
 - i. The eastern and northern facades of the parking structure shall be fully screened with landscaping and/or architectural cladding using materials and architectural features that complement the design of the main building.
 - j. The southern façade of the parking structure shall be articulated to detract from graffiti.
 - k. In accordance with the Green Building Program's Standard of Sustainability (Ordinance No. 179,820, effective November 1, 2008) the project shall meet the intent of LEED at the certified level. Formal certification by the USGBC is not required.
14. **Parking and Driveway Plan.** A preliminary parking area and driveway plan shall be prepared and submitted to the Bureau of Engineering and City Wide Planning Coordination Section of the Department of Transportation in consultation with Council Office No. 10 for approval prior to the submittal of building plans for plan check by the Department of Building and Safety.
15. **Driveway Access**
- a. One driveway access along Rodeo Road shall be permitted.
 - b. One driveway access for patrons and employees shall be permitted along Crenshaw Boulevard.
 - c. One driveway access for deliveries and employees shall be permitted along Crenshaw Boulevard.

16. **Commercial Delivery.** No delivery for commercial uses shall be permitted between the peak hours of 7:00 am to 9:00 am and between 5:00pm and 7:00 pm. delivery vehicles shall only queue onsite and not along Rodeo Road, Crenshaw Boulevard or other adjacent residential streets.
17. **Signage.**
 - a. On-site signs shall be limited to the maximum allowable under the Code. Multiple temporary signs in the store windows and along the building walls are not permitted.
 - b. On-site Signs are limited to the minimum (total number of signs) necessary to identify a business name, a company name logo, a generic type of business identification, the name of a single business entity or building, and the site address.
 - c. Information signs are limited to those which provide circulation/parking directions, instructions tenant restriction or address numerals.
18. **Prohibited Signs.** Pole signs, roof signs, projecting signs, neon signs window signs or posters, mural signs, electronic message signs, portable or sandwich signs, temporary or permanent banners or flags (including but not limited to those attached to or suspended from tress, walls, fences or light fixtures or any other structure/pole), balloons, paintings, and off-site advertising signs. No signs with flashing, mechanical, strobe or blinking lights, or moving parts are permitted.
19. **Bicycle Parking.** Bicycle racks/storage facilities shall be provided on-site, as required by the LAMC Section 12.21-A, 16,
 - a. A portion of the bicycle parking spaces shall be provided near the retail entrances at Crenshaw Boulevard and Rodeo Road.
 - b. The bicycle parking space shall be shown on the revised plans and the majority shall be located at ground level.
 - c. Showers, racks and other amenities shall be incorporated into the proposed project.
20. **Public Dedication and Improvements.**
 - a. **Crenshaw Boulevard** (Scenic Major Highway – Class I) a 13-foot wide and variable width strip of land along the property frontage where there are no existing buildings to remain to complete a 64-foot half right-of-way in accordance with Scenic Major Highway – Class I standards as designated in the West Adams-Baldwin Hills-Leimert Community Plan, and a 20-foot radius property line return at the intersection with Rodeo Road.
 - b. **Rodeo Road** (Secondary Highway) – A 5-foot wide strip of land along the property frontage shall be dedicated to complete a 45-foot half right of way in accordance with the Secondary Highway Street Standards.
 - c. **Rodeo Place** (Local Street) – None. A street vacation request has been submitted and is currently being processed under Council File No 07-2182. This vacation request has not been approved by the City Council.

- d. **Alley (South of Rodeo Road)** – None. An alley vacation request has been submitted and is currently being processed under Council File No. 07-2182. This vacation request has not been approved by the City Council.
- e. **Crenshaw Boulevard** – Construct additional surfacing to join the existing improvements to provide a 52-foot half roadway in accordance with Scenic Major Highway Class I standards as designated in the West Adams-Baldwin Hills-Leimert Community Plan., including asphalt pavement, an access ramp at the corner with Rodeo Road, Case II standards driveways, integral concrete curb, 2-foot gutter and a 12-foot full width concrete sidewalk. These improvements should transition and suitably join the existing improvements.
- f. **Rodeo Road** - Construct additional surfacing to join the existing improvements to provide a 30-foot half roadway, including asphalt pavement, integral concrete curb, 2-foot gutter and a 13-foot full width concrete sidewalk. These improvements should transition and suitably join the existing improvements.
- g. **Bureau of Street Lighting** - Prior to issuance of the Certificate of Occupancy (C of O), street lighting improvement plans shall be submitted for review and the owner shall provide a good faith effort via a ballot process for the formation or annexation of the property within the boundary of the development into a Street Lighting Maintenance Assessment District.

Improvement Condition - Construct new street light: one (1) on Rodeo Rd. and two (2) Rodeo Pl. If street widening per BOE improvement conditions, relocate and upgrade street lights; three (3) on Rodeo Rd., seven (7) on Crenshaw Bl., and one (1) on Rodeo Pl.

- h. **Metro Bus Operation** -Metro Bus Operations Control Special Events Coordinators shall be contacted at 213.922.4632 regarding construction activities that may impact Metro bus lines. Other Municipal Bus Service Operators may also be impacted and therefore shall be included in construction outreach efforts.

C. Alcohol Sales (Off-Site)

- 21. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission to impose additional corrective Conditions, if, in the Commission's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
- 22. Sales of alcoholic beverages for off-site sales shall be permitted only between the hours of 7:00 a.m. and 11:00 p.m., 7 days a week.
- 23. The sale of alcohol for on-site consumption is strictly prohibited.
- 24. The Petitioner(s) shall be responsible for maintaining, free of litter, the area and adjacent areas of the premises over which it has control.
- 25. Each individual owner/operator of an alcoholic beverage license shall filed an application for conditional use plan approval for each alcohol use at the facility in order to implement and utilize the permit at each of the proposed alcohol sales sites. The application must be accompanied by a payment of appropriated fees and must be accepted as complete by the Planning department public counter.

26. Prior to issuance of any permits relative to this matter, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement for CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. This agreement with the conditions attached must be submitted to the Department of City Planning for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the subject case file.

D. Environmental Conditions

27. Aesthetics (Landscaping).

- a. All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the decision maker.
- b. The landscape plan shall incorporate clinging vines along the eastern side of the project such that they will cover the exposed portions of the building/parking structure visible to the eastern abutting residential properties. A higher priority for coverage shall be given to the portions of the building higher than 25 feet.
- c. Aesthetics (Surface Parking) The average albedo of all surfaces of the entire project (including buildings, walls, surfaces, building roofs, etc., not limited to landscape) shall be 0.45 or greater.

28. Aesthetics (Graffiti)

- a. Every building, structure, or portion thereof, shall be maintained in a safe and sanitary condition and good repair, and free from graffiti, debris, rubbish, garbage, trash, overgrown vegetation or other similar material, pursuant to Municipal Code Section 91.8104.
- b. The exterior of all buildings and fences shall be free from graffiti when such graffiti is visible from a public street or alley, pursuant to Municipal Code Section 91,8104.15.
- c. Aesthetics (Signage) On-site signs shall be limited to the maximum allowable under the Code.
- d. Multiple temporary signs in the store windows and along the building walls are not permitted.

29. **Aesthetics (Light).** Outdoor lighting shall be designed and installed with shielding, so that the light source cannot be seen from adjacent residential properties.

30. **Aesthetics (Glare).** The exterior of the proposed building shall be constructed of materials such as high-performance tinted non-reflective glass and pre-cast concrete or fabricated wall surfaces.

31. Greenhouse Gas Emissions.

- a. The project shall either: a) Exceed 2005 Title 24 building energy efficiency minimum requirements by a minimum of 14%, or b) meet/exceed 2008 Title 24 building energy efficiency minimum requirements. Only low- and non-VOC-containing paints, sealants, adhesives, and solvents shall be utilized in the construction and maintenance of the project.
- b. The applicant shall install demand (tankless or instantaneous) water heater systems sufficient to serve the anticipated needs of the restrooms within the project.

32. Air Pollution (Stationary) - An air filtration system shall be installed and maintained with filters meeting or exceeding the ASHRAE Standard 52.2 Minimum Efficiency Reporting Value (MERV) of 12, to the satisfaction of the Department of Building and Safety.**33. Air Quality (Objectionable Odors)** The trash receptacle shall be relocated at least 50 feet from the property line of any adjacent residential property.**34. Tree Removal (Non-Protected Trees)**

- a. Prior to the issuance of any permit, a plot plan shall be prepared indicating the location, size, type, and general condition of all existing trees on the site and within the adjacent public right(s)-of-way.
- b. All significant trees (8-inch or greater trunk diameter, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) on the site proposed for removal shall be replaced at a 1:1 ratio with a minimum 24-inch box tree.
- c. Landscape Plan shall be prepared, indicating the location of all replacement trees, to the satisfaction of the decision-maker. Net, new trees, located within the parkway of the adjacent public right(s)-of-way, may be counted toward replacement tree requirements.
- d. Removal or planting of any tree in the public right-of-way requires approval of the Board of Public Works. Contact Urban Forestry Division at: 213-485-5675. All trees in the public right-of-way shall be provided per the current standards of the Urban Forestry Division the Department of Public Works, Bureau of Street Services.

35. Cultural Resources (Archaeological). Human Remains)

- a. In the event that human remains are discovered during excavation activities, the following procedure shall be observed: Stop immediately and contact the County Coroner:

1104 N. Mission Road
Los Angeles, CA 90033
323-343-0512 (8 a.m. to 5 p.m. Monday through Friday) or
323-343-0714 (After Hours, Saturday, Sunday, and Holidays)

The coroner has two working days to examine human remains after being notified by the responsible person. If the remains are Native American, the Coroner has 24 hours to notify the Native American Heritage Commission. The Native American

Heritage Commission will immediately notify the person it believes to be the most likely descendent of the deceased Native American. The most likely descendent has 48 hours to make recommendations to the owner, or representative, for the treatment or disposition, with proper dignity, of the human remains and grave goods. If the descendent does not make recommendations within 48 hours the owner shall reinter the remains in an area of the property secure from further disturbance, or;

- b. If the owner does not accept the descendant's recommendations, the owner or the descendent may request mediation by the Native American Heritage Commission.
- c. Discuss and confer means the meaningful and timely discussion careful consideration of the views of each party.
- d. If any archaeological materials are encountered during the course of project development, all further development activity shall halt and: The services of an archaeologist shall then be secured by contacting the South Central Coastal Information Center (657-278-5395) located at California State University Fullerton, or a member of the Society of Professional Archaeologist (SOPA) or a SOPA-qualified archaeologist, who shall assess the discovered material(s) and evaluate the impact.
- e. The archaeologist's survey, study or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource.
- f. The applicant shall comply with the recommendations of the evaluating archaeologist, as contained in the survey, study or report.
- g. Project development activities may resume once copies of the archaeological survey, study or report are submitted to:

SCCIC Department of Anthropology
McCarthy Hall 477
CSU Fullerton
800 North State College Boulevard
Fullerton, CA 92834

- h. A covenant and agreement binding the applicant to this condition shall be recorded prior to obtaining a grading permit.

36. Cultural Resources (Paleontological)

- a. If any paleontological materials are encountered during the course of project development, all further development activities shall halt and: The services of a paleontologist shall then be secured by contacting the Center for Public Paleontology - USC, UCLA, California State University Los Angeles, California State University Long Beach, or the Los Angeles County Natural History Museum, who shall assess the discovered material(s) and evaluate the impact.
- b. The paleontologist's survey, study or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource.
- c. The applicant shall comply with the recommendations of the evaluating paleontologist, as contained in the survey, study or report.

- d. Project development activities may resume once copies of the paleontological survey, study or report are submitted to the Los Angeles County Natural History Museum.
 - e. A covenant and agreement binding the applicant to this condition shall be recorded prior to obtaining a grading permit.
37. **Seismic.** The design and construction of the project shall conform to the California Building Code seismic standards as approved by the Department of Building and Safety.
38. **Haul Routes.**
- a. Projects involving the import/export of 1,000 cubic yards or more of dirt shall obtain haul route approval by the Department of Building and Safety.
 - b. The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety. Fences shall be constructed around the site to minimize trespassing, vandalism, short-cut attractions and attractive nuisances.
39. **Erosion/Grading/Short-Term Construction Impacts (Air Quality)**
- a. All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50 percent.
 - b. The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by construction and hauling, and at all times provide reasonable control of dust caused by wind.
 - c. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
 - d. All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
 - e. All clearing, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
 - f. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
40. **Erosion/Grading/Short-Term Construction Impacts (Noise)**
- a. The project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
 - b. Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.
 - c. Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously.

- d. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- e. The project sponsor shall comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment.

41. General Construction.

- a. All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, wood, and vegetation. Non recyclable materials/wastes shall be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.
- b. Leaks, drips and spills shall be cleaned up immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- c. Pavement shall not be hosed down at material spills. Dry cleanup methods shall be used whenever possible.
- d. Dumpsters shall be covered and maintained. Uncovered dumpsters shall be placed under a roof or be covered with tarps or plastic sheeting.
- e. Gravel approaches shall be used where truck traffic is frequent to reduce soil compaction and the tracking of sediment into streets shall be limited.
- f. All vehicle/equipment maintenance, repair, and washing shall be conducted away from storm drains. All major repairs shall be conducted off-site. Drip pans or drop clothes shall be used to catch drips and spills.

42. Liquefaction.

- a. The project shall comply with measures addressing liquefaction potential, based upon a geotechnical report approved by the Department of Building and Safety (Log # 67043), and as such Approval Letter may be later modified or amended.
- b. Perchloroethylene (PCE) Remediation. Prior to the issuance of any permit, including demolition, grading, use of land, or construction, the applicant shall obtain a sign-off from the Los Angeles Fire Department indicating that either: 1) identified soil and groundwater contamination originating from the property has been remediated to the satisfaction of the California Regional Water Quality Control Board; or 2) that a remediation plan has been approved by the RWQCB, and that the project design does not impair its implementation. In either case, a copy of the communication from the RWQCB shall be submitted to the Planning Department's environmental case file ENV 2007-4662-MND for retention.

43. Explosion/Release (Asbestos Containing Materials).

- a. Prior to the issuance of any demolition permit, the applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant that no ACM are present in the building. If ACM are found to be present, it

will need to be abated in compliance with the South Coast Air Quality Management District's Rule 1403 as well as all other State and Federal rules and regulations.

- b. Prior to issuance of any permit for demolition or alteration of the existing structure(s), a lead-based paint survey shall be performed to the written satisfaction of the Department of Building and Safety. Should lead-based paint materials be identified, standard handling and disposal practices shall be implemented pursuant to OSHA regulations.

44. Commercial & Industrial Development (Lot Size 43,560 sf)

- a. Project applicants are required to implement stormwater BMPs to treat and infiltrate the runoff from a storm event producing 3/4 inch of rainfall in a 24 hour period. The design of structural BMPs shall be in accordance with the Development Best Management Practices Handbook Part B Planning Activities. A signed certificate from a California licensed civil engineer or licensed architect that the proposed BMPs meet this numerical threshold standard is required.
- b. Post development peak stormwater runoff discharge rates shall not exceed the estimated pre-development rates for developments where the increase peak stormwater discharge rate will result in increased potential for downstream erosion.
- c. Maximize trees and other vegetation at each site by planting additional vegetation, clustering tree areas, and promoting the use of native and/or drought tolerant plants.
- d. Promote natural vegetation by using parking lot islands and other landscaped areas.
- e. Cover loading dock areas or design drainage to minimize run-on and run-off of stormwater.
- f. Direct connections to storm drains from depressed loading docks (truck wells) are prohibited.
- g. Repair/maintenance bays must be indoors or designed in such a way that doesn't allow stormwater run-on or contact with stormwater runoff.
- h. Design repair/maintenance bay drainage system to capture all washwater, leaks and spills. Connect drains to a standard sump for collection and disposal. Direct connection of the repair/maintenance bays to the storm drain system is prohibited. If required, obtain an Industrial Waste Discharge Permit.
- i. Vehicle/equipment wash areas must be self-contained and/or covered, equipped with a clarifier, or other pretreatment facility, and properly connected to the sanitary sewer.
- j. Any connection to the sanitary sewer must have authorization from the Bureau of Sanitation.
- k. The following activities are to be conducted under proper cover with drain routed to the sanitary sewer.
 - Storage of industrial wastes
 - Handling or storage of hazardous wastes

- Metal fabrication or Pre-cast concrete fabrication
 - Welding, Cutting or Assembly
 - Painting, Coating or Finishing
- l. Store above ground liquid storage tanks (drums and dumpsters) in areas with impervious surfaces in order to contain leaks and spills.
 - m. Install a secondary containment system such as berms, dikes, liners, vaults, and double-wall tanks. Where used oil or dangerous waste is stored, a dead-end sump should be installed in the drain.
 - n. Toxic wastes must be discarded at a licensed regulated disposal site. Store trash dumpsters both under cover and with drains routed to the sanitary sewer or use non-leaking and water-tight dumpsters with lids. Use drip pans or absorbent materials whenever grease containers are emptied. Wash containers in an area with properly connected sanitary sewer.
 - o. Reduce and recycle wastes, including: paper; glass; aluminum; oil; and grease.
 - p. Reduce the use of hazardous materials and waste by: using detergent-based or water-based cleaning systems; and avoid chlorinated compounds, petroleum distillates, phenols, and formaldehyde.
 - q. Cleaning of vehicles and equipment to be performed within designated covered or bermed wash area paved with Portland concrete, sloped for wash water collection, and with a pretreatment facility for wash water before discharging to properly connected sanitary sewer with a CPI type oil/water separator. The separator unit must be: designed to handle the quantity of flows; removed for cleaning on a regular basis (at least twice a year) to remove any solids; and the oil absorbent pads must be replaced regularly, once in fall just before the wet season, and in accordance with manufacturer' specifications.
 - r. All storm drain inlets and catch basins within the project area must be stenciled with prohibitive language (such as NO DUMPING - DRAINS TO OCEAN) and/or graphical icons to discourage illegal dumping.
 - s. Legibility of stencils and signs must be maintained.
 - t. Materials with the potential to contaminate stormwater must be: (1) placed in an enclosure such as, but not limited to, a cabinet, shed, or similar stormwater conveyance system; or (2) protected by secondary containment structures such as berms, dikes, or curbs.
 - u. The storage area must be paved and sufficiently impervious to contain leaks and spills.
 - v. The storage area must have a roof or awning to minimize collection of stormwater within the secondary containment area.
 - w. The owner(s) of the property will prepare and execute a covenant and agreement (Planning Department General form CP-6770) satisfactory to the Planning Department binding the owners to post construction maintenance on the structural

BMPs in accordance with the Standard Urban Stormwater Mitigation Plan and or per manufacturer's instructions.

45. Food Service Industry (Restaurants, Bakeries, Food Processors)

- a. Applicants must meet the requirements of the Standard Urban Stormwater Mitigation Plan (SUSMP) approved by Los Angeles Regional Water Quality Control Board, including the following: (A copy of the SUSMP can be downloaded at: <http://www.swrcb.ca.gov/rwqcb4/>).
- b. Cleaning of oily vents and equipment to be performed within designated covered area, sloped for wash water collection, and with a pretreatment facility for wash water before discharging to properly connected sanitary sewer with a CPI type oil/water separator. The separator unit must be: designed to handle the quantity of flows; removed for cleaning on a regular basis to remove any solids; and the oil absorbent pads must be replaced regularly according to manufacturer's specifications.
- c. Store trash dumpsters both under cover and with drains routed to the sanitary sewer or use non-leaking and water tight dumpsters with lids. Wash containers in an area with properly connected sanitary sewer.
- d. Store liquid storage tanks (drums and dumpsters) in designated paved areas with impervious surfaces in order to contain leaks and spills.
- e. Install a secondary containment system such as berms, curbs, or dikes. Use drip pans or absorbent materials whenever grease containers are emptied.
- f. Applicants are encouraged to incorporate the prescriptive methods into the design plans. These Prescriptive Methods can be obtained at the Public Counter or downloaded from the City's website at www.lastormwater.org.
- g. Parking Lots with 25 or More Spaces or 5,000 Square-feet of Lot Area (Residential, Commercial, Industrial, Public Facility)
- h. Applicants must meet the requirements of the Standard Urban Stormwater Mitigation Plan (SUSMP) approved by Los Angeles Regional Water Quality Control Board, including the following: (A copy of the SUSMP can be downloaded at: <http://www.swrcb.ca.gov/rwqcb4/>).
- i. Trash container areas must have drainage from adjoining roofs and pavement diverted around the area(s).
- j. Trash container areas must be screened or walled to prevent off-site transport of trash.
- k. Reduce impervious land coverage of parking lot areas.
- l. Infiltrate runoff before it reaches the storm drain system.
- m. Runoff must be treated prior to release into the storm drain. Three types of treatments are available, (1) dynamic flow separator; (2) a filtration or (3) infiltration. Dynamic flow separator uses hydrodynamic force to remove debris, and oil and grease, and are located underground. Filtration involves catch basins with filter inserts. Filter inserts must be inspected every six months and after major storms,

cleaned at least twice a year. Infiltration methods are typically constructed on-site and are determined by various factors such as soil types and groundwater table.

- n. Applicants are encouraged to incorporate the prescriptive methods into the design plans. These Prescriptive Methods can be obtained at the Public Counter or downloaded from the City's website at: www.lastormwater.org.
- 46. **Flooding/Tidal Waves.** The project shall comply with the requirements of the Flood Hazard Management Specific Plan, Ordinance No. 172081 effective 7/3/98.
- 47. **Increased Noise Levels (Parking Wall).** A minimum 6-foot in height solid decorative masonry wall shall be constructed between any ground-level driveway or parking area and abutting residentially-zoned properties if no such wall exists.
- 48. **Increased Noise Levels (Parking Structure Ramps).**
 - a. Concrete, not metal, shall be used for construction of parking ramps.
 - b. The interior ramps shall be textured to prevent tire squeal at turning areas.
 - c. Parking lots located adjacent to residential buildings shall have a solid decorative wall adjacent to the residential.
- 49. **Increased Noise Levels (Retail Markets, Bars, Entertainment etc...).** No window openings shall be permitted along the residential sides of the building.
- 50. **Public Services (Fire).**
 - a. The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features:
 - fire lanes, where required, shall be a minimum of 20 feet in width;
 - all structures must be within 300 feet of an approved fire hydrant
 - entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.
 - b. Prior to the review and approval of plans by the Department of Building and Safety, the applicant shall obtain written communication from the Fire Department indicating the need, if any, for upgrades necessary to the capacity of existing fire mains in order to adequately serve the project. The need for such upgrades shall be so noted on the plans.
 - c. Prior to the issuance of a building permit, and to the satisfaction of the Fire Department, the applicant shall provide for adequate off-site public and on-site private fire hydrants.
- 51. **Public Services (Police General).** The plans shall incorporate the design guidelines relative to security, semi-public and private spaces, which may include but not be limited to access control to building, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public space designed with a minimum of dead space to

eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provision of security guard patrol throughout the project site if needed. Please refer to Design Out Crime Guidelines: Crime Prevention Through Environmental Design published by the Los Angeles Police Department's Crime Prevention Section (located at Parker Center, 150 N. Los Angeles Street, Room 818, Los Angeles, (213)485-3134. These measures shall be approved by the Police Department prior to the issuance of building permits. Upon completion of construction, the applicant shall provide the local Commanding Officer with as-built floor plans of the entire property. The plan(s) shall include access routes, unit numbers, and any information that might facilitate police response. The project shall not incorporate features that preclude installation of video surveillance of all publically accessible areas, including parking areas.

52. **Public Services (Street Improvements Not Required By DOT).** The project shall comply with the Bureau of Engineering's requirements for street dedications and improvements that will reduce traffic impacts in direct portion to those caused by the proposed project's implementation. To the satisfaction of the Department of Public Works, all existing water main, sewer, stormdrain, power, telecommunication, television cable, or any other such infrastructure located within or above the rights-of-way proposed for vacation shall be relocated.
53. **Bus Stop Displacement.**
 - a. Prior to the issuance of a building permit, the applicant shall prepare and record a Covenant and Agreement, to the satisfaction of the decision-maker, which requires the following to be fulfilled by the applicant, owner, heir, or assign at a time prior to the issuance of a temporary or final Certificate of Occupancy: Relocate any Metropolitan Transportation Authority bus stop or infrastructure temporarily displaced as a result of construction activities and upgrade shelters, benches, and lighting according to the agency's standard plan for that location.
 - b. Relocate any Los Angeles Department of Transportation bus stop or infrastructure temporarily displaced as a result of construction activities and upgrade shelters, benches, and lighting according to the agency's standard plan for that location.
54. **Increased Vehicle Trips/Congestion.**
 - a. Prior to the issuance a building permit, the applicant shall submit a Construction Site Traffic Control Plan to the Department of Transportation for review and approval. The plan shall show the location of any roadwork or sidewalk closures, traffic detours, haul routes, hours of operation, protective devices, warning signs and access to abutting properties.
 - b. Prior to the issuance of a building permit, the applicant shall, to the satisfaction of the decision-maker, prepare and submit a Transportation Demand Management plan for review and approval. Such plan must have been reviewed and approved by the Department of Transportation and Community Redevelopment Agency prior to submittal.
 - c. Prior to the issuance of a building permit, the applicant shall, to the satisfaction of the decision-maker, prepare and record a Covenant and Agreement to monitor and submit annual reports on the implementation of the Transportation Demand Management plan to the Department of Transportation.

- d. All construction-related traffic shall be restricted to off-peak hours.

55. Safety Hazards.

- a. The applicant shall submit a parking and driveway plan that incorporates design features that reduce accidents, to the Bureau of Engineering and the Department of Transportation for approval.
- b. Prior to plan check submittal to LADBS, submit a site and/or driveway plan, scaled at least 1 inch = 40 feet, to: LADOT Construction Services Center, 201 N Figueroa Street, #400 (Counter No. 3), Los Angeles, 90012.
- c. Two-way driveways shall be 30 feet wide and one-way driveways shall be 16 feet wide, exclusive of side slopes. Street improvements required per LAMC 12.37-A must be cleared by the Bureau of Engineering prior to issuance of LADOT project approval.

- 56. Inadequate Emergency Access.** The applicant shall submit a parking and driveway plan to the Bureau of Engineering and the Department of Transportation for approval that provides code-required emergency access.

- 57. Wastewater Generation.** Prior to the issuance of a building permit, the applicant shall post a bond to provide for upgrades to the existing sanitary sewer system infrastructure, as determined by the Bureau of Sanitation, in order to adequately serve the project.

- 58. Utilities (Local or Regional Water Supplies).** The project shall comply with Ordinance No. 170,978 (Water Management Ordinance), which imposes numerous water conservation measures in landscape, installation, and maintenance (e.g. use drip irrigation and soak hoses in lieu of sprinklers to lower the amount of water lost to evaporation and overspray, set automatic sprinkler systems to irrigate during the early morning or evening hours to minimize water loss due to evaporation, and water less in the cooler months and during the rainy season). If conditions dictate, the Department of Water and Power may postpone new water connections for this project until water supply capacity is adequate.

59. New Construction, Commercial/Industrial Remodel, Condominium Conversions, and Adaptive Reuse.

- a. Unless otherwise required, and to the satisfaction of the Department of Building and Safety, the applicant shall install: High-efficiency toilets (maximum 1.28 gpf), including dual-flush water closets, and high-efficiency urinals (maximum 0.5 gpf), including no-flush or waterless urinals, in all restrooms as appropriate. Rebates may be offered through the Los Angeles Department of Water and Power to offset portions of the costs of these installations.
- b. Restroom faucets with a maximum flow rate of 1.5 gallons per minute.
- c. Single-pass cooling equipment shall be strictly prohibited from use. Prohibition of such equipment shall be indicated on the building plans and incorporated into tenant lease agreements. (Single-pass cooling refers to the use of potable water to extract heat from process equipment, e.g. vacuum pump, ice machines, by passing the water through equipment and discharging the heated water to the sanitary wastewater system.)

60. **All New Commercial and Industrial.** Unless otherwise required, all restroom faucets shall be of a self-closing design, to the satisfaction of the Department of Building and Safety.
61. **Landscaping.** In addition to the requirements of the Landscape Ordinance, the landscape plan shall incorporate the following:
- a. Weather-based irrigation controller with rain shutoff;
 - b. Matched precipitation (flow) rates for sprinkler heads;
 - c. Drip/microspray/subsurface irrigation where appropriate;
 - d. Minimum irrigation system distribution uniformity of 75 percent;
 - e. Proper hydro-zoning, turf minimization and use of native/drought tolerant plan materials; and
 - f. Use of landscape contouring to minimize precipitation runoff.
 - g. A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for irrigated landscape areas totaling 5,000 sf. and greater, to the satisfaction of the Department of Building and Safety.
62. **Utilities (Solid Waste).**
- a. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. These bins shall be emptied and recycled accordingly as a part of the project's regular solid waste disposal program.
 - b. Prior to the issuance of any demolition or construction permit, the applicant shall provide a copy of the receipt or contract from a waste disposal company providing services to the project, specifying recycled waste service(s), to the satisfaction of the Department of Building and Safety. The demolition and construction contractor(s) shall only contract for waste disposal services with a company that recycles demolition and/or construction-related wastes.
 - c. To facilitate onsite separation and recycling of demolition and construction-related wastes, the contractor(s) shall provide temporary waste separation bins onsite during demolition and construction. These bins shall be emptied and recycled accordingly as a part of the project's regular solid waste disposal program.

E. Administrative Conditions of Approval

63. **Utilities (Solid Waste). Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Planning Department for placement in the subject file.
64. **Code Compliance.** Area, height and use regulations of the [Q]C2-1 zone classification of the subject property shall be complied with, except where herein conditions are more restrictive.
65. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assign. The agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Planning Department for attachment to the file.

66. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public officials, legislation or their successors, designees or amendment to any legislation.
67. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Planning Department and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
68. **Building Plans.** Page 1 of the grants and all the conditions of approval shall be printed on the building plans submitted to the City Planning Department and the Department of Building and Safety.
69. **Indemnification.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

FINDINGS

1. **General Plan Land Use Designation.** The subject site is located in the West Adams-Baldwin Hills-Leimert Community Plan. The Community Plan map designates the property for Community Commercial land uses with the corresponding zone of C2 and Height District No. 1. The subject property is zoned [Q]C2-1 and is approximately 6.5-acres, (approximately 283,140 square feet). The zone permits uses consistent with retail stores, shops, or businesses including grocery, dining, clothing, entertainment, home decorations or home improvements and other goods and services that are being considered for the proposed development. The zone also permits courtyards, plazas, parking structures and other uses incidental to primary commercial uses. The proposed project is permitted in the [Q]C2-1 Zone, no changes to the land use designation or zone is being requested.

2. **General Plan Text.** The West Adams-Baldwin Hills-Leimert Community Plan text includes relevant land use discussions:

The commercial land use policies reflect the need to locate new commercial uses in the community to facilitate convenient shopping and easy access to professional services. New and rehabilitated office space can be established in the commercial centers (nodes) and areas designated for mixed use, proposed transit oriented districts and pedestrian oriented areas. Redevelopment of existing commercial strips and areas, and conversion of existing structures to more appropriate uses should result in the physical and aesthetic upgrading of these areas.

Objective 1-1 To conserve and strengthen viable commercial development.

Policies

1-1.1 New commercial uses shall be located in existing, established commercial areas or existing shopping centers.

1-1.3 Commercial areas should be consolidated and deepened to stimulate existing businesses, create opportunities for new development and off-street parking, expand the variety of goods and services, and improve shopping convenience as well as offer local employment.

Objective 1-4 To attract uses which strengthen the economic base and expand the market opportunities for existing and new businesses.

Policies

1-4.2 Identify appropriate revitalization/redevelopment area and encourage uses that would enhance the economic vitality of the community.

Objective 1-6 To enhance the appearance of Commercial districts

Policies

- 1-6.1 Improve the appearance and landscaping of commercial properties.
- 1-6.2 Preserve community character, scale and architectural diversity.

The proposed project complies with several provisions of the West Adams-Baldwin Hills-Leimert Community Plan and the new development will strengthen the existing commercial corridor and economic base. The project is an in-fill development, which will be contiguous and compatible with other development in the immediate vicinity. As conditioned, the project will enhance the neighborhood character, encourage the development of other community serving commercial uses near the transit station(s), reduce automobile trips to other areas and thus improve the viability of the transit of oriented as a gateway to the community, eliminate existing blight, and enhance the pedestrian environment.

The proposed project does not comply with the Community Plan policy (Residential Policy 1-1.2) that encourages the protection of existing single family and low density residential neighborhoods from the encroachment by higher density residential and other incompatible uses. The project seeks to construct a 45 feet high building wall adjacent to single family homes.

- 3. **The Transportation Element** of the General Plan is not likely to be affected by the recommended action herein. The new shopping center ("District Square") will require dedications and improvements to bring the abutting streets in compliance with the current standards. The necessary dedication and/or improvement of Crenshaw Boulevard and Rodeo Road will assure compliance with this Element of the General Plan and with the City's street improvement standards pursuant to Municipal Code Section 17.05.
- 4. **The Sewage Facilities Element** of the General Plan will not be affected by the recommended action.
- 5. **Conditional Use Findings (Major Commercial Development)**

a. The proposed location will be desirable to the public convenience or welfare.

The Crenshaw Boulevard commercial corridor and the surrounding neighborhoods are considered to be underserved by major retailers, who offer a variety of goods and services, and notable family oriented sit-down restaurants. The proposed shopping and center use will provide residents of the community, visitors, and the local workforce population, with a safe and convenient shopping, dining and entertainment alternative within the Community Plan area. The proposed project will replace an underutilized commercial space with a major development with major tenants and smaller retail space.

The proposed project is located along Crenshaw Boulevard which is a Major Highway Class I in the Community Plan area, where several bus lines operate to serve the community. The shopping center is located approximately one mile south of the Santa Monica Freeway (I-10), which provides access to other local and regional destinations including downtown Los Angeles. The MTA's Exposition Light Rail Corridor station is located within the 500 feet radius of the

proposed shopping center and will provide convenient rail access to employment, recreational and cultural facilities throughout the city from the site. The project location is south of a proposed station for the Crenshaw/LAX transit Corridor Light rail, which is the terminus of the light rail system.

b. The proposed location is proper in relation to adjacent uses or the development of the community.

The surrounding properties are zoned commercial ([Q]C2-1) and residential (RD2-1 and R1-1). Commercial uses are located primarily along Crenshaw Boulevard, north and south of the project site. A recently redeveloped shopping center borders the southerly property line of the project site and consist of a Walgreen's drug store, Starbucks, Denny's, Big 5 sporting, Goodwill and other neighborhood serving retail. Southwest of the site is another neighborhood shopping center that was redeveloped and contains a Pep Boys, CVS drug store, Auto Club of Southern California office, and a foster care agency. Across the street to the west is a strip of commercial and office buildings with parking in the rear. West Los Angeles Church of God in Christ, which is large worship facility, is located north of Exposition Boulevard and a satellite office of the Los Angeles County Probation Department is located northwest across Crenshaw Boulevard. Single family residences and duplexes are located east and northeasterly of the project, respectfully.

The location of the proposed 296,567 square feet commercial development is proper in relation to the adjacent commercial uses and the surrounding community. The new shopping center will consist of an aggregate of commercial uses that will be within close proximity to other recently developed commercial uses offering diversity and choice to the existing and future consumer base. The location is appropriate in that the proposed project is close to nearby residential uses and conveniently located along a major MTA bus line corridor. The project site is south across the street from the proposed Crenshaw/Rodeo station of the Crenshaw/LAX Corridor light rail line, which is adjacent to the new Exposition/Crenshaw Station of the Exposition rail line. The nearby light rail stations provide the broader South Los Angeles community greater and convenient access to the proposed shopping center and the existing shopping district.

c. The use will not be materially detrimental to the character of the development in the immediate neighborhood.

The immediate commercial district has experienced limited commercial development over the past 20-25 years, and the residential areas have experienced less development. The redevelopment of a former auto dealership and bowling alley site located just south of the subject reflects the most recent commercial development in the area, and it consists of a Starbuck, Denny's restaurant, Big 5 sporting store, and a Goodwill outlet. The redevelopment of a small shopping on the west side of Crenshaw Boulevard, one half mile south of the subject, reflects another recent commercial development.

The proposed 296,657 square feet development will not inhibit or detract from neighboring properties, but rather will be an asset. New buildings and uses with new designs and new features, ample parking, convenient access to two major transit corridors are considered an asset to the community and over time, they will improve the character of an overall community.

d. The proposed location will be in harmony with the various elements and objectives of the General Plan.

The West Adams-Baldwin Hills-Leimert Community Plan Map, a portion of the Land Use Element of the General Plan, designates the property for Community Commercial land uses with corresponding zones of C2 and Height District No. 1. As stated in the Community Plan: The commercial land use policies reflect the need to locate new commercial uses in the community to facilitate convenient shopping and easy access to professional services. New and rehabilitated office space can be established in the commercial centers (nodes) and areas designated for mixed use, proposed transit oriented districts and pedestrian oriented areas. Redevelopment of existing commercial strips and areas, and the conversion of existing structures to more appropriate uses should result in the physical and aesthetic upgrading of these areas.

The location of the proposed 296,567 square feet shopping center project will be in harmony with several provisions of the West Adams-Leimert-Baldwin Hills Community Plan. The new shopping center development will strengthen the existing commercial corridor and economic base, concentrate and reduce trips to other areas for shopping needs.

e. The major development project conforms with any applicable specific and/or redevelopment plan.

The subject property is zoned [Q]C2-1 and the site is approximately 283,140 square feet. The commercial zone permits uses consistent with retail stores, shops, or businesses including grocery, dining, clothing, entertainment, home decorations or home improvements and other goods and services that are being considered for the proposed development. The zone also permits multi-family uses, courtyards, plazas, parking structures and other uses incidental to primary commercial uses.

The proposed project is located within Subarea A of the Crenshaw Corridor Specific Plan, and subject to review by the Community Planning Bureau of the Planning Department for Project Permit Compliance pursuant to Section 11.5.7. C of the LAMC. The project is subject to review of the proposed use, building setback, open space areas, height, sign, parking underground utilities. The project is not located in a subarea that is subject to design review by the Design Review Board of the Specific Plan.

The proposed District Square project complies with the guidelines of the Mid-City Crenshaw Vision + Implementation Plan, with one exception and that is where a minimum 15 feet setback is recommended at the rear yard for structures above 33 feet in height. The applicant is requested Conditional Use herein to allow a 45

feet in height wall along the rear property line. The conditional use to allow a 35-foot height is approved herein and the project's remaining portion complies with the transitional height requirements.

- f. The project provides a compatible arrangement of uses, buildings, structures and improvements in relation to neighboring properties.*

As conditioned herein for compliance with architectural and urban design features and approved for the conditional use for transitional height, the proposed development will provide a new shopping center for local residents and the visiting public as well as its neighbors through good aesthetic use of material, texture and color, and will remain aesthetically appealing. The placement of the uses have been situated to tier away from the residential properties to the east with a non-traditional style development fronting along Crenshaw Boulevard to promote an inviting street scene. Additionally, the ingress/egress points and on-site circulation pattern, as conditioned, will minimize the potential for any conflict to occur. Therefore, the intended design and layout of the proposed development will not interfere with the uses and enjoyment of neighboring existing or future developments.

Potential pedestrian and vehicular traffic hazards will be addressed through detailed pedestrian and vehicular circulation plans.

- g. The major development project complies with the height and area regulation of the zone in which it is located.*

The project, with the exception of the height, has been design to meet requirements of the [Q]C2-1 Zone, the Los Angeles Municipal Code and the Crenshaw Corridor Specific Plan. As it relates to landscaping, a buffering strip of landscape and decorative hardscape is reflected in the design along both Crenshaw Boulevard and Rodeo Road as a means to expand pedestrian oriented open spaces creating a visual interest to the site. The applicant has stated that "the proposed circulation pattern has been reviewed by a traffic engineer. The results of the engineer's findings show that the points of ingress/egress limit the potential impacts caused by the transitioning of pedestrian to vehicular traffic flows and allows for adequate vehicular interior circulation from the public right of way."

Furthermore, in compliance with the goals and objectives of the Crenshaw Corridor Specific Plan, the proposed project will serve as an aesthetic enhancement to the community, and promote a high level of pedestrian activity by providing an attractive environment in the areas that are designated for pedestrian use; this in turn results in an opportunity to reduce vehicular trip generation and promote more alternate forms of transportation to the shopping center. The development of the proposed project will also generate additional sales tax revenue which in turn enhances the economic strength of the commercial district. It can also be projected that the proposed commercial development has the potential to boost employment opportunities for local residences.

6. Conditional Use Findings – (Transitional Height)

a. The proposed location will be desirable to the public convenience or welfare.

Transitional height provisions of the Municipal Code requires that portions of buildings on a C or M zone shall not exceed the height limits set forth as follows within the distances specific from a lot classified in the RW1 or more restrictive zone

Distance	Height
0 to 49 feet	25 feet
50 to 99 feet	33 feet
100 to 199 feet	61 feet

The proposed location of the project's 45-foot high building wall along the easterly portion of the project will not be desirable to the public convenience or welfare. The proposed 45-foot high wall will be situated two feet from the single family homes east of the project site. Some of the single family residences have garages at the rear of their property line where the distance between the proposed 45-foot high wall and some existing structures will be as little as seven feet. The limited area between the proposed 45-foot wall and single family uses compromises the health, safety and welfare of the public, as the purpose of the transitional height is to allow adequate privacy and separation to the adjacent single family homes. A proposed 45-foot height commercial parking wall within two feet of a single family zoned property will be a looming presence to the residents of these homes.

However, as conditioned herein, a 35 feet high wall will be desirable along the easterly portion of the project. The wall will be setback 10 feet from the property line, extend 35 feet in height, recessed 10 feet and then be permitted to extend to a maximum height of 45 feet.

b. The proposed location is proper in relation to adjacent uses or the development of the community.

Pursuant to the LAMC, a maximum height of 25 feet is permitted for commercial developments within 0 to 49 feet of single family residential uses. The applicant is requesting relief from the maximum height permitted by the code to allow a 45-foot high building to be constructed beginning two feet from the property line to accommodate the vehicular access from Rodeo Road to the proposed roof top parking area of the shopping center.

The location of the 45-feet high wall will not be in proper relation to the adjacent single family uses located east of the shopping center. The presence of the wall will significantly impact the light, air, privacy and enjoyment currently possessed by the property owners. The ingress/egress to and from the roof top garage along Rodeo Road will encourage more vehicular trips near the common boundary lines of the two properties, attract more vehicles to the intersection of

Rodeo Road and Norton Avenue, and increase vehicular traffic through the neighborhood along Norton Avenue. The single family residential character will be compromised and disrupted by the additional vehicular traffic. In addition vehicles parking on the rooftop may create additional noise impacts and light impacts onto the adjacent single family homes.

However, as conditioned herein, a 35 feet high wall will be proper in relation to adjacent residential uses. The proposed wall will be setback 10 feet from the property line, extend 35 feet in height, recessed 10 feet and then be permitted to extend to a maximum height of 45 feet.

c. The use will not be materially detrimental to the character of the development in the immediate neighborhood

The proposed 45-foot high building wall will be detrimental to the residential character of development in the immediate neighborhood as it will adversely impact the manner in which single family occupants utilize their property. The presence of the wall will significantly impact the light, air, privacy and enjoyment currently possessed by the property owners. Based on the elevation plans submitted, approximately 380 feet of the east elevation of the building will encroach into the transitional height limit. The ingress/egress entry to and from the roof top garage along Rodeo Road will encourage more vehicular trips near the common boundary line of the two properties, attract more vehicles to the intersection of Rodeo Road and Norton Avenue, and increase vehicular traffic through the neighborhood along Norton Avenue. Although the applicant is proposing to plant vines along the boundary walls, maintenance of such vines requires constant monitoring and still does not address the cars parked on the rooftop.

However, as conditioned herein, a 35 feet high wall will not be materially detrimental to the character of the development of the immediate neighborhood. . The proposed wall will be setback 10 feet from the property line, extend 35 feet in height, recessed 10 feet and then be permitted to extend to a maximum height of 45 feet.

d. The proposed location will be in harmony with the various elements and objectives of the General Plan

The location of a 45-feet high wall abutting R1 zone properties will not be in harmony with the West Adams-Baldwin Hills-Leimert Community Plan, which is a land use element of the General Plan. The proposed project, with a 45-foot high wall, does not comply with the Community Plan policy (Residential Policy 1-1.2) that encourages the protection of existing single family and low density residential neighborhood from the encroachment by higher density residential and other incompatible uses. The proposed project is a new project being designed from the ground up. It is not renovation or remodel of an existing shopping center. There has been no substantial reasons submitted that demonstrates that the project cannot be designed within the transitional height limitations. The building can be designed to step up the height toward Crenshaw

Boulevard while maintaining a lower height along the R1-1 Zone properties. Building a solid wall that is 45-feet in height along single family zone properties does not protect the residential character along Norton Avenue. The construction of the 45-foot high wall may advance some commercial goals and objectives of the community plan, but residential goals and objectives are compromised in the process.

However, as conditioned herein, a 35 feet high wall will be in harmony proper in with the various elements and objectives of the Community plan. The wall will be setback 10 feet from the property line, extend 35 feet in height, recessed 10 feet and then be permitted to extend to a maximum height of 45 feet.

7. Conditional Use – (Alcohol Beverages)

a. Describe briefly how the proposed project will be proper in relation to adjacent uses or the development of the community.

The surrounding properties are within commercial ([Q]C2-1 and residential zones (RD2-1 and R1-1) Zones. Commercial uses are located primarily along Crenshaw Boulevard, north and south of the project site. A recently constructed shopping center abuts the southerly property line of the project site. It is developed with a Walgreen's drug store, Starbucks, Denny's, Big 5 sporting, Goodwill and other neighborhood serving retail. Southwest of te proposed site is another neighborhood shopping that contains a Pep Boys, CVS drug store, Auto Club office, and a foster care agency. Across the street to the west is a strip of commercial and office buildings with parking in the rear. Single family residences and duplexes are located east and northeasterly of the project, respectfully. As stated above, Crenshaw Boulevard is a major transit and commercial corridor in South Los Angeles and the MTA's Metro Rail Exposition Corridor Expo/Crenshaw Station are within closed proximity.

The location of the proposed 296,567 square feet commercial development is proper in relation to adjacent uses and surrounding community. It is appropriate to have an aggregate of commercial uses within close proximity to offer diversity and choice to the existing consumer base as is the case with the subject and the two nearby shopping centers. Also, it is appropriate that the proposed project is close to nearby residential uses and conveniently located near major transit corridors such as the bus lines and new rail stops to provide convenient access to the broader community.

b. Why does the applicant believe the location of the project will be desirable to the public convenience and welfare?

The Crenshaw Boulevard commercial corridor and the surrounding neighborhoods are considered to be an under-serve by major retailers, who offer a variety of goods and services, and notable family oriented sit-down restaurants. The proposed shopping and center use will provide residents of the community, visitors, and the local workforce population, with a safe and

convenient shopping, dining and entertainment alternative within the Community Plan area.

The proposed project is located along Crenshaw Boulevard which is a Major High Class I in the community plan area, where several bus lines operate to serve the community. The shopping center is located approximately one mile south of the Santa Monica Freeway (I-10), which provides access to other local and regional destinations including downtown Los Angeles. The MTA's Metro Rail Exposition Corridor Expo/Crenshaw Station is located within 500 radius of the shopping center will provide convenient rail access to employment, recreational and cultural facilities throughout the city. The project location is south of the proposed station for a the Crenshaw/LAX Transit Corridor Light rail, which is a terminus point.

- c. *Describe how the proposed project will not be detrimental to the character of the development in the immediate neighborhood and will be in harmony with the various elements and objectives of the General Plan.*

The immediate commercial district has experienced limited commercial development over the past 20-25 years, and the residential areas have experienced less development. The redevelopment of a former auto dealership and bowling alley site located just south of the subject reflects the most recent commercial development in the area, and it consists of a Starbuck, Denny's restaurant, Big 5 sporting store, and a Goodwill outlet. The redevelopment of a small shopping on the west side of Crenshaw Boulevard, one half mile south of the subject, reflects another recent commercial development.

The proposed 296,657 square feet development will not inhibit or detract from neighboring properties, but rather will be an asset. New buildings and uses with new designs and new features, ample parking, convenient access to two major transit corridors are considered an asset to the community and over time, they will improve the character of an overall community.

- d. *Will the approval of the Conditional Use at this location adversely affect the economic welfare of the community? Why?*

The approval of the conditional use will not adversely affect the economic welfare of the community; rather, the approved use will be a benefit to the commercial district. The inclusion of alcohol beverages in the proposed project is for the larger retailers' off-site sales. The off-site alcohol sales use is for a major retailer as a convenience to the other goods and services offered. No bars or night clubs are proposed as part of the project. The proposed major retailers will compliment to the other retail establishments in the new shopping center and the other retailers in the nearby commercial district.

The on-site alcohol sales facilities have not been identified and a separate conditional use application is required for their review.

e. Will the approval of the Conditional Use result in or contribute to an undue concentration of such establishments? Why?

Approval of alcohol beverages sales in conjunction with a commercial retail uses will not result in or contribute to an over concentration of off-site sales facilities in the immediate vicinity. It is customary for a grocery store and large retailer to provide off-site alcohol as a matter of convenience. Patrons to the proposed grocery store and large retailer will be prohibited from consuming alcohol on the premises or within the public right of way, to reduce any potential negative impact relative to alcohol sales activities.

The on-site alcohol sales facilities have not been identified and a separate conditional use application is required for their review

f. Will the approval of the Conditional Use detrimentally affect nearby residentially zoned properties.

On-site consumption of alcohol beverages will be prohibited for the retailer stores as the sales will be strictly for off-site purposes. As for restaurant, alcohol consumption and possession will be prohibited beyond the boundaries of the restaurant facilities. Additionally, security measures will be provided on-site so as to monitor the overall safety of the project site, which will significantly diminished the possibility of detrimental affects to the adjacent residential site. The approval of the conditional use for alcohol sales will not detrimentally affect the nearby residentially zone properties.

g. What are the proposed hours of operation and which days of the week will the establishment be open? What are the proposed hours of alcohol sales?

The proposed hours of operation are as follows:

Retailers Sunday through Thursday 8:00 a.m. to 11:00 p.m.
Friday and Saturday 8:00 a.m. to 12:00 p.m.

The on-site alcohol sales facilities have not been identified and a separate conditional use application is required for their review.

8. **Environmental.** A Mitigated Negative Declaration (ENV-2007-4661-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. The Commission hereby adopts that the Mitigated Negative Declaration, imposed the conditions shown in that document on this approval.

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Master

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+ fill out + print
+ add.



Los Angeles City Planning Commission

200 N. Spring Street, Room 272, Los Angeles, California, 90012-4801

(213) 978-1300

www.lacity.org/PLN/index.htm

Determination Mailing Date: MAY 03 2010

CASE NO.: CPC-2007-4661-CU

CEQA: ENV-2007-4662-MND

Applicant: M and A Gabee, Inc.

Rep: Milan Garrison, MG Resolutions

Location: 3650-3670 S. Crenshaw Blvd.

Council District: 10 – Wesson

Plan Area: West Adams-Baldwin Hills-Leimert

Request(s): Conditional Use

At its meeting on April 8, 2010, the following action was taken by the City Planning Commission:

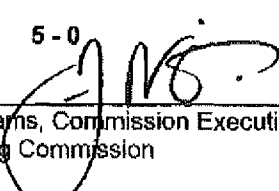
1. **Approved a Conditional Use** for a Major Commercial Development consisting of a 2-story, 45 feet in height, approximately 296,567 square-foot new commercial retail space on a 6.5-acre site.
2. **Approved a Conditional Use** for three (3) establishments for the sale and dispensing of a full-line of alcoholic beverages for off-site consumption in conjunction with a supermarket, a pharmacy and a retail use.
3. **Disapproved a Conditional Use** for the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with two sit-down type restaurant facilities within the shopping center development.
4. **Approved a Conditional Use** to allow a maximum 35 feet in building height setback 5 feet from the abutting R1 Zone and an additional 10 feet in building height to maximum of 45 feet in height setback 10 feet from the 35 feet height portion.
5. **Adopted the attached Conditions of Approval.**
6. **Adopted the attached Findings.**
7. **Adopted Mitigated Negative Declaration ENV-2007-4662-MND.**
8. **Advised** the applicant that, pursuant to California State Public Resources Code Section 21081.6, the city shall monitor or require evidence that any mitigation conditions are implemented and maintained throughout the life of the project and the city may require any necessary fees to cover the cost of such monitoring.
9. **Advised** the applicant that pursuant to State Fish and Game Code Section 711.4, a Fish and Game fee and/or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination (NOD) filing.

Fiscal Impact Statement: There is no General Fund impact as administrative costs are recovered through fees.

This action was taken by the following vote:

Moved: Freer
Seconded: Roschen
Ayes: Kezios, Romero, Woo
Absent: Cardoso, Burton, Holoman, Orozco

Vote: 5 - 0


James Williams, Commission Executive Assistant I
City Planning Commission

Appeals: Any aggrieved party may appeal the decision of the City Planning Commission to the City Council within 15 days after the mailing date of this determination. Any appeal not filed within the 15-day period shall not be considered by the Council. All appeals shall be filed on forms provided at the Planning Department's Public Counters at 201 N. Figueroa Street, Fourth Floor, Los Angeles, or at 6262 Van Nuys Boulevard, Suite 251, Van Nuys.

Final Appeal Date: MAY 18 2010

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Attachments: Conditions of Approval, Findings
City Planner: Theodore Irving

CONDITIONS OF APPROVAL**A. Entitlement Conditions**

1. **Use.** The use and area regulations for the new development on-site shall be limited to those permitted in the [Q]C2-1 Zone as defined in Section 12.14 of the LAMC.
2. **Site Plan.** Prior to the issuance of any building permits, a revised detailed development plans including a site plan, elevations, facades, and architectural treatment, and landscaping / irrigation plans shall be submitted for review and approval by the Planning Department. The plans shall comply with the Los Angeles Municipal code, the subject conditions, and the intent of the subject permit authorization.
3. **Floor Area.** The floor area of all buildings shall be in conformance with the Height District No. 1.
4. **Height (Transitional).** The easterly wall shall be a maximum 35 feet in building height, setback 5 feet from the abutting R Zone and an additional 10 feet in building height to a maximum of 45 feet in height setback 10 feet from the 35 feet height portion.
6. **Parking.** Parking shall be provided in compliance with Los Angeles Municipal Code, Section 12.21-A 4.

B. Other Conditions

7. **Crenshaw Corridor Specific Plan.** Prior to the issuance of any building permit, the propose project shall obtain a Project Permit Compliance from the Crenshaw Corridor Specific Plan (Ordinance 178,230).
8. **Rodeo Road Elevation –**
 - a. A minimum 50% transparency shall be provided along the northerly elevation.
 - b. There shall be no block walls along Rodeo Road.
 - c. The second floor shall be setback from the first floor.
9. **Rear yard setback -** The proposed project shall observe a 5 feet setback from the rear property line abutting the R1 zone properties.
10. **Southerly Elevation -** Vines shall be installed along the southerly facing wall.
11. **Urban Design –** Prior to the issuance of any building permit, the applicant shall obtain an approval from the Planning Department's Urban Design Studio.
12. **Roof Top –** No lights shall be dispersed onto the R1 Zone properties (No light poles).
13. **Architectural & Building Design**
 - a. Projects shall be designed with articulation which provides variation and visual interest.

- b. Transparent building elements such as windows and doors shall occupy a minimum of 50% of the exterior wall surface of the ground floor façade.
- c. All exterior building walls shall provide a break in the plane, or a change in material, every 20 feet in horizontal length and every 15 feet in vertical length, created by an articulation or architectural detail, such as:

A change in plane of at least 6 inches for a distance of not more than 20 feet,
Recessed entryways, recessed windows, or pop out windows,
Porticoes, building overhangs, projections or cantilevered designs,
Other architectural features that create a visual break.

- d. Not more than 30% of the total exterior surface area of any building façade or of any visible side or rear elevation shall be free from architectural features or articulation(s).
- e. All buildings shall apply at least two types of complementary building materials to exterior building facades. Accents such as decorative glass block, brick or tile, are materials that are encouraged as accents.
- f. Building materials such as brick, stone, metal, glass, tile or any similar material shall be employed to provide relief to untreated portions of exterior building facades.
- g. Architectural, ancillary, and open space features shall be incorporated into the overall design of the project.
- h. All windows shall be made of transparent, non-reflective glass.
- i. The eastern and northern facades of the parking structure shall be fully screened with landscaping and/or architectural cladding using materials and architectural features that complement the design of the main building.
- j. The southern façade of the parking structure shall be articulated to detract from graffiti.
- k. In accordance with the Green Building Program's Standard of Sustainability (Ordinance No. 179,820, effective November 1, 2008) the project shall meet the intent of LEED at the certified level. Formal certification by the USGBC is not required.

14. **Parking and Driveway Plan.** A preliminary parking area and driveway plan shall be prepared and submitted to the Bureau of Engineering and City Wide Planning Coordination Section of the Department of Transportation in consultation with Council Office No. 10 for approval prior to the submittal of building plans for plan check by the Department of Building and Safety.

15. **Driveway Access**

- a. One driveway access along Rodeo Road shall be permitted.
- b. One driveway access for patrons and employees shall be permitted along Crenshaw Boulevard.
- c. One driveway access for deliveries and employees shall be permitted along Crenshaw Boulevard.

16. **Commercial Delivery.** No delivery for commercial uses shall be permitted between the peak hours of 7:00 am to 9:00 am and between 5:00pm and 7:00 pm. delivery vehicles shall only queue onsite and not along Rodeo Road, Crenshaw Boulevard or other adjacent residential streets.
17. **Signage.**
 - a. On-site signs shall be limited to the maximum allowable under the Code. Multiple temporary signs in the store windows and along the building walls are not permitted.
 - b. On-site Signs are limited to the minimum (total number of signs) necessary to identify a business name, a company name logo, a generic type of business identification, the name of a single business entity or building, and the site address.
 - c. Information signs are limited to those which provide circulation/parking directions, instructions tenant restriction or address numerals.
18. **Prohibited Signs.** Pole signs, roof signs, projecting signs, neon signs window signs or posters, mural signs, electronic message signs, portable or sandwich signs, temporary or permanent banners or flags (including but not limited to those attached to or suspended from tress, walls, fences or light fixtures or any other structure/pole), balloons, paintings, and off-site advertising signs. No signs with flashing, mechanical, strobe or blinking lights, or moving parts are permitted.
19. **Bicycle Parking.** Bicycle racks/storage facilities shall be provided on-site, as required by the LAMC Section 12.21-A, 16,
 - a. A portion of the bicycle parking spaces shall be provided near the retail entrances at Crenshaw Boulevard and Rodeo Road.
 - b. The bicycle parking space shall be shown on the revised plans and the majority shall be located at ground level.
 - c. Showers, racks and other amenities shall be incorporated into the proposed project.
20. **Public Dedication and Improvements.**
 - a. **Crenshaw Boulevard (Scenic Major Highway – Class I)** a 13-foot wide and variable width strip of land along the property frontage where there are no existing buildings to remain to complete a 64-foot half right-of-way in accordance with Scenic Major Highway – Class I standards as designated in the West Adams-Baldwin Hills-Leimert Community Plan, and a 20-foot radius property line return at the intersection with Rodeo Road.
 - b. **Rodeo Road (Secondary Highway)** – A 5-foot wide strip of land along the property frontage shall be dedicated to complete a 45-foot half right of way in accordance with the Secondary Highway Street Standards.
 - c. **Rodeo Place (Local Street)** – None. A street vacation request has been submitted and is currently being processed under Council File No 07-2182. This vacation request has not been approved by the City Council.

- d. **Alley (South of Rodeo Road)** – None. An alley vacation request has been submitted and is currently being processed under Council File No. 07-2182. This vacation request has not been approved by the City Council.
- e. **Crenshaw Boulevard** – Construct additional surfacing to join the existing improvements to provide a 52-foot half roadway in accordance with Scenic Major Highway Class I standards as designated in the West Adams-Baldwin Hills-Leimert Community Plan., including asphalt pavement, an access ramp at the corner with Rodeo Road, Case II standards driveways, integral concrete curb, 2-foot gutter and a 12-foot full width concrete sidewalk. These improvements should transition and suitably join the existing improvements.
- f. **Rodeo Road** - Construct additional surfacing to join the existing improvements to provide a 30-foot half roadway, including asphalt pavement, integral concrete curb, 2-foot gutter and a 13-foot full width concrete sidewalk. These improvements should transition and suitably join the existing improvements.
- g. **Bureau of Street Lighting** - Prior to issuance of the Certificate of Occupancy (C of O), street lighting improvement plans shall be submitted for review and the owner shall provide a good faith effort via a ballot process for the formation or annexation of the property within the boundary of the development into a Street Lighting Maintenance Assessment District.

Improvement Condition - Construct new street light: one (1) on Rodeo Rd. and two (2) Rodeo Pl. If street widening per BOE improvement conditions, relocate and upgrade street lights; three (3) on Rodeo Rd., seven (7) on Crenshaw Bl., and one (1) on Rodeo Pl.

- h. **Metro Bus Operation** -Metro Bus Operations Control Special Events Coordinators shall be contacted at 213.922.4632 regarding construction activities that may impact Metro bus lines. Other Municipal Bus Service Operators may also be impacted and therefore shall be included in construction outreach efforts.

C. Alcohol Sales (Off-Site)

- 21. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission to impose additional corrective Conditions, if, in the Commission's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
- 22. Sales of alcoholic beverages for off-site sales shall be permitted only between the hours of 7:00 a.m. and 11:00 p.m., 7 days a week.
- 23. The sale of alcohol for on-site consumption is strictly prohibited.
- 24. The Petitioner(s) shall be responsible for maintaining, free of litter, the area and adjacent areas of the premises over which it has control.
- 25. Each individual owner/operator of an alcoholic beverage license shall filed an application for conditional use plan approval for each alcohol use at the facility in order to implement and utilize the permit at each of the proposed alcohol sales sites. The application must be accompanied by a payment of appropriated fees and must be accepted as complete by the Planning department public counter.

26. Prior to issuance of any permits relative to this matter, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement for CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. This agreement with the conditions attached must be submitted to the Department of City Planning for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the subject case file.

D. Environmental Conditions

27. Aesthetics (Landscaping).

- a. All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the decision maker.
- b. The landscape plan shall incorporate clinging vines along the eastern side of the project such that they will cover the exposed portions of the building/parking structure visible to the eastern abutting residential properties. A higher priority for coverage shall be given to the portions of the building higher than 25 feet.
- c. **Aesthetics (Surface Parking)** The average albedo of all surfaces of the entire project (including buildings, walls, surfaces, building roofs, etc., not limited to landscape) shall be 0.45 or greater.

28. Aesthetics (Graffiti)

- a. Every building, structure, or portion thereof, shall be maintained in a safe and sanitary condition and good repair, and free from graffiti, debris, rubbish, garbage, trash, overgrown vegetation or other similar material, pursuant to Municipal Code Section 91.8104.
- b. The exterior of all buildings and fences shall be free from graffiti when such graffiti is visible from a public street or alley, pursuant to Municipal Code Section 91.8104.15.
- c. **Aesthetics (Signage)** On-site signs shall be limited to the maximum allowable under the Code.
- d. Multiple temporary signs in the store windows and along the building walls are not permitted.

29. **Aesthetics (Light).** Outdoor lighting shall be designed and installed with shielding, so that the light source cannot be seen from adjacent residential properties.

30. **Aesthetics (Glare).** The exterior of the proposed building shall be constructed of materials such as high-performance tinted non-reflective glass and pre-cast concrete or fabricated wall surfaces.

31. Greenhouse Gas Emissions.

- a. The project shall either: a) Exceed 2005 Title 24 building energy efficiency minimum requirements by a minimum of 14%, or b) meet/exceed 2008 Title 24 building energy efficiency minimum requirements. Only low- and non-VOC-containing paints, sealants, adhesives, and solvents shall be utilized in the construction and maintenance of the project.
- b. The applicant shall install demand (tankless or instantaneous) water heater systems sufficient to serve the anticipated needs of the restrooms within the project.

32. Air Pollution (Stationary) - An air filtration system shall be installed and maintained with filters meeting or exceeding the ASHRAE Standard 52.2 Minimum Efficiency Reporting Value (MERV) of 12, to the satisfaction of the Department of Building and Safety.**33. Air Quality (Objectionable Odors)** The trash receptacle shall be relocated at least 50 feet from the property line of any adjacent residential property.**34. Tree Removal (Non-Protected Trees)**

- a. Prior to the issuance of any permit, a plot plan shall be prepared indicating the location, size, type, and general condition of all existing trees on the site and within the adjacent public right(s)-of-way.
- b. All significant trees (8-inch or greater trunk diameter, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) on the site proposed for removal shall be replaced at a 1:1 ratio with a minimum 24-inch box tree.
- c. Landscape Plan shall be prepared, indicating the location of all replacement trees, to the satisfaction of the decision-maker. Net, new trees, located within the parkway of the adjacent public right(s)-of-way, may be counted toward replacement tree requirements.
- d. Removal or planting of any tree in the public right-of-way requires approval of the Board of Public Works. Contact Urban Forestry Division at: 213-485-5675. All trees in the public right-of-way shall be provided per the current standards of the Urban Forestry Division the Department of Public Works, Bureau of Street Services.

35. Cultural Resources (Archaeological). Human Remains)

- a. In the event that human remains are discovered during excavation activities, the following procedure shall be observed: Stop immediately and contact the County Coroner:

1104 N. Mission Road
Los Angeles, CA 90033
323-343-0512 (8 a.m. to 5 p.m. Monday through Friday) or
323-343-0714 (After Hours, Saturday, Sunday, and Holidays)

The coroner has two working days to examine human remains after being notified by the responsible person. If the remains are Native American, the Coroner has 24 hours to notify the Native American Heritage Commission. The Native American

Heritage Commission will immediately notify the person it believes to be the most likely descendent of the deceased Native American. The most likely descendent has 48 hours to make recommendations to the owner, or representative, for the treatment or disposition, with proper dignity, of the human remains and grave goods. If the descendent does not make recommendations within 48 hours the owner shall reinter the remains in an area of the property secure from further disturbance, or;

- b. If the owner does not accept the descendant's recommendations, the owner or the descendent may request mediation by the Native American Heritage Commission.
- c. Discuss and confer means the meaningful and timely discussion careful consideration of the views of each party.
- d. If any archaeological materials are encountered during the course of project development, all further development activity shall halt and: The services of an archaeologist shall then be secured by contacting the South Central Coastal Information Center (657-278-5395) located at California State University Fullerton, or a member of the Society of Professional Archaeologist (SOPA) or a SOPA-qualified archaeologist, who shall assess the discovered material(s) and evaluate the impact.
- e. The archaeologist's survey, study or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource.
- f. The applicant shall comply with the recommendations of the evaluating archaeologist, as contained in the survey, study or report.
- g. Project development activities may resume once copies of the archaeological survey, study or report are submitted to:

SCCIC Department of Anthropology
McCarthy Hall 477
CSU Fullerton
800 North State College Boulevard
Fullerton, CA 92834

- h. A covenant and agreement binding the applicant to this condition shall be recorded prior to obtaining a grading permit.

36. Cultural Resources (Paleontological)

- a. If any paleontological materials are encountered during the course of project development, all further development activities shall halt and: The services of a paleontologist shall then be secured by contacting the Center for Public Paleontology - USC, UCLA, California State University Los Angeles, California State University Long Beach, or the Los Angeles County Natural History Museum, who shall assess the discovered material(s) and evaluate the impact.
- b. The paleontologist's survey, study or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource.
- c. The applicant shall comply with the recommendations of the evaluating paleontologist, as contained in the survey, study or report.

- d. Project development activities may resume once copies of the paleontological survey, study or report are submitted to the Los Angeles County Natural History Museum.
 - e. A covenant and agreement binding the applicant to this condition shall be recorded prior to obtaining a grading permit.
37. **Seismic.** The design and construction of the project shall conform to the California Building Code seismic standards as approved by the Department of Building and Safety.
38. **Haul Routes.**
- a. Projects involving the import/export of 1,000 cubic yards or more of dirt shall obtain haul route approval by the Department of Building and Safety.
 - b. The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety. Fences shall be constructed around the site to minimize trespassing, vandalism, short-cut attractions and attractive nuisances.
39. **Erosion/Grading/Short-Term Construction Impacts (Air Quality)**
- a. All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50 percent.
 - b. The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by construction and hauling, and at all times provide reasonable control of dust caused by wind.
 - c. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
 - d. All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
 - e. All clearing, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
 - f. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
40. **Erosion/Grading/Short-Term Construction Impacts (Noise)**
- a. The project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
 - b. Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.
 - c. Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously.

- d. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- e. The project sponsor shall comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment.

41. General Construction.

- a. All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, wood, and vegetation. Non recyclable materials/wastes shall be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.
- b. Leaks, drips and spills shall be cleaned up immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- c. Pavement shall not be hosed down at material spills. Dry cleanup methods shall be used whenever possible.
- d. Dumpsters shall be covered and maintained. Uncovered dumpsters shall be placed under a roof or be covered with tarps or plastic sheeting.
- e. Gravel approaches shall be used where truck traffic is frequent to reduce soil compaction and the tracking of sediment into streets shall be limited.
- f. All vehicle/equipment maintenance, repair, and washing shall be conducted away from storm drains. All major repairs shall be conducted off-site. Drip pans or drop clothes shall be used to catch drips and spills.

42. Liquefaction.

- a. The project shall comply with measures addressing liquefaction potential, based upon a geotechnical report approved by the Department of Building and Safety (Log # 67043), and as such Approval Letter may be later modified or amended.
- b. Perchloroethylene (PCE) Remediation. Prior to the issuance of any permit, including demolition, grading, use of land, or construction, the applicant shall obtain a sign-off from the Los Angeles Fire Department indicating that either: 1) identified soil and groundwater contamination originating from the property has been remediated to the satisfaction of the California Regional Water Quality Control Board; or 2) that a remediation plan has been approved by the RWQCB, and that the project design does not impair its implementation. In either case, a copy of the communication from the RWQCB shall be submitted to the Planning Department's environmental case file ENV 2007-4662-MND for retention.

43. Explosion/Release (Asbestos Containing Materials).

- a. Prior to the issuance of any demolition permit, the applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant that no ACM are present in the building. If ACM are found to be present, it

will need to be abated in compliance with the South Coast Air Quality Management District's Rule 1403 as well as all other State and Federal rules and regulations.

- b. Prior to issuance of any permit for demolition or alteration of the existing structure(s), a lead-based paint survey shall be performed to the written satisfaction of the Department of Building and Safety. Should lead-based paint materials be identified, standard handling and disposal practices shall be implemented pursuant to OSHA regulations.

44. Commercial & Industrial Development (Lot Size 43,560 sf)

- a. Project applicants are required to implement stormwater BMPs to treat and infiltrate the runoff from a storm event producing 3/4 inch of rainfall in a 24 hour period. The design of structural BMPs shall be in accordance with the Development Best Management Practices Handbook Part B Planning Activities. A signed certificate from a California licensed civil engineer or licensed architect that the proposed BMPs meet this numerical threshold standard is required.
- b. Post development peak stormwater runoff discharge rates shall not exceed the estimated pre-development rates for developments where the increase peak stormwater discharge rate will result in increased potential for downstream erosion.
- c. Maximize trees and other vegetation at each site by planting additional vegetation, clustering tree areas, and promoting the use of native and/or drought tolerant plants.
- d. Promote natural vegetation by using parking lot islands and other landscaped areas.
- e. Cover loading dock areas or design drainage to minimize run-on and run-off of stormwater.
- f. Direct connections to storm drains from depressed loading docks (truck wells) are prohibited.
- g. Repair/maintenance bays must be indoors or designed in such a way that doesn't allow stormwater run-on or contact with stormwater runoff.
- h. Design repair/maintenance bay drainage system to capture all washwater, leaks and spills. Connect drains to a standard sump for collection and disposal. Direct connection of the repair/maintenance bays to the storm drain system is prohibited. If required, obtain an Industrial Waste Discharge Permit.
- i. Vehicle/equipment wash areas must be self-contained and/or covered, equipped with a clarifier, or other pretreatment facility, and properly connected to the sanitary sewer.
- j. Any connection to the sanitary sewer must have authorization from the Bureau of Sanitation.
- k. The following activities are to be conducted under proper cover with drain routed to the sanitary sewer.
 - Storage of industrial wastes
 - Handling or storage of hazardous wastes

- Metal fabrication or Pre-cast concrete fabrication
 - Welding, Cutting or Assembly
 - Painting, Coating or Finishing
- l. Store above ground liquid storage tanks (drums and dumpsters) in areas with impervious surfaces in order to contain leaks and spills.
 - m. Install a secondary containment system such as berms, dikes, liners, vaults, and double-wall tanks. Where used oil or dangerous waste is stored, a dead-end sump should be installed in the drain.
 - n. Toxic wastes must be discarded at a licensed regulated disposal site. Store trash dumpsters both under cover and with drains routed to the sanitary sewer or use non-leaking and water-tight dumpsters with lids. Use drip pans or absorbent materials whenever grease containers are emptied. Wash containers in an area with properly connected sanitary sewer.
 - o. Reduce and recycle wastes, including: paper; glass; aluminum; oil; and grease.
 - p. Reduce the use of hazardous materials and waste by: using detergent-based or water-based cleaning systems; and avoid chlorinated compounds, petroleum distillates, phenols, and formaldehyde.
 - q. Cleaning of vehicles and equipment to be performed within designated covered or bermed wash area paved with Portland concrete, sloped for wash water collection, and with a pretreatment facility for wash water before discharging to properly connected sanitary sewer with a CPI type oil/water separator. The separator unit must be: designed to handle the quantity of flows; removed for cleaning on a regular basis (at least twice a year) to remove any solids; and the oil absorbent pads must be replaced regularly, once in fall just before the wet season, and in accordance with manufacturer' specifications.
 - r. All storm drain inlets and catch basins within the project area must be stenciled with prohibitive language (such as NO DUMPING - DRAINS TO OCEAN) and/or graphical icons to discourage illegal dumping.
 - s. Legibility of stencils and signs must be maintained.
 - t. Materials with the potential to contaminate stormwater must be: (1) placed in an enclosure such as, but not limited to, a cabinet, shed, or similar stormwater conveyance system; or (2) protected by secondary containment structures such as berms, dikes, or curbs.
 - u. The storage area must be paved and sufficiently impervious to contain leaks and spills.
 - v. The storage area must have a roof or awning to minimize collection of stormwater within the secondary containment area.
 - w. The owner(s) of the property will prepare and execute a covenant and agreement (Planning Department General form CP-6770) satisfactory to the Planning Department binding the owners to post construction maintenance on the structural

BMPs in accordance with the Standard Urban Stormwater Mitigation Plan and or per manufacturer's instructions.

45. Food Service Industry (Restaurants, Bakeries, Food Processors)

- a. Applicants must meet the requirements of the Standard Urban Stormwater Mitigation Plan (SUSMP) approved by Los Angeles Regional Water Quality Control Board, including the following: (A copy of the SUSMP can be downloaded at: <http://www.swrcb.ca.gov/rwqcb4/>).
- b. Cleaning of oily vents and equipment to be performed within designated covered area, sloped for wash water collection, and with a pretreatment facility for wash water before discharging to properly connected sanitary sewer with a CPI type oil/water separator. The separator unit must be: designed to handle the quantity of flows; removed for cleaning on a regular basis to remove any solids; and the oil absorbent pads must be replaced regularly according to manufacturer's specifications.
- c. Store trash dumpsters both under cover and with drains routed to the sanitary sewer or use non-leaking and water tight dumpsters with lids. Wash containers in an area with properly connected sanitary sewer.
- d. Store liquid storage tanks (drums and dumpsters) in designated paved areas with impervious surfaces in order to contain leaks and spills.
- e. Install a secondary containment system such as berms, curbs, or dikes. Use drip pans or absorbent materials whenever grease containers are emptied.
- f. Applicants are encouraged to incorporate the prescriptive methods into the design plans. These Prescriptive Methods can be obtained at the Public Counter or downloaded from the City's website at www.lastormwater.org.
- g. Parking Lots with 25 or More Spaces or 5,000 Square-feet of Lot Area (Residential, Commercial, Industrial, Public Facility)
- h. Applicants must meet the requirements of the Standard Urban Stormwater Mitigation Plan (SUSMP) approved by Los Angeles Regional Water Quality Control Board, including the following: (A copy of the SUSMP can be downloaded at: <http://www.swrcb.ca.gov/rwqcb4/>).
- i. Trash container areas must have drainage from adjoining roofs and pavement diverted around the area(s).
- j. Trash container areas must be screened or walled to prevent off-site transport of trash.
- k. Reduce impervious land coverage of parking lot areas.
- l. Infiltrate runoff before it reaches the storm drain system.
- m. Runoff must be treated prior to release into the storm drain. Three types of treatments are available, (1) dynamic flow separator; (2) a filtration or (3) infiltration. Dynamic flow separator uses hydrodynamic force to remove debris, and oil and grease, and are located underground. Filtration involves catch basins with filter inserts. Filter inserts must be inspected every six months and after major storms,

cleaned at least twice a year. Infiltration methods are typically constructed on-site and are determined by various factors such as soil types and groundwater table.

- n. Applicants are encouraged to incorporate the prescriptive methods into the design plans. These Prescriptive Methods can be obtained at the Public Counter or downloaded from the City's website at: www.lastormwater.org.
- 46. **Flooding/Tidal Waves.** The project shall comply with the requirements of the Flood Hazard Management Specific Plan, Ordinance No. 172081 effective 7/3/98.
- 47. **Increased Noise Levels (Parking Wall).** A minimum 6-foot in height solid decorative masonry wall shall be constructed between any ground-level driveway or parking area and abutting residentially-zoned properties if no such wall exists.
- 48. **Increased Noise Levels (Parking Structure Ramps).**
 - a. Concrete, not metal, shall be used for construction of parking ramps.
 - b. The interior ramps shall be textured to prevent tire squeal at turning areas.
 - c. Parking lots located adjacent to residential buildings shall have a solid decorative wall adjacent to the residential.
- 49. **Increased Noise Levels (Retail Markets, Bars, Entertainment etc...).** No window openings shall be permitted along the residential sides of the building.
- 50. **Public Services (Fire).**
 - a. The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features:
 - fire lanes, where required, shall be a minimum of 20 feet in width;
 - all structures must be within 300 feet of an approved fire hydrant
 - entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.
 - b. Prior to the review and approval of plans by the Department of Building and Safety, the applicant shall obtain written communication from the Fire Department indicating the need, if any, for upgrades necessary to the capacity of existing fire mains in order to adequately serve the project. The need for such upgrades shall be so noted on the plans.
 - c. Prior to the issuance of a building permit, and to the satisfaction of the Fire Department, the applicant shall provide for adequate off-site public and on-site private fire hydrants.
- 51. **Public Services (Police General).** The plans shall incorporate the design guidelines relative to security, semi-public and private spaces, which may include but not be limited to access control to building, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public space designed with a minimum of dead space to

eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provision of security guard patrol throughout the project site if needed. Please refer to Design Out Crime Guidelines: Crime Prevention Through Environmental Design published by the Los Angeles Police Department's Crime Prevention Section (located at Parker Center, 150 N. Los Angeles Street, Room 818, Los Angeles, (213)485-3134. These measures shall be approved by the Police Department prior to the issuance of building permits. Upon completion of construction, the applicant shall provide the local Commanding Officer with as-built floor plans of the entire property. The plan(s) shall include access routes, unit numbers, and any information that might facilitate police response. The project shall not incorporate features that preclude installation of video surveillance of all publically accessible areas, including parking areas.

52. **Public Services (Street Improvements Not Required By DOT).** The project shall comply with the Bureau of Engineering's requirements for street dedications and improvements that will reduce traffic impacts in direct portion to those caused by the proposed project's implementation. To the satisfaction of the Department of Public Works, all existing water main, sewer, stormdrain, power, telecommunication, television cable, or any other such infrastructure located within or above the rights-of-way proposed for vacation shall be relocated.
53. **Bus Stop Displacement.**
 - a. Prior to the issuance of a building permit, the applicant shall prepare and record a Covenant and Agreement, to the satisfaction of the decision-maker, which requires the following to be fulfilled by the applicant, owner, heir, or assign at a time prior to the issuance of a temporary or final Certificate of Occupancy: Relocate any Metropolitan Transportation Authority bus stop or infrastructure temporarily displaced as a result of construction activities and upgrade shelters, benches, and lighting according to the agency's standard plan for that location.
 - b. Relocate any Los Angeles Department of Transportation bus stop or infrastructure temporarily displaced as a result of construction activities and upgrade shelters, benches, and lighting according to the agency's standard plan for that location.
54. **Increased Vehicle Trips/Congestion.**
 - a. Prior to the issuance a building permit, the applicant shall submit a Construction Site Traffic Control Plan to the Department of Transportation for review and approval. The plan shall show the location of any roadwork or sidewalk closures, traffic detours, haul routes, hours of operation, protective devices, warning signs and access to abutting properties.
 - b. Prior to the issuance of a building permit, the applicant shall, to the satisfaction of the decision-maker, prepare and submit a Transportation Demand Management plan for review and approval. Such plan must have been reviewed and approved by the Department of Transportation and Community Redevelopment Agency prior to submittal.
 - c. Prior to the issuance of a building permit, the applicant shall, to the satisfaction of the decision-maker, prepare and record a Covenant and Agreement to monitor and submit annual reports on the implementation of the Transportation Demand Management plan to the Department of Transportation.

- d. All construction-related traffic shall be restricted to off-peak hours.

55. Safety Hazards.

- a. The applicant shall submit a parking and driveway plan that incorporates design features that reduce accidents, to the Bureau of Engineering and the Department of Transportation for approval.
- b. Prior to plan check submittal to LADBS, submit a site and/or driveway plan, scaled at least 1 inch = 40 feet, to: LADOT Construction Services Center, 201 N Figueroa Street, #400 (Counter No. 3), Los Angeles, 90012.
- c. Two-way driveways shall be 30 feet wide and one-way driveways shall be 16 feet wide, exclusive of side slopes. Street improvements required per LAMC 12.37-A must be cleared by the Bureau of Engineering prior to issuance of LADOT project approval.

56. Inadequate Emergency Access. The applicant shall submit a parking and driveway plan to the Bureau of Engineering and the Department of Transportation for approval that provides code-required emergency access.

57. Wastewater Generation. Prior to the issuance of a building permit, the applicant shall post a bond to provide for upgrades to the existing sanitary sewer system infrastructure, as determined by the Bureau of Sanitation, in order to adequately serve the project.

58. Utilities (Local or Regional Water Supplies). The project shall comply with Ordinance No. 170,978 (Water Management Ordinance), which imposes numerous water conservation measures in landscape, installation, and maintenance (e.g. use drip irrigation and soak hoses in lieu of sprinklers to lower the amount of water lost to evaporation and overspray, set automatic sprinkler systems to irrigate during the early morning or evening hours to minimize water loss due to evaporation, and water less in the cooler months and during the rainy season). If conditions dictate, the Department of Water and Power may postpone new water connections for this project until water supply capacity is adequate.

59. New Construction, Commercial/Industrial Remodel, Condominium Conversions, and Adaptive Reuse.

- a. Unless otherwise required, and to the satisfaction of the Department of Building and Safety, the applicant shall install: High-efficiency toilets (maximum 1.28 gpf), including dual-flush water closets, and high-efficiency urinals (maximum 0.5 gpf), including no-flush or waterless urinals, in all restrooms as appropriate. Rebates may be offered through the Los Angeles Department of Water and Power to offset portions of the costs of these installations.
- b. Restroom faucets with a maximum flow rate of 1.5 gallons per minute.
- c. Single-pass cooling equipment shall be strictly prohibited from use. Prohibition of such equipment shall be indicated on the building plans and incorporated into tenant lease agreements. (Single-pass cooling refers to the use of potable water to extract heat from process equipment, e.g. vacuum pump, ice machines, by passing the water through equipment and discharging the heated water to the sanitary wastewater system.)

60. **All New Commercial and Industrial.** Unless otherwise required, all restroom faucets shall be of a self-closing design, to the satisfaction of the Department of Building and Safety.
61. **Landscaping.** In addition to the requirements of the Landscape Ordinance, the landscape plan shall incorporate the following:
- a. Weather-based irrigation controller with rain shutoff;
 - b. Matched precipitation (flow) rates for sprinkler heads;
 - c. Drip/microspray/subsurface irrigation where appropriate;
 - d. Minimum irrigation system distribution uniformity of 75 percent;
 - e. Proper hydro-zoning, turf minimization and use of native/drought tolerant plan materials; and
 - f. Use of landscape contouring to minimize precipitation runoff.
 - g. A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for irrigated landscape areas totaling 5,000 sf. and greater, to the satisfaction of the Department of Building and Safety.
62. **Utilities (Solid Waste).**
- a. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. These bins shall be emptied and recycled accordingly as a part of the project's regular solid waste disposal program.
 - b. Prior to the issuance of any demolition or construction permit, the applicant shall provide a copy of the receipt or contract from a waste disposal company providing services to the project, specifying recycled waste service(s), to the satisfaction of the Department of Building and Safety. The demolition and construction contractor(s) shall only contract for waste disposal services with a company that recycles demolition and/or construction-related wastes.
 - c. To facilitate onsite separation and recycling of demolition and construction-related wastes, the contractor(s) shall provide temporary waste separation bins onsite during demolition and construction. These bins shall be emptied and recycled accordingly as a part of the project's regular solid waste disposal program.

E. Administrative Conditions of Approval

63. **Utilities (Solid Waste). Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Planning Department for placement in the subject file.
64. **Code Compliance.** Area, height and use regulations of the [Q]C2-1 zone classification of the subject property shall be complied with, except where herein conditions are more restrictive.
65. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assign. The agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Planning Department for attachment to the file.

66. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public officials, legislation or their successors, designees or amendment to any legislation.
67. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Planning Department and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
68. **Building Plans.** Page 1 of the grants and all the conditions of approval shall be printed on the building plans submitted to the City Planning Department and the Department of Building and Safety.
69. **Indemnification.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

FINDINGS

1. **General Plan Land Use Designation.** The subject site is located in the West Adams-Baldwin Hills-Leimert Community Plan. The Community Plan map designates the property for Community Commercial land uses with the corresponding zone of C2 and Height District No. 1. The subject property is zoned [Q]C2-1 and is approximately 6.5-acres, (approximately 283,140 square feet). The zone permits uses consistent with retail stores, shops, or businesses including grocery, dining, clothing, entertainment, home decorations or home improvements and other goods and services that are being considered for the proposed development. The zone also permits courtyards, plazas, parking structures and other uses incidental to primary commercial uses. The proposed project is permitted in the [Q]C2-1 Zone, no changes to the land use designation or zone is being requested.
2. **General Plan Text.** The West Adams-Baldwin Hills-Leimert Community Plan text includes relevant land use discussions:

The commercial land use policies reflect the need to locate new commercial uses in the community to facilitate convenient shopping and easy access to professional services. New and rehabilitated office space can be established in the commercial centers (nodes) and areas designated for mixed use, proposed transit oriented districts and pedestrian oriented areas. Redevelopment of existing commercial strips and areas, and conversion of existing structures to more appropriate uses should result in the physical and aesthetic upgrading of these areas.

Objective 1-1 To conserve and strengthen viable commercial development.

Policies

1-1.1 New commercial uses shall be located in existing, established commercial areas or existing shopping centers.

1-1.3 Commercial areas should be consolidated and deepened to stimulate existing businesses, create opportunities for new development and off-street parking, expand the variety of goods and services, and improve shopping convenience as well as offer local employment.

Objective 1-4 To attract uses which strengthen the economic base and expand the market opportunities for existing and new businesses.

Policies

1-4.2 Identify appropriate revitalization/redevelopment area and encourage uses that would enhance the economic vitality of the community.

Objective 1-6 To enhance the appearance of Commercial districts

Policies

1-6.1 Improve the appearance and landscaping of commercial properties.

1-6.2 Preserve community character, scale and architectural diversity.

The proposed project complies with several provisions of the West Adams-Baldwin Hills-Leimert Community Plan and the new development will strengthen the existing commercial corridor and economic base. The project is an in-fill development, which will be contiguous and compatible with other development in the immediate vicinity. As conditioned, the project will enhance the neighborhood character, encourage the development of other community serving commercial uses near the transit station(s), reduce automobile trips to other areas and thus improve the viability of the transit of oriented as a gateway to the community, eliminate existing blight, and enhance the pedestrian environment.

The proposed project does not comply with the Community Plan policy (Residential Policy 1-1.2) that encourages the protection of existing single family and low density residential neighborhoods from the encroachment by higher density residential and other incompatible uses. The project seeks to construct a 45 feet high building wall adjacent to single family homes.

3. **The Transportation Element** of the General Plan is not likely to be affected by the recommended action herein. The new shopping center ("District Square") will require dedications and improvements to bring the abutting streets in compliance with the current standards. The necessary dedication and/or improvement of Crenshaw Boulevard and Rodeo Road will assure compliance with this Element of the General Plan and with the City's street improvement standards pursuant to Municipal Code Section 17.05.
4. **The Sewage Facilities Element** of the General Plan will not be affected by the recommended action.
5. **Conditional Use Findings (Major Commercial Development)**

a. The proposed location will be desirable to the public convenience or welfare.

The Crenshaw Boulevard commercial corridor and the surrounding neighborhoods are considered to be underserved by major retailers, who offer a variety of goods and services, and notable family oriented sit-down restaurants. The proposed shopping and center use will provide residents of the community, visitors, and the local workforce population, with a safe and convenient shopping, dining and entertainment alternative within the Community Plan area. The proposed project will replace an underutilized commercial space with a major development with major tenants and smaller retail space.

The proposed project is located along Crenshaw Boulevard which is a Major Highway Class I in the Community Plan area, where several bus lines operate to serve the community. The shopping center is located approximately one mile south of the Santa Monica Freeway (I-10), which provides access to other local and regional destinations including downtown Los Angeles. The MTA's Exposition Light Rail Corridor station is located within the 500 feet radius of the

proposed shopping center and will provide convenient rail access to employment, recreational and cultural facilities throughout the city from the site. The project location is south of a proposed station for the Crenshaw/LAX transit Corridor Light rail, which is the terminus of the light rail system.

b. The proposed location is proper in relation to adjacent uses or the development of the community.

The surrounding properties are zoned commercial ([Q]C2-1) and residential (RD2-1 and R1-1). Commercial uses are located primarily along Crenshaw Boulevard, north and south of the project site. A recently redeveloped shopping center borders the southerly property line of the project site and consist of a Walgreen's drug store, Starbucks, Denny's, Big 5 sporting, Goodwill and other neighborhood serving retail. Southwest of the site is another neighborhood shopping center that was redeveloped and contains a Pep Boys, CVS drug store, Auto Club of Southern California office, and a foster care agency. Across the street to the west is a strip of commercial and office buildings with parking in the rear. West Los Angeles Church of God in Christ, which is large worship facility, is located north of Exposition Boulevard and a satellite office of the Los Angeles County Probation Department is located northwest across Crenshaw Boulevard. Single family residences and duplexes are located east and northeasterly of the project, respectfully.

The location of the proposed 296,567 square feet commercial development is proper in relation to the adjacent commercial uses and the surrounding community. The new shopping center will consist of an aggregate of commercial uses that will be within close proximity to other recently developed commercial uses offering diversity and choice to the existing and future consumer base. The location is appropriate in that the proposed project is close to nearby residential uses and conveniently located along a major MTA bus line corridor. The project site is south across the street from the proposed Crenshaw/Rodeo station of the Crenshaw/LAX Corridor light rail line, which is adjacent to the new Exposition/Crenshaw Station of the Exposition rail line. The nearby light rail stations provide the broader South Los Angeles community greater and convenient access to the proposed shopping center and the existing shopping district.

c. The use will not be materially detrimental to the character of the development in the immediate neighborhood.

The immediate commercial district has experienced limited commercial development over the past 20-25 years, and the residential areas have experienced less development. The redevelopment of a former auto dealership and bowling alley site located just south of the subject reflects the most recent commercial development in the area, and it consists of a Starbuck, Denny's restaurant, Big 5 sporting store, and a Goodwill outlet. The redevelopment of a small shopping on the west side of Crenshaw Boulevard, one half mile south of the subject, reflects another recent commercial development.

The proposed 296,657 square feet development will not inhibit or detract from neighboring properties, but rather will be an asset. New buildings and uses with new designs and new features, ample parking, convenient access to two major transit corridors are considered an asset to the community and over time, they will improve the character of an overall community.

d. The proposed location will be in harmony with the various elements and objectives of the General Plan.

The West Adams-Baldwin Hills-Leimert Community Plan Map, a portion of the Land Use Element of the General Plan, designates the property for Community Commercial land uses with corresponding zones of C2 and Height District No. 1. As stated in the Community Plan: The commercial land use policies reflect the need to locate new commercial uses in the community to facilitate convenient shopping and easy access to professional services. New and rehabilitated office space can be established in the commercial centers (nodes) and areas designated for mixed use, proposed transit oriented districts and pedestrian oriented areas. Redevelopment of existing commercial strips and areas, and the conversion of existing structures to more appropriate uses should result in the physical and aesthetic upgrading of these areas.

The location of the proposed 296,567 square feet shopping center project will be in harmony with several provisions of the West Adams-Leimert-Baldwin Hills Community Plan. The new shopping center development will strengthen the existing commercial corridor and economic base, concentrate and reduce trips to other areas for shopping needs.

e. The major development project conforms with any applicable specific and/or redevelopment plan.

The subject property is zoned [Q]C2-1 and the site is approximately 283,140 square feet. The commercial zone permits uses consistent with retail stores, shops, or businesses including grocery, dining, clothing, entertainment, home decorations or home improvements and other goods and services that are being considered for the proposed development. The zone also permits multi-family uses, courtyards, plazas, parking structures and other uses incidental to primary commercial uses.

The proposed project is located within Subarea A of the Crenshaw Corridor Specific Plan, and subject to review by the Community Planning Bureau of the Planning Department for Project Permit Compliance pursuant to Section 11.5.7. C of the LAMC. The project is subject to review of the proposed use, building setback, open space areas, height, sign, parking underground utilities. The project is not located in a subarea that is subject to design review by the Design Review Board of the Specific Plan.

The proposed District Square project complies with the guidelines of the Mid-City Crenshaw Vision + Implementation Plan, with one exception and that is where a minimum 15 feet setback is recommended at the rear yard for structures above 33 feet in height. The applicant is requested Conditional Use herein to allow a 45

feet in height wall along the rear property line. The conditional use to allow a 35-foot height is approved herein and the project's remaining portion complies with the transitional height requirements.

- f. The project provides a compatible arrangement of uses, buildings, structures and improvements in relation to neighboring properties.*

As conditioned herein for compliance with architectural and urban design features and approved for the conditional use for transitional height, the proposed development will provide a new shopping center for local residents and the visiting public as well as its neighbors through good aesthetic use of material, texture and color, and will remain aesthetically appealing. The placement of the uses have been situated to tier away from the residential properties to the east with a non-traditional style development fronting along Crenshaw Boulevard to promote an inviting street scene. Additionally, the ingress/egress points and on-site circulation pattern, as conditioned, will minimize the potential for any conflict to occur. Therefore, the intended design and layout of the proposed development will not interfere with the uses and enjoyment of neighboring existing or future developments.

Potential pedestrian and vehicular traffic hazards will be addressed through detailed pedestrian and vehicular circulation plans.

- g. The major development project complies with the height and area regulation of the zone in which it is located.*

The project, with the exception of the height, has been designed to meet requirements of the [Q]C2-1 Zone, the Los Angeles Municipal Code and the Crenshaw Corridor Specific Plan. As it relates to landscaping, a buffering strip of landscape and decorative hardscape is reflected in the design along both Crenshaw Boulevard and Rodeo Road as a means to expand pedestrian oriented open spaces creating a visual interest to the site. The applicant has stated that "the proposed circulation pattern has been reviewed by a traffic engineer. The results of the engineer's findings show that the points of ingress/egress limit the potential impacts caused by the transitioning of pedestrian to vehicular traffic flows and allows for adequate vehicular interior circulation from the public right of way."

Furthermore, in compliance with the goals and objectives of the Crenshaw Corridor Specific Plan, the proposed project will serve as an aesthetic enhancement to the community, and promote a high level of pedestrian activity by providing an attractive environment in the areas that are designated for pedestrian use; this in turn results in an opportunity to reduce vehicular trip generation and promote more alternate forms of transportation to the shopping center. The development of the proposed project will also generate additional sales tax revenue which in turn enhances the economic strength of the commercial district. It can also be projected that the proposed commercial development has the potential to boost employment opportunities for local residences.

6. Conditional Use Findings – (Transitional Height)

a. The proposed location will be desirable to the public convenience or welfare.

Transitional height provisions of the Municipal Code requires that portions of buildings on a C or M zone shall not exceed the height limits set forth as follows within the distances specific from a lot classified in the RW1 or more restrictive zone

Distance	Height
0 to 49 feet	25 feet
50 to 99 feet	33 feet
100 to 199 feet	61 feet

The proposed location of the project's 45-foot high building wall along the easterly portion of the project will not be desirable to the public convenience or welfare. The proposed 45-foot high wall will be situated two feet from the single family homes east of the project site. Some of the single family residences have garages at the rear of their property line where the distance between the proposed 45-foot high wall and some existing structures will be as little as seven feet. The limited area between the proposed 45-foot wall and single family uses compromises the health, safety and welfare of the public, as the purpose of the transitional height is to allow adequate privacy and separation to the adjacent single family homes. A proposed 45-foot height commercial parking wall within two feet of a single family zoned property will be a looming presence to the residents of these homes.

However, as conditioned herein, a 35 feet high wall will be desirable along the easterly portion of the project. The wall will be setback 10 feet from the property line, extend 35 feet in height, recessed 10 feet and then be permitted to extend to a maximum height of 45 feet.

b. The proposed location is proper in relation to adjacent uses or the development of the community.

Pursuant to the LAMC, a maximum height of 25 feet is permitted for commercial developments within 0 to 49 feet of single family residential uses. The applicant is requesting relief from the maximum height permitted by the code to allow a 45-foot high building to be constructed beginning two feet from the property line to accommodate the vehicular access from Rodeo Road to the proposed roof top parking area of the shopping center.

The location of the 45-feet high wall will not be in proper relation to the adjacent single family uses located east of the shopping center. The presence of the wall will significantly impact the light, air, privacy and enjoyment currently possessed by the property owners. The ingress/egress to and from the roof top garage along Rodeo Road will encourage more vehicular trips near the common boundary lines of the two properties, attract more vehicles to the intersection of

Rodeo Road and Norton Avenue, and increase vehicular traffic through the neighborhood along Norton Avenue. The single family residential character will be compromised and disrupted by the additional vehicular traffic. In addition vehicles parking on the rooftop may create additional noise impacts and light impacts onto the adjacent single family homes.

However, as conditioned herein, a 35 feet high wall will be proper in relation to adjacent residential uses. The proposed wall will be setback 10 feet from the property line, extend 35 feet in height, recessed 10 feet and then be permitted to extend to a maximum height of 45 feet.

c. The use will not be materially detrimental to the character of the development in the immediate neighborhood

The proposed 45-foot high building wall will be detrimental to the residential character of development in the immediate neighborhood as it will adversely impact the manner in which single family occupants utilize their property. The presence of the wall will significantly impact the light, air, privacy and enjoyment currently possessed by the property owners. Based on the elevation plans submitted, approximately 380 feet of the east elevation of the building will encroach into the transitional height limit. The ingress/egress entry to and from the roof top garage along Rodeo Road will encourage more vehicular trips near the common boundary line of the two properties, attract more vehicles to the intersection of Rodeo Road and Norton Avenue, and increase vehicular traffic through the neighborhood along Norton Avenue. Although the applicant is proposing to plant vines along the boundary walls, maintenance of such vines requires constant monitoring and still does not address the cars parked on the rooftop.

However, as conditioned herein, a 35 feet high wall will not be materially detrimental to the character of the development of the immediate neighborhood. The proposed wall will be setback 10 feet from the property line, extend 35 feet in height, recessed 10 feet and then be permitted to extend to a maximum height of 45 feet.

d. The proposed location will be in harmony with the various elements and objectives of the General Plan

The location of a 45-feet high wall abutting R1 zone properties will not be in harmony with the West Adams-Baldwin Hills-Leimert Community Plan, which is a land use element of the General Plan. The proposed project, with a 45-foot high wall, does not comply with the Community Plan policy (Residential Policy 1-1.2) that encourages the protection of existing single family and low density residential neighborhood from the encroachment by higher density residential and other incompatible uses. The proposed project is a new project being designed from the ground up. It is not renovation or remodel of an existing shopping center. There has been no substantial reasons submitted that demonstrates that the project cannot be designed within the transitional height limitations. The building can be designed to step up the height toward Crenshaw

Boulevard while maintaining a lower height along the R1-1 Zone properties. Building a solid wall that is 45-feet in height along single family zone properties does not protect the residential character along Norton Avenue. The construction of the 45-foot high wall may advance some commercial goals and objectives of the community plan, but residential goals and objectives are compromised in the process.

However, as conditioned herein, a 35 feet high wall will be in harmony proper in with the various elements and objectives of the Community plan. The wall will be setback 10 feet from the property line, extend 35 feet in height, recessed 10 feet and then be permitted to extend to a maximum height of 45 feet.

7. Conditional Use – (Alcohol Beverages)

a. Describe briefly how the proposed project will be proper in relation to adjacent uses or the development of the community.

The surrounding properties are within commercial ([Q]C2-1 and residential zones (RD2-1 and R1-1) Zones. Commercial uses are located primarily along Crenshaw Boulevard, north and south of the project site. A recently constructed shopping center abuts the southerly property line of the project site. It is developed with a Walgreen's drug store, Starbucks, Denny's, Big 5 sporting, Goodwill and other neighborhood serving retail. Southwest of te proposed site is another neighborhood shopping that contains a Pep Boys, CVS drug store, Auto Club office, and a foster care agency. Across the street to the west is a strip of commercial and office buildings with parking in the rear. Single family residences and duplexes are located east and northeasterly of the project, respectfully. As stated above, Crenshaw Boulevard is a major transit and commercial corridor in South Los Angeles and the MTA's Metro Rail Exposition Corridor Expo/Crenshaw Station are within closed proximity.

The location of the proposed 296,567 square feet commercial development is proper in relation to adjacent uses and surrounding community. It is appropriate to have an aggregate of commercial uses within close proximity to offer diversity and choice to the existing consumer base as is the case with the subject and the two nearby shopping centers. Also, it is appropriate that the proposed project is close to nearby residential uses and conveniently located near major transit corridors such as the bus lines and new rail stops to provide convenient access to the broader community.

b. Why does the applicant believe the location of the project will be desirable to the public convenience and welfare?

The Crenshaw Boulevard commercial corridor and the surrounding neighborhoods are considered to be an under-serve by major retailers, who offer a variety of goods and services, and notable family oriented sit-down restaurants. The proposed shopping and center use will provide residents of the community, visitors, and the local workforce population, with a safe and

convenient shopping, dining and entertainment alternative within the Community Plan area.

The proposed project is located along Crenshaw Boulevard which is a Major High Class I in the community plan area, where several bus lines operate to serve the community. The shopping center is located approximately one mile south of the Santa Monica Freeway (I-10), which provides access to other local and regional destinations including downtown Los Angeles. The MTA's Metro Rail Exposition Corridor Expo/Crenshaw Station is located within 500 radius of the shopping center will provide convenient rail access to employment, recreational and cultural facilities throughout the city. The project location is south of the proposed station for a the Crenshaw/LAX Transit Corridor Light rail, which is a terminus point.

- c. Describe how the proposed project will not be detrimental to the character of the development in the immediate neighborhood and will be in harmony with the various elements and objectives of the General Plan.*

The immediate commercial district has experienced limited commercial development over the past 20-25 years, and the residential areas have experienced less development. The redevelopment of a former auto dealership and bowling alley site located just south of the subject reflects the most recent commercial development in the area, and it consists of a Starbuck, Denny's restaurant, Big 5 sporting store, and a Goodwill outlet. The redevelopment of a small shopping on the west side of Crenshaw Boulevard, one half mile south of the subject, reflects another recent commercial development.

The proposed 296,657 square feet development will not inhibit or detract from neighboring properties, but rather will be an asset. New buildings and uses with new designs and new features, ample parking, convenient access to two major transit corridors are considered an asset to the community and over time, they will improve the character of an overall community.

- d. Will the approval of the Conditional Use at this location adversely affect the economic welfare of the community? Why?*

The approval of the conditional use will not adversely affect the economic welfare of the community; rather, the approved use will be a benefit to the commercial district. The inclusion of alcohol beverages in the proposed project is for the larger retailers' off-site sales. The off-site alcohol sales use is for a major retailer as a convenience to the other goods and services offered. No bars or night clubs are proposed as part of the project. The proposed major retailers will compliment to the other retail establishments in the new shopping center and the other retailers in the nearby commercial district.

The on-site alcohol sales facilities have not been identified and a separate conditional use application is required for their review.

e. Will the approval of the Conditional Use result in or contribute to an undue concentration of such establishments? Why?

Approval of alcohol beverages sales in conjunction with a commercial retail uses will not result in or contribute to an over concentration of off-site sales facilities in the immediate vicinity. It is customary for a grocery store and large retailer to provide off-site alcohol as a matter of convenience. Patrons to the proposed grocery store and large retailer will be prohibited from consuming alcohol on the premises or within the public right of way, to reduce any potential negative impact relative to alcohol sales activities.

The on-site alcohol sales facilities have not been identified and a separate conditional use application is required for their review

f. Will the approval of the Conditional Use detrimentally affect nearby residentially zoned properties.

On-site consumption of alcohol beverages will be prohibited for the retailer stores as the sales will be strictly for off-site purposes. As for restaurant, alcohol consumption and possession will be prohibited beyond the boundaries of the restaurant facilities. Additionally, security measures will be provided on-site so as to monitor the overall safety of the project site, which will significantly diminished the possibility of detrimental affects to the adjacent residential site. The approval of the conditional use for alcohol sales will not detrimentally affect the nearby residentially zone properties.

g. What are the proposed hours of operation and which days of the week will the establishment be open? What are the proposed hours of alcohol sales?

The proposed hours of operation are as follows:

Retailers Sunday through Thursday 8:00 a.m. to 11:00 p.m.
Friday and Saturday 8:00 a.m. to 12:00 p.m.

The on-site alcohol sales facilities have not been identified and a separate conditional use application is required for their review.

8. **Environmental.** A Mitigated Negative Declaration (ENV-2007-4661-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. The Commission hereby adopts that the Mitigated Negative Declaration, imposed the conditions shown in that document on this approval.



DEPARTMENT OF CITY PLANNING

RECOMMENDATION REPORT

ITEM 6



City Planning Commission

Date: April 8, 2010
Time: After 8:30a.m.*
Place: City Hall, 10th Floor
200 North Spring Street
Los Angeles, CA 90012

Public Hearing: Completed on January 27, 2010
Appeal Status: Appealable to City Council
Expiration Date: April 8, 2010

Case No.: CPC-2007-4661(CU)
CEQA No.: ENV-2007-4662-MND
Incidental Cases: N/A
Related Cases: N/A
Council No.: 10
Plan Area: West Adams-Baldwin Hills-Leimert
Specific Plan: South Los Angeles Alcohol Sales
Crenshaw Corridor
Certified NC: Empowerment Congress West
GPLU: General Commercial
Zone: [Q]C2-1
Applicant: M and A Gabee Inc
Representative: Milan Garrison
MG Resolutions

PROJECT LOCATION: 3650-3670 South Crenshaw Boulevard

PROPOSED PROJECT: Construction of a new, approximately 296,567-square-foot retail shopping center ("District Square") consisting of two two-story commercial buildings having a maximum height of 45 feet, and a total of 998 on-site parking spaces between on-grade and rooftop parking areas, on an approximately 6.5-acre (283,140-square-foot) parcel in the [Q]C2-1 Zones. The existing commercial improvements on the property, totaling approximately 85,100 square feet and a 406-stall on-grade parking lot, will be demolished and portions of the property fronting Crenshaw Boulevard will be dedicated and improved to widen the roadway, while public right vacations are proposed for Rodeo Place and an alley west of Norton Avenue.

REQUESTED ACTION:

- 1 Pursuant to Section 12.24-U,14, a **Conditional Use** for a Major Commercial Development consisting of a 2-story, 45 feet in height, an approximate 296,567-square-foot new commercial retail space on a 6.5-acre site;
- 2 Pursuant to Section 12.24-W, 1, a **Conditional Use** for the sale and dispensing of a full-line of alcohol beverages for off-site consumption in conjunction with a supermarket, pharmacy, and a retail use;
- 3 Pursuant to Section 12.24-W, 1, a **Conditional use** for the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with two sit-down type restaurant facilities within the shopping center development;
- 4 Pursuant to Section 12.24-W,27, a **Conditional Use** to allow a 45 feet building height within the first 49 feet setback distance from an adjoining "R" Zone lot, in lieu of the maximum 25 feet otherwise permitted pursuant to Section 12.21.1-A.10 of the Los Angeles Municipal Code (transitional height regulations); and

- 5 Pursuant to Section 21082.1(c)(3) of the California Public Resources Code, **Adopt** ENV-2007-4662-MND for the above referenced project.

RECOMMENDED ACTIONS:

1. **Approve** a Conditional Use for a Major Commercial Development consisting of a 2-story, 45 feet in height, approximate 296,567-square-foot new commercial retail space on a 6.5-acre site;
2. **Approve** a Conditional Use for three (3) establishments for the sale and dispensing of a full-line of alcohol beverages for off-site consumption in conjunction with a supermarket, a pharmacy, and a retail use;
3. **Disapprove** a Conditional Use for the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with two sit-down type restaurant facilities within the shopping center development;
4. **Disapprove** a Conditional Use to allow a 45 feet building height within the first 49 feet of setback distant from an adjoining "R" Zone lot, in lieu of the 25 feet and 33 feet otherwise permitted pursuant to Section 12.21.1-A.10 of the Los Angeles Municipal Code (transitional height regulations); and
5. **Adopt** the attached findings;
6. **Adopt** Mitigated Negative Declaration No. ENV-2007-4662-MND.
7. **Advise** the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City Shall monitor or require evidence that any mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.
8. **Advise** the applicant that pursuant to State Fish and Game Code Section 711.4, a Fish and Game fee and/or Certificate of Fee Exemption is no required to be submitted to the County Clerk prior ro or concurrent with the Environmental Notice of Determination (NOD) filing.

S. GAIL GOLDBERG, AICP
Director of Planning


Jim Tokunaga, Senior City Planner


Theodore L. Irving, City Planner
Telephone: (213) 978-1366

***ADVICE TO PUBLIC:** *The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda. Written communications may be mailed to the *City Planning Commission Secretariat, 200 North Spring Street, Room 252, Los Angeles, CA 90012* (Phone No.213-978-1300). While all written communications are given to the Commission for consideration, the initial packets are sent to the week prior to the Commission's meeting date. If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agendized herein, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability, and upon request, will provide reasonable accommodation to ensure equal access to its programs, services and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services may be provided upon request. To ensure availability of services, please make your request not later than three working days (72 hours) prior to the meeting by calling the Commission Secretariat at (213) 978-1300.

TABLE OF CONTENTS

Project Analysis.....A-1

- Project Summary
- Background
- Issues
- Conclusion

Conditions of Approval.....C-1

Findings.....F-1

- General Plan/Charter Findings
- Entitlement Findings
- CEQA Findings

Public Hearing and CommunicationsP-1

Exhibits:

A – Maps

- A1 – Vicinity Map (required)
- A2 – Radius Map (required)
- A3 – MTA LAX/Crenshaw Transit Corridor Map
- A4 – MTA Expo Line Transit Corridor Map
- A5 – Los Angeles Community Redevelopment Agency Map
- A6 – Crenshaw Corridor Specific Plan Map

B - Plans

- B1 – Conceptual Renderings
- B2 – Elevations (1-4)
- B3 – Sectional Plan
- B4 – Site Plan (1-3)
- B5 – Color Board
- B6 – Landscaping
- B7 – Transitional Height
- B8 – Pedestrian and Walkability Plan
- B9 – Surrounding Sites

C – Environmental Clearance

D – Mitigation Monitoring Plan

PROJECT ANALYSIS

Project Summary

The proposed project is for the construction of a new, an approximately 296,567 square-foot retail shopping center ("District Square") consisting of two two-story commercial buildings having a maximum height of 45 feet and a total of 998 on-site parking spaces between at-grade and rooftop parking areas, on an approximately 6.5-acre (283,140 square-foot) parcel in the [Q]C2-1 Zones. The existing commercial improvements on the property consist of approximately 85,100 square feet of retail floor area and a surface parking lot consisting of 406 spaces which will be demolished. A portion of the property fronting Crenshaw Boulevard will be dedicated and improved to widen the roadway, while public right vacations are proposed for Rodeo Place and an alley west of Norton Avenue.

Background

The proposed project will be situated on a 6.5 acre site providing approximately 296,567 square feet of new commercial retail and restaurant space in two stories with an overall building height of 45 feet to accommodate various national retailers and merchandise sales including: grocery, dining, clothing, entertainment, home décor and home improvement and a variety of other goods and services. The tenant spaces will include 100% commercial and range in size from approximately 1,500 square feet to 150,000 square feet. The restaurant tenants will include sit-down establishments, with some serving alcohol beverages. The proposed parking will be provided in a ground level parking structure and a roof top parking structure totaling 998 spaces. No office, residential components or institutional components are included in the project design. The project site is within the West Adams-Baldwin Hills-Leimert Community Plan area and subject to the Crenshaw Corridor Specific Plan. Also, the site is within the Mid-City Crenshaw Vision + Implementation Plan (Crenshaw Vision Plan) area of the Los Angeles Community Redevelopment Agency and within 100 feet of the Expo Line Rail Corridor and adjacent to the LAX/Crenshaw Transit Corridor Line proposed by the Metropolitan Transit Authority.

The project design features store frontages that face both Crenshaw Boulevard and Rodeo Road. This feature was implemented with the objective to promote the ease of pedestrian accessibility from the main entrance points to the shopping plaza while simultaneously reducing obstructions to neighboring residents located adjacent to the rear of the property.

In conjunction with the 296,567-square-foot commercial shopping center, the applicant is requesting approval of major project permit, a conditional use permit for alcohol sales, and relief from the transitional height requirement for commercial corner developments. Additionally, the proposed project includes two requests for public right of way vacations: 1) Rodeo Place east of Crenshaw Boulevard and 2) an alley west of Norton Avenue and north of Rodeo Road.

The project is also seeking approval from the Community Redevelopment Agency Board of Directors to enter into an Owner's Participation Agreement for financing to offset the cost of installing the public right of way improvements. In the next few months, the CRA will vote on an Owner Participation Agreement ("OPA"), to provide financial assistance to the District Square Retail Development project for the purpose of creating approximately 608 permanent jobs and 408 construction jobs. The CRA/LA will pledge tax increment dollars generated by the Project to the Developer for reimbursement of a portion of the Project's foundation and publicly owned improvements costs.

Community Plan

The 6.5-acre site is located in the West Adams-Baldwin Hills-Leimert Community Plan area. The Community Plan map designates the property for Community Commercial land uses with the corresponding zone of C2 and Height District No. 1. The subject property is zoned [Q]C2-1 and is approximately 283,140 square feet. The commercial zone permits uses consistent with retail stores, shops, or businesses including grocery, dining, clothing, entertainment, home decorations or home improvements and other goods and services that are being considered for the proposed development. The zone also permits multi-family uses, courtyards, plazas, parking structures and other uses incidental to primary commercial uses.

The West Adams-Baldwin Hills Community Plan is one of nine Community Plans in the Planning Department's New Community Plans Program, established to study and ensure that plans are kept up to date so they effectively guide growth and development in the City's neighborhoods. The proposed New Community Plan Program for West Adams-Baldwin Hills and Liemert has been presented to several small group studies and workshops. Among the issues under consideration in the West Adams-Baldwin Hills Leimert New Community Plan are a transit oriented district; circulation and transportation; commercial, residential and industrial land uses; community and economic development; open space and parks and urban design. The proposed commercial project is analyzed against some of the goals and objectives of the New Community Plan.

Crenshaw Corridor Specific Plan

The Crenshaw Corridor Specific Plan will be amended along with the West Adams-Baldwin Hills-Liemert New Community Plan Program. The proposed Specific Plan amendment identifies a Transit Oriented Area located between 30th Street and Coliseum Street as the Crenshaw Expo District. The amendment encourages "the creation of a pedestrian-friendly transit oriented area consistent with the goals and policies of the West Adams-Baldwin Hills-Leimert Community Plan that promote health and sustainability by encouraging a mix of uses providing jobs, housing, goods and services, as well as access to open space, all within walking distance of the Mid-City / Exposition Light Rail Transit Crenshaw Boulevard Station."

Mid-City Crenshaw Vision + Implementation Plan (Crenshaw Vision Plan)

The *Mid-City Crenshaw Vision + Implementation Plan* (Crenshaw Vision Plan) is a multi-disciplinary and multijurisdictional research, analysis and planning effort to economically and physically revitalize Crenshaw Boulevard from the Santa Monica Freeway (I-10) to Dr. Martin Luther King, Jr. Boulevard. The improvements planned for the Crenshaw Corridor include green infrastructure improvements, the development of transit oriented developments, affordable housing, infill infrastructure and economic development. To date, this community-oriented plan has been awarded \$14.7 million in Proposition 1C funding, to begin implementation of recommendations in the Crenshaw Vision Plan.

The *Mid-City Crenshaw Vision + Implementation Plan* identifies the proposed development site and its surrounding area as the Crenshaw Expo District. The plan recommends the creation of a transit oriented district for the new Expo Light Rail Line Station at the intersection of Exposition and Crenshaw Boulevards and for the proposed Crenshaw /LAX Transit Corridor terminus at Crenshaw Boulevard and Rodeo Road. The goal of the district is encourage transit-related, pedestrian-oriented commercial office, residential and mixed-use development; encourage projects that have sidewalk orientation and promote pedestrian connectivity to the two rail line stations; provide for increased intensity of pedestrian-oriented activities and uses at ground level; encourage the creation of a parking district serving the existing under-parked structures

and adjacent corridor districts; and encourage the development of open space through limited street vacations.

The *Mid-City Crenshaw Vision and Implementation Plan* states the Expo Light Rail Line and the Crenshaw/LAX Transit Corridor Line will be one of the most centrally located transit connections in Los Angeles County when they become fully operational. The proposed shopping center is currently located south of the Expo Light Rail Line station, which extends from Downtown Los Angeles to Culver City. The east/west rail is under construction and is expected to be completed by the Summer of 2010. The project site abuts the easterly right of way along Crenshaw Boulevard which will be used for the Crenshaw/LAX Transit Corridor. The north/south transit corridor, which is currently being reviewed by the Los Angeles MTA Board of Commissioners, will provide a light rail line option from the central city area of Los Angeles to the Los Angeles International Airport

Metropolitan Transit Authority

On December 10, 2009, the Los Angeles MTA Board of Commissioners held a hearing for the proposed LAX/Transit Corridor project, the Environmental Impact Report, and to select a contractor for the rail line project. The decision was postponed at the Commission's request to allow for the completion of an alternate study for the 48th Street to 59th Street segment of the rail line located along the southerly portion of the line. The study will examine the below grade alternative for the southerly segment of the line and is expected to take a few months before the matter is returned to the Board of Commissioners for a vote. No other substantive concerns with the remaining portions of the Crenshaw/LAX Transit Corridor were raised.

In a discussion with the project manager Roderick Diaz, it was stated that the MTA is considering the acquisition of the site along Crenshaw Boulevard, between Rodeo Road and Exposition Boulevard. The site is being considered for the location of a Crenshaw/ Expo portal to access the below grade rail line and to provide convenient access to/from the Expo Light Rail line. The MTA offers no specific recommendation for the design of a transit oriented development near the station since it is the agency's policy that such matters be addressed by the local government.

Walkability Checklist

The proposed 6.5 acre project site is analyzed for compliance with the Planning Department's Walkability Checklist to evaluate such components as the building orientation, open space, building frontage, on-site landscaping, off-street parking and driveways, building signage, lighting, sidewalks, cross walks, on-street parking and utilities. Many of the checklist guidelines are similar to those found in guidelines for transit oriented development

The proposed project complies with some of the recommendations of the Walkability Checklist. The primary entrance for pedestrian is at grade level from the public right of way and accessible from the proposed transit stops. Metro bus line stop is located directed in front of the proposed plaza area. Secondary pedestrian entry points are located near the vehicular entry point. Visual interest has been incorporated varying the building height, massing, rhythm and texture to the exterior. Pedestrian views into the buildings have been provided to increase pedestrian comfort and safety.

However, the proposed project does not appear to reflect significant contributions in creating a unique neighborhood identity or place. Plans are not sufficiently detailed to show attempts in preventing or minimizing auto-pedestrian conflicts as there are several driveway entrances from Crenshaw Boulevard. There are no easily identifiable pedestrian walkways within and adjoining the parking areas. Signage, lighting and detailed urban design plans were not provided to staff.

Issues

Residents - At the January 27, 2010 public hearing, several issues were raised by residents from the community. Two issues were related to parking on Norton Avenue and the selection of retailers and services for the proposed project. Concerns were raised about the height of the structure next the R1-Zone properties located east of the site, as they were concerned with the impact of a 45-foot high structure directly along their property line.

The applicant's representative stated the decision to select the proposed tenants resulted from discussions with the existing tenants, the Neighborhood Council, the Los Angeles Community Redevelopment Agency, the Council District Office (CD-10), and the analysis of market studies to determine the demands and leakages of the Crenshaw area. The representative also addressed the resident's concern relative to parking and stated no vehicular access is proposed along Norton Avenue as the two major access points to the shopping center will be situated along Crenshaw Boulevard, and a third access point will be located along Rodeo Drive.

Community Group(s) - A letter was received from a community group (Fix-Expo) which states the proposed project fails to provide sufficient open space, has a block design, includes a sea of parking on the roof top and does not have a mix of uses. The letter goes on to state that the earlier version of the proposed project was more superior than the version submitted to the Planning Department.

Community Plan - A review of the proposed project by Community Planning staff of the Planning Department for the West Adams-Baldwin Hills-Liemert Community Plan raised some concerns with proposed project since the project is located in an area that has been identified as Transit Oriented District in the Community Plan Revision of the West Adams-Baldwin Hills-Liemert Community Plan, Crenshaw Corridor Specific Plan and the Mid-City Crenshaw Vision and Implementation Plan. The concerns were related to the following:

- That a grocery store be included in the development of a site greater than 200,000 square feet,
- The project achieves greater than 50% window transparency
- That the shopping be more pedestrian friendly with fewer curb cuts, particularly along Crenshaw Boulevard
- Varying but complimentary the building material
- That open space be more attractively developed (waterfalls, hardscape, landscaping)
- That the project be more integrated into proposed Transit Oriented District which includes the new stations for the Expo Light Rail Line, the proposed Crenshaw/LAX Corridor Light Rail station and the surrounding commercial uses at the Crenshaw Boulevard and Rodeo intersection.
- The proposed design be more compatible with the earlier version first reviewed by the Community Planning Bureau staff
- The design of the project should be made to enhance the pedestrian connection between and to the proposed Crenshaw/Rodeo station of the Crenshaw/LAX Transit Corridor, and ultimately to the Crenshaw/Exposition station of the Expo Corridor Light rail.

Circulation - The proposed parking plan layout indicates the shopping center site will provide five (5) vehicular entry points. Three of the entry points will be located along Crenshaw Boulevard, a designated Major Highway Class I. Two entry points will be along Rodeo Road, a designated Secondary Highway. The five entry points represent a net gain of one entry point from the existing shopping centers' four points of entry.

A detailed circulation plan was not provided to indicate the pattern of vehicular traffic, particularly for the loading and unloading of goods and supplies. Also, there was no indication of the pattern of pedestrian travel to and from the site or internally within the project site.

Transit Oriented District - The proposed commercial shopping center lacks some features consistent with the various plans for the project site and surrounding area which identify the vicinity as a Transit Oriented District. The following is a list of features that contribute to the incompatibility and inconsistency:

- The proposed project is 100% retail/commercial and lacks a mix of uses that include residential, office, institutional, or educational uses.
- Lacks sufficient ground floor uses as less than 1/3 of the ground level area is devoted to retail space (82,943 square feet of retail floor area compared to the 283,140 square feet of lot area), the remainder is significantly made up of ground level parking.
- Plans lack detailed pedestrian linkages to the transit stations
- No community service facilities.
- Lacks connectivity to the commercial uses to the south as well as the residential areas to the east.
- Widens Crenshaw Boulevard, from 50 feet half right of way to a 64-foot half right of way
- Widens Rodeo Road, from a 40 feet half right of way to a 45 feet half right of way

Conclusion

Based on the information submitted, the surrounding uses, input from the public hearing, input from community planning, and the projects overall compliance with the West Adams-Baldwin Hills-Leimert Community Plan in regards to the land use designation, the City Planning Department is recommending that the City Planning Commission approve the requested Conditional Use for a Major Project and alcohol sales in the retail stores. Overall the proposed project will provide a more neighborhood serving commercial center with national chain stores and outlets. The proposed project will replace an older, outdated approximately 85,000 square foot commercial center that is heavily auto oriented with a large exposed surface parking area and replaced by a larger 296,000 square foot commercial center with more stores and services. However, the Planning Department is recommending that the transitional height deviation request be denied as the 45-foot high structure abutting R1-Zone properties will be detrimental to the adjoining property owners and have an adverse impact on immediate neighborhood and conflicts with the policies for transit oriented development. Also, it is recommended that the request for alcohol sales for sit-down restaurants be denied as no specific user or location within the development has been submitted. All potential sit down restaurants that serve alcoholic beverages will have to individually file for a Conditional Use permit.

The proposed project, as conditioned, will enhance the neighborhood character, encourage the development of other community serving commercial uses near the transit station(s), reduce automobile trips to other areas and thus improve the viability of the transit of oriented as a gateway to the community, eliminate existing blight, and enhance the pedestrian environment. The recommended approval of the project will further many of the City's land use policies. Conditions pertaining to design and future Specific Plan and Transit Oriented District Plans have been incorporated to address these issues.

The project is an in-fill development, which will be contiguous and compatible with other development in the immediate vicinity. The recommended approval of the conditional use would allow for the project to enhance the commercial nature of the site and provide increased retail and job opportunities in the West Adams-Baldwin Hills-Leimert Community Plan area to address the lack of quality retail and restaurant uses. Finally, the proposed project would create a

destination place and provide retail services at the major intersections of Crenshaw Boulevard and Exposition Boulevard as well as Crenshaw Boulevard and Rodeo Road

CONDITIONS OF APPROVAL

A. Entitlement Conditions

1. **Use.** The use and area regulations for the new development on-site shall be limited to those permitted in the [Q]C2-1 Zone as defined in Section 12.14 of the LAMC.
2. **Site Plan.** Prior to the issuance of any building permits, a revised detailed development plans including a site plan, elevations, facades, and architectural treatment, and landscaping / irrigation plans shall be submitted for review and approval by the Planning Department. The plans shall comply with the Los Angeles Municipal code, the subject conditions, and the intent of the subject permit authorization.
3. **Floor Area.** The floor area of all buildings shall be in conformance with the Height District No. 1.
4. **Height.** The height of all buildings and structures on the subject property shall not exceed the maximum permitted in Height District No. 1.
6. **Parking.** Parking shall be provided in compliance with Los Angeles Municipal Code, Section 12,21 A 4.

B. Other Conditions

7. **Crenshaw Corridor Specific Plan.** The propose project shall be subject to the Project Permit Compliance of the Crenshaw Corridor Specific Plan Ordinance 178,230.
8. **Architectural & Building Design**
 - a. Projects shall be designed with articulation which provides variation and visual interest.
 - b. Transparent building elements such as windows and doors shall occupy a minimum of 50% of the exterior wall surface of the ground floor façade.
 - c. All exterior building walls shall provide a break in the plane, or a change in material, every 20 feet in horizontal length and every 15 feet in vertical length, created by an articulation or architectural detail, such as:
 - A change in plane of at least 6 inches for a distance of not more than 20 feet.
 - Recessed entryways, recessed windows, or pop out windows.
 - Porticoes, building overhangs, projections or cantilevered designs.
 - Other architectural features that create a visual break.
 - d. Not more than 30% of the total exterior surface area of any building façade or of any visible side or rear elevation shall be free from architectural features or articulation(s).
 - e. All buildings shall apply at least two types of complementary building materials to exterior building facades. Accents such as decorative glass block, brick or tile, are materials that are encouraged as accents.

- f. Building materials such as brick, stone, metal, glass, tile or any similar material shall be employed to provide relief to untreated portions of exterior building facades.
 - g. Architectural, ancillary, and open space features shall be incorporated into the overall design of the project.
 - h. All windows shall be made of transparent, non-reflective glass.
 - i. The eastern and northern facades of the parking structure shall be fully screened with landscaping and/or architectural cladding using materials and architectural features that complement the design of the main building.
 - j. The southern façade of the parking structure shall be articulated to detract from graffiti.
 - k. In accordance with the Green Building Program's Standard of Sustainability (Ordinance No. 179,820, effective November 1, 2008) the project shall meet the intent of LEED at the certified level. Formal certification by the USGBC is not required.
9. **Parking and Driveway Plan.** A preliminary parking area and driveway plan shall be prepared and submitted to the Bureau of Engineering and City Wide Planning Coordination Section of the Department of Transportation in consultation with Council Office No. 10 for approval prior to the submittal of building plans for plan check by the Department of Building and Safety.
10. **Driveway Access**
- a. One driveway access along Rodeo Road shall be permitted.
 - b. One driveway access for patrons and employees shall be permitted along Crenshaw Boulevard.
 - c. One driveway access for deliveries and employees shall be permitted along Crenshaw Boulevard.
11. **Commercial Delivery.** No delivery for commercial uses shall be permitted between the peak hours of 7:00 am to 9:00 am and between 5:00pm and 7:00 pm. delivery vehicles shall only queue onsite and not along Rodeo Road, Crenshaw Boulevard or other adjacent residential streets.
12. **Signage.**
- a. On-site signs shall be limited to the maximum allowable under the Code. Multiple temporary signs in the store windows and along the building walls are not permitted.
 - b. On-site Signs are limited to the minimum (total number of signs) necessary to identify a business name, a company name logo, a generic type of business identification, the name of a single business entity or building, and the site address.
 - c. Information signs are limited to those which provide circulation/parking directions, instructions tenant restriction or address numerals.
13. **Prohibited Signs.** Pole signs, roof signs, projecting signs, neon signs window signs or posters, mural signs, electronic message signs, portable or sandwich signs, temporary or permanent banners or flags (including but not limited to those attached to or suspended from tress, walls, fences or light fixtures or any other structure/pole),

balloons, paintings, and off-site advertising signs. No signs with flashing, mechanical, strobe or blinking lights, or moving parts are permitted.

14. **Bicycle Parking.** Bicycle racks/storage facilities shall be provided on-site, as required by the LAMC Section 12.21-A, 16,

- a. A portion of the bicycle parking spaces shall be provided near the retail entrances at Crenshaw Boulevard and Rodeo Road.
- b. The bicycle parking space shall be shown on the revised plans and the majority shall be located at ground level.

15. **Public Improvement.**

- a. **Crenshaw Boulevard** (Scenic Major Highway – Class I) a 13-foot wide and variable width strip of land along the property frontage where there are no existing buildings to remain to complete a 64-foot half right-of-way in accordance with Scenic Major Highway – Class I standards as designated in the West Adams-Baldwin Hills-Leimert Community Plan, and a 20-foot radius property line return at the intersection with Rodeo Road.
- b. **Rodeo Road** (Secondary Highway) – A 5-foot wide strip of land along the property frontage to complete a 45-foot half right of way in accordance with the Secondary Highway Street Standards.
- c. **Rodeo Place** (Local Street) – None. A street vacation request has been submitted and is currently being processed under Council File No 07-2182. This vacation request has not been approved by the City Council.
- d. **Alley** (South of Rodeo Road) – None. An alley vacation request has been submitted and is currently being processed under Council File No. 07-2182. This vacation request has not been approved by the City Council.
- e. **Crenshaw Boulevard** – Construct additional surfacing to join the existing improvements to provide a 52-foot half roadway in accordance with Scenic Major Highway Class I standards as designated in the West Adams-Baldwin Hills-Leimert Community Plan., including asphalt pavement, an access ramp at the corner with Rodeo Road, Case II standards driveways, integral concrete curb, 2-foot gutter and a 12-foot full width concrete sidewalk. These improvements should transition and suitably join the existing improvements.
- f. **Rodeo Road** - Construct additional surfacing to join the existing improvements to provide a 35-foot half roadway, including asphalt pavement, integral concrete curb, 2-foot gutter and a 10-foot full width concrete sidewalk. These improvements should transition and suitably join the existing improvements.
- g. **Bureau of Street Lighting** - Prior to issuance of the Certificate of Occupancy (C of O), street lighting improvement plans shall be submitted for review and the owner shall provide a good faith effort via a ballot process for the formation or annexation of the property within the boundary of the development into a Street Lighting Maintenance Assessment District.

Improvement Condition - Construct new street light: one (1) on Rodeo Rd. and two (2) Rodeo Pl. If street widening per BOE improvement conditions, relocate and

upgrade street lights; three (3) on Rodeo Rd., seven (7) on Crenshaw Bl., and one (1) on Rodeo Pl.

- h. Metro Bus Operation -Metro Bus Operations Control Special Events Coordinators shall be contacted at 213.922.4632 regarding construction activities that may impact Metro bus lines. Other Municipal Bus Service Operators may also be impacted and therefore shall be included in construction outreach efforts.

C. Alcohol Sales (Off-Site)

- 16. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
- 17. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission to impose additional corrective Conditions, if, in the Commission's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
- 18. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the City Planning Department Zoning Administrator's Office and the Department of Building and Safety for purposes of having a building permit issued.
- 19. Indemnification. The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.
- 20. The grant made herein shall have a life of five years after which the grant entitlement shall be null and void and the applicant shall file for and win approval of a new grant from the Office of Zoning Administration in order to continue the sale of a full line of alcoholic beverages for on-site consumption.
- 21. Sales of alcoholic beverages for off-site sales shall be permitted only between the hours of 7:00 a.m. and 11:00 p.m., 7 days a week.
- 22. The sale of alcohol for on-site consumption is strictly prohibited.
- 23. The Petitioner(s) shall be responsible for maintaining, free of litter, the area and adjacent areas of the premises over which it has control.
- 24. Each individual owner/operator of an alcoholic beverage license shall filed an application for conditional use plan approval for each alcohol use at the facility in order to implement and utilize the permit at each of the proposed alcohol sales sites. The application must be accompanied by a payment of appropriated fees and must be accepted as complete by the Planning department public counter.

25. Prior to issuance of any permits relative to this matter, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement for CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. This agreement with the conditions attached must be submitted to the Department of City Planning for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the subject case file.

D. Environmental Conditions

26. Aesthetics (Landscaping).

- a. All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the decision maker.
- b. The landscape plan shall incorporate clinging vines along the eastern side of the project such that they will cover the exposed portions of the building/parking structure visible to the eastern abutting residential properties. A higher priority for coverage shall be given to the portions of the building higher than 25 feet.
- c. Aesthetics (Surface Parking) The average albedo of all surfaces of the entire project (including buildings, walls, surfaces, building roofs, etc., not limited to landscape) shall be 0.45 or greater.

27. Aesthetics (Graffiti)

- a. Every building, structure, or portion thereof, shall be maintained in a safe and sanitary condition and good repair, and free from graffiti, debris, rubbish, garbage, trash, overgrown vegetation or other similar material, pursuant to Municipal Code Section 91.8104.
- b. The exterior of all buildings and fences shall be free from graffiti when such graffiti is visible from a public street or alley, pursuant to Municipal Code Section 91.8104.15.
- c. Aesthetics (Signage) On-site signs shall be limited to the maximum allowable under the Code.
- d. Multiple temporary signs in the store windows and along the building walls are not permitted.

28. Aesthetics (Light). Outdoor lighting shall be designed and installed with shielding, so that the light source cannot be seen from adjacent residential properties.

29. Aesthetics (Glare). The exterior of the proposed building shall be constructed of materials such as high-performance tinted non-reflective glass and pre-cast concrete or fabricated wall surfaces.

30. Greenhouse Gas Emissions.

- a. The project shall either: a) Exceed 2005 Title 24 building energy efficiency minimum requirements by a minimum of 14%, or b) meet/exceed 2008 Title 24 building energy

efficiency minimum requirements. Only low- and non-VOC-containing paints, sealants, adhesives, and solvents shall be utilized in the construction and maintenance of the project.

- b. The applicant shall install demand (tankless or instantaneous) water heater systems sufficient to serve the anticipated needs of the restrooms within the project.
31. **Air Pollution (Stationary)** - An air filtration system shall be installed and maintained with filters meeting or exceeding the ASHRAE Standard 52.2 Minimum Efficiency Reporting Value (MERV) of 12, to the satisfaction of the Department of Building and Safety.
32. **Air Quality (Objectionable Odors)** The trash receptacle shall be relocated at least 50 feet from the property line of any adjacent residential property.
33. **Tree Removal (Non-Protected Trees)**
- a. Prior to the issuance of any permit, a plot plan shall be prepared indicating the location, size, type, and general condition of all existing trees on the site and within the adjacent public right(s)-of-way.
 - b. All significant trees (8-inch or greater trunk diameter, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) on the site proposed for removal shall be replaced at a 1:1 ratio with a minimum 24-inch box tree.
 - c. Landscape Plan shall be prepared, indicating the location of all replacement trees, to the satisfaction of the decision-maker. Net, new trees, located within the parkway of the adjacent public right(s)-of-way, may be counted toward replacement tree requirements.
 - d. Removal or planting of any tree in the public right-of-way requires approval of the Board of Public Works. Contact Urban Forestry Division at: 213-485-5675. All trees in the public right-of-way shall be provided per the current standards of the Urban Forestry Division the Department of Public Works, Bureau of Street Services.
34. **Cultural Resources (Archaeological). Human Remains)**
- a. In the event that human remains are discovered during excavation activities, the following procedure shall be observed: Stop immediately and contact the County Coroner:

1104 N. Mission Road
Los Angeles, CA 90033
323-343-0512 (8 a.m. to 5 p.m. Monday through Friday) or
323-343-0714 (After Hours, Saturday, Sunday, and Holidays)

The coroner has two working days to examine human remains after being notified by the responsible person. If the remains are Native American, the Coroner has 24 hours to notify the Native American Heritage Commission. The Native American Heritage Commission will immediately notify the person it believes to be the most likely descendent of the deceased Native American. The most likely descendent has 48 hours to make recommendations to the owner, or representative, for the treatment or disposition, with proper dignity, of the human remains and grave goods.

If the descendent does not make recommendations within 48 hours the owner shall reinter the remains in an area of the property secure from further disturbance, or;

- b. If the owner does not accept the descendant's recommendations, the owner or the descendent may request mediation by the Native American Heritage Commission.
- c. *Discuss and confer* means the meaningful and timely discussion careful consideration of the views of each party.
- d. If any archaeological materials are encountered during the course of project development, all further development activity shall halt and: The services of an archaeologist shall then be secured by contacting the South Central Coastal Information Center (657-278-5395) located at California State University Fullerton, or a member of the Society of Professional Archaeologist (SOPA) or a SOPA-qualified archaeologist, who shall assess the discovered material(s) and evaluate the impact.
- e. The archaeologist's survey, study or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource.
- f. The applicant shall comply with the recommendations of the evaluating archaeologist, as contained in the survey, study or report.
- g. Project development activities may resume once copies of the archaeological survey, study or report are submitted to:

SCCIC Department of Anthropology
McCarthy Hall 477
CSU Fullerton
800 North State College Boulevard
Fullerton, CA 92834

- h. A covenant and agreement binding the applicant to this condition shall be recorded prior to obtaining a grading permit.

35. Cultural Resources (Paleontological)

- a. If any paleontological materials are encountered during the course of project development, all further development activities shall halt and: The services of a paleontologist shall then be secured by contacting the Center for Public Paleontology - USC, UCLA, California State University Los Angeles, California State University Long Beach, or the Los Angeles County Natural History Museum, who shall assess the discovered material(s) and evaluate the impact.
- b. The paleontologist's survey, study or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource.
- c. The applicant shall comply with the recommendations of the evaluating paleontologist, as contained in the survey, study or report.
- d. Project development activities may resume once copies of the paleontological survey, study or report are submitted to the Los Angeles County Natural History Museum.

- e. A covenant and agreement binding the applicant to this condition shall be recorded prior to obtaining a grading permit.
36. **Seismic.** The design and construction of the project shall conform to the California Building Code seismic standards as approved by the Department of Building and Safety.
37. **Haul Routes.**
- a. Projects involving the import/export of 1,000 cubic yards or more of dirt shall obtain haul route approval by the Department of Building and Safety.
 - b. The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety. Fences shall be constructed around the site to minimize trespassing, vandalism, short-cut attractions and attractive nuisances.
38. **Erosion/Grading/Short-Term Construction Impacts (Air Quality)**
- a. All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50 percent.
 - b. The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by construction and hauling, and at all times provide reasonable control of dust caused by wind.
 - c. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
 - d. All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
 - e. All clearing, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
 - f. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
39. **Erosion/Grading/Short-Term Construction Impacts (Noise)**
- a. The project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
 - b. Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.
 - c. Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously.
 - d. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.

- e. The project sponsor shall comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment.

40. General Construction.

- a. All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, wood, and vegetation. Non recyclable materials/wastes shall be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.
- b. Leaks, drips and spills shall be cleaned up immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- c. Pavement shall not be hosed down at material spills. Dry cleanup methods shall be used whenever possible.
- d. Dumpsters shall be covered and maintained. Uncovered dumpsters shall be placed under a roof or be covered with tarps or plastic sheeting.
- e. Gravel approaches shall be used where truck traffic is frequent to reduce soil compaction and the tracking of sediment into streets shall be limited.
- f. All vehicle/equipment maintenance, repair, and washing shall be conducted away from storm drains. All major repairs shall be conducted off-site. Drip pans or drop clothes shall be used to catch drips and spills.

41. Liquefaction.

- a. The project shall comply with measures addressing liquefaction potential, based upon a geotechnical report approved by the Department of Building and Safety (Log # 67043), and as such Approval Letter may be later modified or amended.
- b. Perchloroethylene (PCE) Remediation. Prior to the issuance of any permit, including demolition, grading, use of land, or construction, the applicant shall obtain a sign-off from the Los Angeles Fire Department indicating that either: 1) identified soil and groundwater contamination originating from the property has been remediated to the satisfaction of the California Regional Water Quality Control Board; or 2) that a remediation plan has been approved by the RWQCB, and that the project design does not impair its implementation. In either case, a copy of the communication from the RWQCB shall be submitted to the Planning Department's environmental case file ENV 2007-4662-MND for retention.

42. Explosion/Release (Asbestos Containing Materials).

- a. Prior to the issuance of any demolition permit, the applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant that no ACM are present in the building. If ACM are found to be present, it will need to be abated in compliance with the South Coast Air Quality Management District's Rule 1403 as well as all other State and Federal rules and regulations.
- b. Prior to issuance of any permit for demolition or alteration of the existing structure(s), a lead-based paint survey shall be performed to the written satisfaction of the Department of Building and Safety. Should lead-based paint materials be identified,

standard handling and disposal practices shall be implemented pursuant to OSHA regulations.

43. Commercial & Industrial Development (Lot Size 43,560 sf)

- a. Project applicants are required to implement stormwater BMPs to treat and infiltrate the runoff from a storm event producing 3/4 inch of rainfall in a 24 hour period. The design of structural BMPs shall be in accordance with the Development Best Management Practices Handbook Part B Planning Activities. A signed certificate from a California licensed civil engineer or licensed architect that the proposed BMPs meet this numerical threshold standard is required.
- b. Post development peak stormwater runoff discharge rates shall not exceed the estimated pre-development rates for developments where the increase peak stormwater discharge rate will result in increased potential for downstream erosion.
- c. Maximize trees and other vegetation at each site by planting additional vegetation, clustering tree areas, and promoting the use of native and/or drought tolerant plants.
- d. Promote natural vegetation by using parking lot islands and other landscaped areas.
- e. Cover loading dock areas or design drainage to minimize run-on and run-off of stormwater.
- f. Direct connections to storm drains from depressed loading docks (truck wells) are prohibited.
- g. Repair/maintenance bays must be indoors or designed in such a way that doesn't allow stormwater run-on or contact with stormwater runoff.
- h. Design repair/maintenance bay drainage system to capture all washwater, leaks and spills. Connect drains to a standard sump for collection and disposal. Direct connection of the repair/maintenance bays to the storm drain system is prohibited. If required, obtain an Industrial Waste Discharge Permit.
- i. Vehicle/equipment wash areas must be self-contained and/or covered, equipped with a clarifier, or other pretreatment facility, and properly connected to the sanitary sewer.
- j. Any connection to the sanitary sewer must have authorization from the Bureau of Sanitation.
- k. The following activities are to be conducted under proper cover with drain routed to the sanitary sewer.
 - Storage of industrial wastes
 - Handling or storage of hazardous wastes
 - Metal fabrication or Pre-cast concrete fabrication
 - Welding, Cutting or Assembly
 - Painting, Coating or Finishing
- l. Store above ground liquid storage tanks (drums and dumpsters) in areas with impervious surfaces in order to contain leaks and spills.

- m. Install a secondary containment system such as berms, dikes, liners, vaults, and double-wall tanks. Where used oil or dangerous waste is stored, a dead-end sump should be installed in the drain.
- n. Toxic wastes must be discarded at a licensed regulated disposal site. Store trash dumpsters both under cover and with drains routed to the sanitary sewer or use non-leaking and water-tight dumpsters with lids. Use drip pans or absorbent materials whenever grease containers are emptied. Wash containers in an area with properly connected sanitary sewer.
- o. Reduce and recycle wastes, including: paper; glass; aluminum; oil; and grease.
- p. Reduce the use of hazardous materials and waste by: using detergent-based or water-based cleaning systems; and avoid chlorinated compounds, petroleum distillates, phenols, and formaldehyde.
- q. Cleaning of vehicles and equipment to be performed within designated covered or bermed wash area paved with Portland concrete, sloped for wash water collection, and with a pretreatment facility for wash water before discharging to properly connected sanitary sewer with a CPI type oil/water separator. The separator unit must be: designed to handle the quantity of flows; removed for cleaning on a regular basis (at least twice a year) to remove any solids; and the oil absorbent pads must be replaced regularly, once in fall just before the wet season, and in accordance with manufacturer' specifications.
- r. All storm drain inlets and catch basins within the project area must be stenciled with prohibitive language (such as NO DUMPING - DRAINS TO OCEAN) and/or graphical icons to discourage illegal dumping.
- s. Legibility of stencils and signs must be maintained.
- t. Materials with the potential to contaminate stormwater must be: (1) placed in an enclosure such as, but not limited to, a cabinet, shed, or similar stormwater conveyance system; or (2) protected by secondary containment structures such as berms, dikes, or curbs.
- u. The storage area must be paved and sufficiently impervious to contain leaks and spills.
- v. The storage area must have a roof or awning to minimize collection of stormwater within the secondary containment area.
- w. The owner(s) of the property will prepare and execute a covenant and agreement (Planning Department General form CP-6770) satisfactory to the Planning Department binding the owners to post construction maintenance on the structural BMPs in accordance with the Standard Urban Stormwater Mitigation Plan and or per manufacturer's instructions.

44. Food Service Industry (Restaurants, Bakeries, Food Processors)

- a. Applicants must meet the requirements of the Standard Urban Stormwater Mitigation Plan (SUSMP) approved by Los Angeles Regional Water Quality Control Board,

including the following: (A copy of the SUSMP can be downloaded at: <http://www.swrcb.ca.gov/rwqcb4/>).

- b. Cleaning of oily vents and equipment to be performed within designated covered area, sloped for wash water collection, and with a pretreatment facility for wash water before discharging to properly connected sanitary sewer with a CPI type oil/water separator. The separator unit must be: designed to handle the quantity of flows; removed for cleaning on a regular basis to remove any solids; and the oil absorbent pads must be replaced regularly according to manufacturer's specifications.
- c. Store trash dumpsters both under cover and with drains routed to the sanitary sewer or use non-leaking and water tight dumpsters with lids. Wash containers in an area with properly connected sanitary sewer.
- d. Store liquid storage tanks (drums and dumpsters) in designated paved areas with impervious surfaces in order to contain leaks and spills.
- e. Install a secondary containment system such as berms, curbs, or dikes. Use drip pans or absorbent materials whenever grease containers are emptied.
- f. Applicants are encouraged to incorporate the prescriptive methods into the design plans. These Prescriptive Methods can be obtained at the Public Counter or downloaded from the City's website at www.lastormwater.org.
- g. Parking Lots with 25 or More Spaces or 5,000 Square-feet of Lot Area (Residential, Commercial, Industrial, Public Facility)
- h. Applicants must meet the requirements of the Standard Urban Stormwater Mitigation Plan (SUSMP) approved by Los Angeles Regional Water Quality Control Board, including the following: (A copy of the SUSMP can be downloaded at: <http://www.swrcb.ca.gov/rwqcb4/>).
- i. Trash container areas must have drainage from adjoining roofs and pavement diverted around the area(s).
- j. Trash container areas must be screened or walled to prevent off-site transport of trash.
- k. Reduce impervious land coverage of parking lot areas.
- l. Infiltrate runoff before it reaches the storm drain system.
- m. Runoff must be treated prior to release into the storm drain. Three types of treatments are available, (1) dynamic flow separator; (2) a filtration or (3) infiltration. Dynamic flow separator uses hydrodynamic force to remove debris, and oil and grease, and are located underground. Filtration involves catch basins with filter inserts. Filter inserts must be inspected every six months and after major storms, cleaned at least twice a year. Infiltration methods are typically constructed on-site and are determined by various factors such as soil types and groundwater table.
- n. Applicants are encouraged to incorporate the prescriptive methods into the design plans. These Prescriptive Methods can be obtained at the Public Counter or downloaded from the City's website at: www.lastormwater.org.

45. **Flooding/Tidal Waves.** The project shall comply with the requirements of the Flood Hazard Management Specific Plan, Ordinance No. 172081 effective 7/3/98.
46. **Increased Noise Levels (Parking Wall).** A minimum 6-foot in height solid decorative masonry wall shall be constructed between any ground-level driveway or parking area and abutting residentially-zoned properties if no such wall exists.
47. **Increased Noise Levels (Parking Structure Ramps).**
 - a. Concrete, not metal, shall be used for construction of parking ramps.
 - b. The interior ramps shall be textured to prevent tire squeal at turning areas.
 - c. Parking lots located adjacent to residential buildings shall have a solid decorative wall adjacent to the residential.
48. **Increased Noise Levels (Retail Markets, Bars, Entertainment etc...).** No window openings shall be permitted along the residential sides of the building.
49. **Public Services (Fire).**
 - a. The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features:
 - fire lanes, where required, shall be a minimum of 20 feet in width;
 - all structures must be within 300 feet of an approved fire hydrant
 - entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.
 - b. Prior to the review and approval of plans by the Department of Building and Safety, the applicant shall obtain written communication from the Fire Department indicating the need, if any, for upgrades necessary to the capacity of existing fire mains in order to adequately serve the project. The need for such upgrades shall be so noted on the plans.
 - c. Prior to the issuance of a building permit, and to the satisfaction of the Fire Department, the applicant shall provide for adequate off-site public and on-site private fire hydrants.
50. **Public Services (Police General).** The plans shall incorporate the design guidelines relative to security, semi-public and private spaces, which may include but not be limited to access control to building, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provision of security guard patrol throughout the project site if needed. Please refer to Design Out Crime Guidelines: Crime Prevention Through Environmental Design published by the Los Angeles Police Department's Crime Prevention Section (located at Parker Center, 150 N. Los Angeles Street, Room 818, Los Angeles, (213)485-3134. These measures shall be approved by the Police Department prior to the issuance of building permits. Upon completion of construction,

the applicant shall provide the local Commanding Officer with as-built floor plans of the entire property. The plan(s) shall include access routes, unit numbers, and any information that might facilitate police response. The project shall not incorporate features that preclude installation of video surveillance of all publically accessible areas, including parking areas.

51. **Public Services (Street Improvements Not Required By DOT).** The project shall comply with the Bureau of Engineering's requirements for street dedications and improvements that will reduce traffic impacts in direct portion to those caused by the proposed project's implementation. To the satisfaction of the Department of Public Works, all existing water main, sewer, stormdrain, power, telecommunication, television cable, or any other such infrastructure located within or above the rights-of-way proposed for vacation shall be relocated.

52. **Bus Stop Displacement.**

- a. Prior to the issuance of a building permit, the applicant shall prepare and record a Covenant and Agreement, to the satisfaction of the decision-maker, which requires the following to be fulfilled by the applicant, owner, heir, or assign at a time prior to the issuance of a temporary or final Certificate of Occupancy: Relocate any Metropolitan Transportation Authority bus stop or infrastructure temporarily displaced as a result of construction activities and upgrade shelters, benches, and lighting according to the agency's standard plan for that location.
- b. Relocate any Los Angeles Department of Transportation bus stop or infrastructure temporarily displaced as a result of construction activities and upgrade shelters, benches, and lighting according to the agency's standard plan for that location.

53. **Increased Vehicle Trips/Congestion.**

- a. Prior to the issuance a building permit, the applicant shall submit a Construction Site Traffic Control Plan to the Department of Transportation for review and approval. The plan shall show the location of any roadwork or sidewalk closures, traffic detours, haul routes, hours of operation, protective devices, warning signs and access to abutting properties.
- b. Prior to the issuance of a building permit, the applicant shall, to the satisfaction of the decision-maker, prepare and submit a Transportation Demand Management plan for review and approval. Such plan must have been reviewed and approved by the Department of Transportation and Community Redevelopment Agency prior to submittal.
- c. Prior to the issuance of a building permit, the applicant shall, to the satisfaction of the decision-maker, prepare and record a Covenant and Agreement to monitor and submit annual reports on the implementation of the Transportation Demand Management plan to the Department of Transportation.
- d. All construction-related traffic shall be restricted to off-peak hours.

54. **Safety Hazards.**

- a. The applicant shall submit a parking and driveway plan that incorporates design features that reduce accidents, to the Bureau of Engineering and the Department of Transportation for approval.

- b. Prior to plan check submittal to LADBS, submit a site and/or driveway plan, scaled at least 1 inch = 40 feet, to: LADOT Construction Services Center, 201 N Figueroa Street, #400 (Counter No. 3), Los Angeles, 90012.
 - c. Two-way driveways shall be 30 feet wide and one-way driveways shall be 16 feet wide, exclusive of side slopes. Street improvements required per LAMC 12.37-A must be cleared by the Bureau of Engineering prior to issuance of LADOT project approval.
- 55. **Inadequate Emergency Access.** The applicant shall submit a parking and driveway plan to the Bureau of Engineering and the Department of Transportation for approval that provides code-required emergency access.
- 56. **Wastewater Generation.** Prior to the issuance of a building permit, the applicant shall post a bond to provide for upgrades to the existing sanitary sewer system infrastructure, as determined by the Bureau of Sanitation, in order to adequately serve the project.
- 57. **Utilities (Local or Regional Water Supplies).** The project shall comply with Ordinance No. 170,978 (Water Management Ordinance), which imposes numerous water conservation measures in landscape, installation, and maintenance (e.g. use drip irrigation and soak hoses in lieu of sprinklers to lower the amount of water lost to evaporation and overspray, set automatic sprinkler systems to irrigate during the early morning or evening hours to minimize water loss due to evaporation, and water less in the cooler months and during the rainy season). If conditions dictate, the Department of Water and Power may postpone new water connections for this project until water supply capacity is adequate.
- 58. **New Construction, Commercial/Industrial Remodel, Condominium Conversions, and Adaptive Reuse.**
 - a. Unless otherwise required, and to the satisfaction of the Department of Building and Safety, the applicant shall install: High-efficiency toilets (maximum 1.28 gpf), including dual-flush water closets, and high-efficiency urinals (maximum 0.5 gpf), including no-flush or waterless urinals, in all restrooms as appropriate. Rebates may be offered through the Los Angeles Department of Water and Power to offset portions of the costs of these installations.
 - b. Restroom faucets with a maximum flow rate of 1.5 gallons per minute.
 - c. Single-pass cooling equipment shall be strictly prohibited from use. Prohibition of such equipment shall be indicated on the building plans and incorporated into tenant lease agreements. (Single-pass cooling refers to the use of potable water to extract heat from process equipment, e.g. vacuum pump, ice machines, by passing the water through equipment and discharging the heated water to the sanitary wastewater system.)
- 59. **All New Commercial and Industrial.** Unless otherwise required, all restroom faucets shall be of a self-closing design, to the satisfaction of the Department of Building and Safety.
- 60. **Landscaping.** In addition to the requirements of the Landscape Ordinance, the landscape plan shall incorporate the following:
 - a. Weather-based irrigation controller with rain shutoff;

- b. Matched precipitation (flow) rates for sprinkler heads;
- c. Drip/microspray/subsurface irrigation where appropriate;
- d. Minimum irrigation system distribution uniformity of 75 percent;
- e. Proper hydro-zoning, turf minimization and use of native/drought tolerant plant materials; and
- f. Use of landscape contouring to minimize precipitation runoff.

A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for irrigated landscape areas totaling 5,000 sf. and greater, to the satisfaction of the Department of Building and Safety.

61. **Utilities (Solid Waste).**

- a. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. These bins shall be emptied and recycled accordingly as a part of the project's regular solid waste disposal program.
- b. Prior to the issuance of any demolition or construction permit, the applicant shall provide a copy of the receipt or contract from a waste disposal company providing services to the project, specifying recycled waste service(s), to the satisfaction of the Department of Building and Safety. The demolition and construction contractor(s) shall only contract for waste disposal services with a company that recycles demolition and/or construction-related wastes.
- c. To facilitate onsite separation and recycling of demolition and construction-related wastes, the contractor(s) shall provide temporary waste separation bins onsite during demolition and construction. These bins shall be emptied and recycled accordingly as a part of the project's regular solid waste disposal program.

E. Administrative Conditions of Approval

- 62. **Utilities Utilities (Solid Waste). pproval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Planning Department for placement in the subject file.
- 63. **Code Compliance.** Area, height and use regulations of the [Q]C2-1 zone classification of the subject property shall be complied with, except where herein conditions are more restrictive.
- 64. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assign. The agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Planning Department for attachment to the file.
- 65. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public officials, legislation or their successors, designees or amendment to any legislation.
- 66. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Planning Department and any designated agency, or the

agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.

67. **Building Plans.** Page 1 of the grants and all the conditions of approval shall be printed on the building plans submitted to the City Planning Department and the Department of Building and Safety.
68. **Indemnification.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

FINDINGS

1. **General Plan Land Use Designation.** The subject site is located in the West Adams-Baldwin Hills-Leimert Community Plan. The Community Plan map designates the property for Community Commercial land uses with the corresponding zone of C2 and Height District No. 1. The subject property is zoned [Q]C2-1 and is approximately 6.5-acres, (approximately 283,140 square feet). The zone permits uses consistent with retail stores, shops, or businesses including grocery, dining, clothing, entertainment, home decorations or home improvements and other goods and services that are being considered for the proposed development. The zone also permits courtyards, plazas, parking structures and other uses incidental to primary commercial uses. The proposed project is permitted in the [Q]C2-1 Zone, no changes to the land use designation or zone is being requested.

2. **General Plan Text.** The West Adams-Baldwin Hills-Leimert Community Plan text includes relevant land use discussions:

The commercial land use policies reflect the need to locate new commercial uses in the community to facilitate convenient shopping and easy access to professional services. New and rehabilitated office space can be established in the commercial centers (nodes) and areas designated for mixed use, proposed transit oriented districts and pedestrian oriented areas. Redevelopment of existing commercial strips and areas, and conversion of existing structures to more appropriate uses should result in the physical and aesthetic upgrading of these areas.

Objective 1-1 To conserve and strengthen viable commercial development.

Policies

1-1.1 New commercial uses shall be located in existing, established commercial areas or existing shopping centers.

1-1.3 Commercial areas should be consolidated and deepened to stimulate existing businesses, create opportunities for new development and off-street parking, expand the variety of goods and services, and improve shopping convenience as well as offer local employment.

Objective 1-4 To attract uses which strengthen the economic base and expand the market opportunities for existing and new businesses.

Policies

1-4.2 Identify appropriate revitalization/redevelopment area and encourage uses that would enhance the economic vitality of the community.

Objective 1-6 To enhance the appearance of Commercial districts

Policies

1-6.1 Improve the appearance and landscaping of commercial properties.

1-6.2 Preserve community character, scale and architectural diversity.

The proposed project complies with several provisions of the West Adams-Baldwin Hills-Leimert Community Plan and the new development will strengthen the existing commercial corridor and economic base. The project is an in-fill development, which will be contiguous and compatible with other development in the immediate vicinity. As conditioned, the project will enhance the neighborhood character, encourage the development of other community serving commercial uses near the transit station(s), reduce automobile trips to other areas and thus improve the viability of the transit of oriented as a gateway to the community, eliminate existing blight, and enhance the pedestrian environment.

The proposed project does not comply with the Community Plan policy (Residential Policy 1-1.2) that encourages the protection of existing single family and low density residential neighborhoods from the encroachment by higher density residential and other incompatible uses. The project seeks to construct a 45 feet high building wall adjacent to single family homes.

3. **The Transportation Element** of the General Plan is not likely to be affected by the recommended action herein. The new shopping center ("District Square") will require dedications and improvements to bring the abutting streets in compliance with the current standards. The necessary dedication and/or improvement of Crenshaw Boulevard and Rodeo Road will assure compliance with this Element of the General Plan and with the City's street improvement standards pursuant to Municipal Code Section 17.05.
4. **The Sewage Facilities Element** of the General Plan will not be affected by the recommended action.
5. **Conditional Use Findings (Major Commercial Development)**

a. *The proposed location will be desirable to the public convenience or welfare.*

The Crenshaw Boulevard commercial corridor and the surrounding neighborhoods are considered to be underserved by major retailers, who offer a variety of goods and services, and notable family oriented sit-down restaurants. The proposed shopping and center use will provide residents of the community, visitors, and the local workforce population, with a safe and convenient shopping, dining and entertainment alternative within the Community Plan area. The proposed project will replace an underutilized commercial space with a major development with major tenants and smaller retail space.

The proposed project is located along Crenshaw Boulevard which is a Major Highway Class I in the Community Plan area, where several bus lines operate to serve the community. The shopping center is located approximately one mile south of the Santa Monica Freeway (I-10), which provides access to other local and regional destinations including downtown Los Angeles. The MTA's Exposition Light Rail Corridor station is located within the 500 feet radius of the proposed shopping center and will provide convenient rail access to employment, recreational and cultural facilities throughout the city from the site. The project location is south of a proposed station for the Crenshaw/LAX transit Corridor Light rail, which is the terminus of the light rail system.

b. *The proposed location is proper in relation to adjacent uses or the development of the community.*

The surrounding properties are zoned commercial ([Q]C2-1) and residential (RD2-1 and R1-1). Commercial uses are located primarily along Crenshaw Boulevard, north and south of the project site. A recently redeveloped shopping center borders the southerly property line of the project site and consist of a Walgreen's drug store, Starbucks, Denny's, Big 5 sporting, Goodwill and other neighborhood serving retail. Southwest of the site is another neighborhood shopping center that was redeveloped and contains a Pep Boys, CVS drug store, Auto Club of Southern California office, and a foster care agency. Across the street to the west is a strip of commercial and office buildings with parking in the rear. West Los Angeles Church of God in Christ, which is large worship facility, is located north of Exposition Boulevard and a satellite office of the Los Angeles County Probation Department is located northwest across Crenshaw Boulevard. Single family residences and duplexes are located east and northeasterly of the project, respectfully. The proposed project

The location of the proposed 296,567 square feet commercial development is proper in relation to the adjacent commercial uses and the surrounding community. The new shopping center will consist of an aggregate of commercial uses that will be within close proximity to other recently developed commercial uses offering diversity and choice to the existing and future consumer base. The location is appropriate in that the proposed project is close to nearby residential uses and conveniently located along a major MTA bus line corridor. The project site is south across the street from the proposed Crenshaw/Rodeo station of the Crenshaw/LAX Corridor light rail line, which is adjacent to the new Exposition/Crenshaw Station of the Exposition rail line. The nearby light rail stations provide the broader South Los Angeles community greater and convenient access to the proposed shopping center and the existing shopping district.

c. The use will not be materially detrimental to the character of the development in the immediate neighborhood.

The immediate commercial district has experienced limited commercial development over the past 20-25 years, and the residential areas have experienced less development. The redevelopment of a former auto dealership and bowling alley site located just south of the subject reflects the most recent commercial development in the area, and it consists of a Starbuck, Denny's restaurant, Big 5 sporting store, and a Goodwill outlet. The redevelopment of a small shopping on the west side of Crenshaw Boulevard, one half mile south of the subject, reflects another recent commercial development.

The proposed 296,657 square feet development will not inhibit or detract from neighboring properties, but rather will be an asset. New buildings and uses with new designs and new features, ample parking, convenient access to two major transit corridors are considered an asset to the community and over time, they will improve the character of an overall community.

d. The proposed location will be in harmony with the various elements and objectives of the General Plan.

The West Adams-Baldwin Hills-Leimert Community Plan Map, a portion of the Land Use Element of the General Plan, designates the property for Community Commercial land uses with corresponding zones of C2 and Height District No. 1. As stated in the Community Plan: The commercial land use policies reflect the need to locate new commercial uses in the community to facilitate convenient shopping and easy access to professional services. New and rehabilitated office space can be established in the commercial centers (nodes) and areas designated for mixed use, proposed transit

oriented districts and pedestrian oriented areas. Redevelopment of existing commercial strips and areas, and the conversion of existing structures to more appropriate uses should result in the physical and aesthetic upgrading of these areas.

The location of the proposed 296,567 square feet shopping center project will be in harmony with several provisions of the West Adams-Leimert-Baldwin Hills Community Plan. The new shopping center development will strengthen the existing commercial corridor and economic base, concentrate and reduce trips to other areas for shopping needs.

e. The major development project conforms with any applicable specific and/or redevelopment plan.

The subject property is zoned [Q]C2-1 and the site is approximately 283,140 square feet. The commercial zone permits uses consistent with retail stores, shops, or businesses including grocery, dining, clothing, entertainment, home decorations or home improvements and other goods and services that are being considered for the proposed development. The zone also permits multi-family uses, courtyards, plazas, parking structures and other uses incidental to primary commercial uses.

The proposed project is located within Subarea A of the Crenshaw Corridor Specific Plan, and subject to review by the Community Planning section of the Planning Department for Project Permit Compliance pursuant to Section 11.5.7. C of the LAMC. The project is subject to review of the proposed use, building setback, open space areas, height, sign, parking underground utilities. The project is not located in a subarea that is subject to design review by the Design Review Board.

The proposed District Square project complies with the guidelines of the Mid-City Crenshaw Vision + Implementation Plan, with one exception and that is where a minimum 15 feet setback is recommended at the rear yard for structures above 33 feet in height. The applicant is requested Conditional Use herein to allow a 45 feet in height wall along the rear property line. However, the conditional use to allow the 45 feet height is recommended for disapproval and the project should comply with the transitional height requirements.

f. The project provides a compatible arrangement of uses, buildings, structures and improvements in relation to neighboring properties.

As conditioned herein for compliance with architectural and urban design features and denied for the conditional used for transitional height, the propose development will provide a new shopping center for local residents and the visiting public as well as its neighbors through good aesthetic use of material, texture and color, and will remain aesthetically appealing. The placement of the uses have been situated to tier away from the residential properties to the east with a non-traditional style development fronting along Crenshaw Boulevard to promote an inviting street scene. Additionally, the ingress/egress points and on-site circulation pattern, as conditioned, will minimize the potential for any conflict to occur. Therefore, the intended design and layout of the proposed development will not interfere with the uses and enjoyment of neighboring existing or future developments.

Potential pedestrian and vehicular traffic hazards will be addressed through detailed pedestrian and vehicular circulation plans.

- g. The major development project complies with the height and area regulation of the zone in which it is located.*

The project, with the exception of the heights, has been design to meet requirements of the [Q]C2-1 Zone, the Los Angeles Municipal Code and the Crenshaw Corridor Specific Plan. As it relates to landscaping, a buffering strip of landscape and decorative hardscape is reflected in the design along both Crenshaw Boulevard and Rodeo Road as a means to expand pedestrian oriented open spaces creating a visual interest to the site. The applicant has stated that "the proposed circulation pattern has been reviewed by a traffic engineer. The results of his findings show that the points of ingress/egress limit the potential impacts caused by the transitioning of pedestrian to vehicular traffic flows and allows for adequate vehicular interior circulation from the public right of way."

Furthermore, in compliance with the goals and objectives of the Crenshaw Corridor Specific Plan, the proposed project will serve as an aesthetic enhancement to the community, and promote a high level of pedestrian activity by providing an attractive environment in the areas that are designated for pedestrian use; this in turn results in an opportunity to reduce vehicular trip generation and promote more alternate forms of transportation to the shopping center. The development of the proposed project will also generate additional sales tax revenue which in turn enhances the economic strength of the commercial district. It can also be projected that the proposed commercial development has the potential to boost employment opportunities for local residences.

6. Conditional Use Findings – (Transitional Height)

- a. The proposed location will NOT be desirable to the public convenience or welfare.*

Transitional height provisions of the Municipal Code requires that portions of buildings on a C or M zone shall not exceed the height limits set forth as follows within the distances specific from a lot classified in the RW1 or more restrictive zone

Distance	Height
0 to 49 feet	25 feet
50 to 99 feet	33 feet
100 to 199 feet	61 feet

The proposed location of the project's 45-foot high building wall along the easterly portion of the project will not be desirable to the public convenience or welfare. The 45-foot high wall will be situated two feet from the single family homes east of the project site. Some of the single family residences have garages at the rear of their property line where the distance between the proposed 45-foot high wall and some existing structures will be as little as seven feet. The limited area between the 45-foot wall and single family uses compromises the health, safety and welfare of the public, as the purpose of the transitional height is to allow adequate privacy and separation to the adjacent single family homes. A 45-foot height commercial parking wall within two feet of a single family zoned property will be a looming presence to the residents of these homes.

- b. The proposed location is NOT proper in relation to adjacent uses or the development of the community.*

Pursuant to the LAMC, a maximum height of 25 feet is permitted for commercial developments within 0 to 49 feet of single family residential uses. The applicant is requesting relief from the maximum height permitted by the code to allow a 45-foot high

building to be constructed two feet from the property line to accommodate the vehicular access from Rodeo Road to the proposed roof top parking area of the shopping center.

The location of the 45-foot high wall will not be in proper relation to the adjacent single family uses located east of the shopping center. The presence of the wall will significantly impact the light, air, privacy and enjoyment currently possessed by the property owners. The ingress/egress to and from the roof top garage along Rodeo Road will encourage more vehicular trips near the common boundary lines of the two properties, attract more vehicles to the intersection of Rodeo Road and Norton Avenue, and increase vehicular traffic through the neighborhood along Norton Avenue. The single family residential character will be compromised and disrupted by the additional vehicular traffic. In addition vehicles parking on the rooftop may create additional noise impacts and light impacts onto the adjacent single family homes.

c. The use will BE materially detrimental to the character of the development in the immediate neighborhood

The proposed 45-foot high building wall will be detrimental to the residential character of development in the immediate neighborhood as it will adversely impact the manner in which single family occupants utilize their property. The presence of the wall will significantly impact the light, air, privacy and enjoyment currently possessed by the property owners. Based on the elevation plans submitted, approximately 380 feet of the east elevation of the building will encroach into the transitional height limit. The ingress/egress entry to and from the roof top garage along Rodeo Road will encourage more vehicular trips near the common boundary line of the two properties, attract more vehicles to the intersection of Rodeo Road and Norton Avenue, and increase vehicular traffic through the neighborhood along Norton Avenue. Although the applicant is proposing to plant vines along the boundary walls, maintenance of such vines requires constant monitoring and still does not address the cars parked on the rooftop.

d. The proposed location will be in harmony with the various elements and objectives of the General Plan

The location of the 45-foot high wall will not be in harmony with the West Adams-Baldwin Hills-Leimert Community Plan, which is a land use element of the General Plan. The proposed project does not comply with the Community Plan policy (Residential Policy 1-1.2) that encourages the protection of existing single family and low density residential neighborhood from the encroachment by higher density residential and other incompatible uses. The proposed project is a new project being designed from the ground up. It is not renovation or remodel of an existing shopping center. There has been no substantial reasons submitted that demonstrates that the project cannot be designed within the transitional height limitations. The building can be designed to step up the height toward Crenshaw Boulevard while maintaining a lower height along the R1-1 Zone properties. Building a solid wall that is 45-feet in height along single family zone properties does not protect the residential character along Norton Avenue. The construction of the 45-foot high wall may advance some commercial goals and objectives of the community plan, but residential goals and objectives are compromised in the process.

7. Conditional Use – (Alcohol Beverages)

a. Describe briefly how the proposed project will be proper in relation to adjacent uses or the development of the community.

The surrounding properties are within commercial ([Q]C2-1 and residential zones (RD2-1 and R1-1) Zones. Commercial uses are located primarily along Crenshaw Boulevard, north and south of the project site. A recently constructed shopping center abuts the southerly property line of the project site. It is developed with a Walgreen's drug store, Starbucks, Denny's, Big 5 sporting, Goodwill and other neighborhood serving retail. Southwest of the proposed site is another neighborhood shopping that contains a Pep Boys, CVS drug store, Auto Club office, and a foster care agency. Across the street to the west is a strip of commercial and office buildings with parking in the rear. Single family residences and duplexes are located east and northeasterly of the project, respectfully. As stated above, Crenshaw Boulevard is a major transit and commercial corridor in South Los Angeles and the MTA's Metro Rail Exposition Corridor Expo/Crenshaw Station are within closed proximity.

The location of the proposed 296,567 square feet commercial development is proper in relation to adjacent uses and surrounding community. It is appropriate to have an aggregate of commercial uses within close proximity to offer diversity and choice to the existing consumer base as is the case with the subject and the two nearby shopping centers. Also, it is appropriate that the proposed project is close to nearby residential uses and conveniently located near major transit corridors such as the bus lines and new rail stops to provide convenient access to the broader community.

b. Why does the applicant believe the location of the project will be desirable to the public convenience and welfare?

The Crenshaw Boulevard commercial corridor and the surrounding neighborhoods are considered to be an under-serve by major retailers, who offer a variety of goods and services, and notable family oriented sit-down restaurants. The proposed shopping and center use will provide residents of the community, visitors, and the local workforce population, with a safe and convenient shopping, dining and entertainment alternative within the Community Plan area.

The proposed project is located along Crenshaw Boulevard which is a Major High Class I in the community plan area, where several bus lines operate to serve the community. The shopping center is located approximately one mile south of the Santa Monica Freeway (I-10), which provides access to other local and regional destinations including downtown Los Angeles. The MTA's Metro Rail Exposition Corridor Expo/Crenshaw Station is located within 500 radius of the shopping center will provide convenient rail access to employment, recreational and cultural facilities throughout the city. The project location is south of the proposed station for a the Crenshaw/LAX Transit Corridor Light rail, which is a terminus point.

c. Describe how the proposed project will not be detrimental to the character of the development in the immediate neighborhood and will be in harmony with the various elements and objectives of the General Plan.

The immediate commercial district has experienced limited commercial development over the past 20-25 years, and the residential areas have experienced less development. The redevelopment of a former auto dealership and bowling alley site located just south of the subject reflects the most recent commercial development in the area, and it consists of a Starbuck, Denny's restaurant, Big 5 sporting store, and a Goodwill outlet. The redevelopment of a small shopping on the west side of Crenshaw Boulevard, one half mile south of the subject, reflects another recent commercial development.

The proposed 296,657 square feet development will not inhibit or detract from neighboring properties, but rather will be an asset. New buildings and uses with new designs and new features, ample parking, convenient access to two major transit corridors are considered an asset to the community and over time, they will improve the character of an overall community.

d. Will the approval of the Conditional Use at this location adversely affect the economic welfare of the community? Why?

The approval of the conditional use will not adversely affect the economic welfare of the community; rather, the approved use will be a benefit to the commercial district. The inclusion of alcohol beverages in the proposed project is for the larger retailers' off-site sales. The off-site alcohol sales use is for a major retailer as a convenience to the other goods and services offered. No bars or night clubs are proposed as part of the project. The proposed major retailers will compliment to the other retail establishments in the new shopping center and the other retailers in the nearby commercial district.

The on-site alcohol sales facilities have not been identified and a separate conditional use application is required for their review.

e. Will the approval of the Conditional Use result in or contribute to an undue concentration of such establishments? Why?

Approval of alcohol beverages sales in conjunction with a commercial retail uses will not result in or contribute to an over concentration of off-site sales facilities in the immediate vicinity. It is customary for a grocery store and large retailer to provide off-site alcohol as a matter of convenience. Patrons to the proposed grocery store and large retailer will be prohibited from consuming alcohol on the premises or within the public right of way, to reduce any potential negative impact relative to alcohol sales activities.

The on-site alcohol sales facilities have not been identified and a separate conditional use application is required for their review

f. Will the approval of the Conditional Use detrimentally affect nearby residentially zoned properties.

On-site consumption of alcohol beverages will be prohibited for the retailer stores as the sales will be strictly for off-site purposes. As for restaurant, alcohol consumption and possession will be prohibited beyond the boundaries of the restaurant facilities. Additionally, security measures will be provided on-site so as to monitor the overall safety of the project site, which will significantly diminished the possibility of detrimental affects to the adjacent residential site. The approval of the conditional use for alcohol sales will not detrimentally affect the nearby residentially zone properties.

g. What are the proposed hours of operation and which days of the week will the establishment be open? What are the proposed hours of alcohol sales?

The proposed hours of operation are as follows:

Retailers	Sunday through Thursday	8:00 a.m. to 11:00 p.m.
	Friday and Saturday	8:00 a.m. to 12:00 p.m.

The on-site alcohol sales facilities have not been identified and a separate conditional use application is required for their review.

8. **Environmental.** A Mitigated Negative Declaration (ENV-2007-4661-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. I hereby adopt that the Mitigated Negative Declaration, imposed the conditions shown in that document on this approval.

PUBLIC HEARING AND COMMUNICATIONS

Following the publication of the public hearing, staff received several informational calls. One caller requested electronic exhibits be forward to her.

The public hearing was held Wednesday, January 27, 2010 at 1:30p.m. It was attended by the applicant's representative and architect, staff from the Council District 10, and two residents from the community.

The applicant's representative gave a brief description of the project highlighting the collaboration with the Community Redevelopment Agency, parking at the ground level and rooftop level, the selection of major tenants, the design concepts for building frontages along the Crenshaw Boulevard and Rodeo Drive. An explanation was offered for the entitlement request to have the 45 building height with in a transitional height buffer. The architect did not speak.

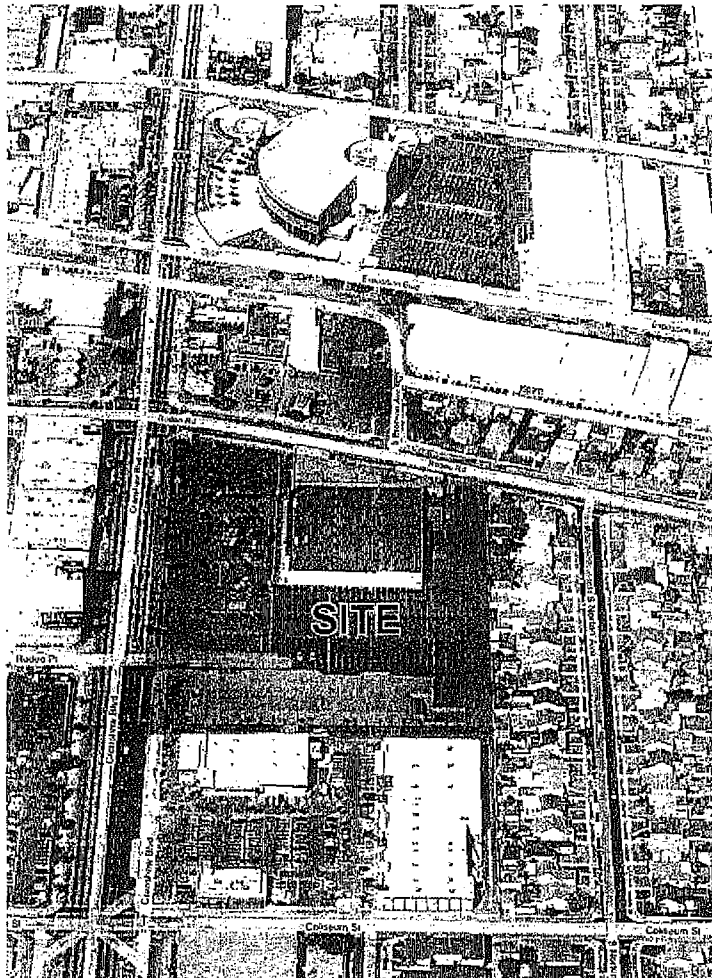
Two residents from the community gave testimonies (Barbara Bordenave and Sharon Farwell), who expressed concern about the anticipated increase in traffic. Currently, the residents along Norton Avenue (one block east) experience problems related to the traffic from the West Angeles Church activities and they are concern that the proposed project may compound an already on-going problem. Concerns were raised about the project's contribution to the on-going noise, lights, pollution, etc that is experience by the residents along Norton Avenue. The rooftop parking along with is noise and lighting was a concern raised by the residents. Questions were asked about the process that resulted in the selection of the proposed retailers and services.

Staff received an email from a nearby resident who expressed some concern the project did not reflect a transit oriented development.

The applicant representative responded to the concerns raised by the two residents and agreed to meet privately or with their group to provide further details of the project.

DISTRICT SQUARE RETAIL DEVELOPMENT SEC OF CRENSHAW BLVD. & RODEO DRIVE

03.17.10



Information content on this page was prepared by BOE Architects



Exhibit A1

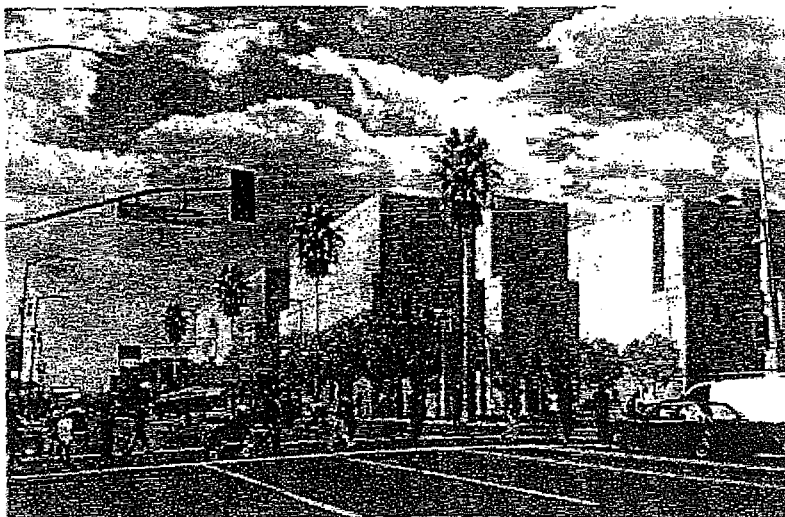
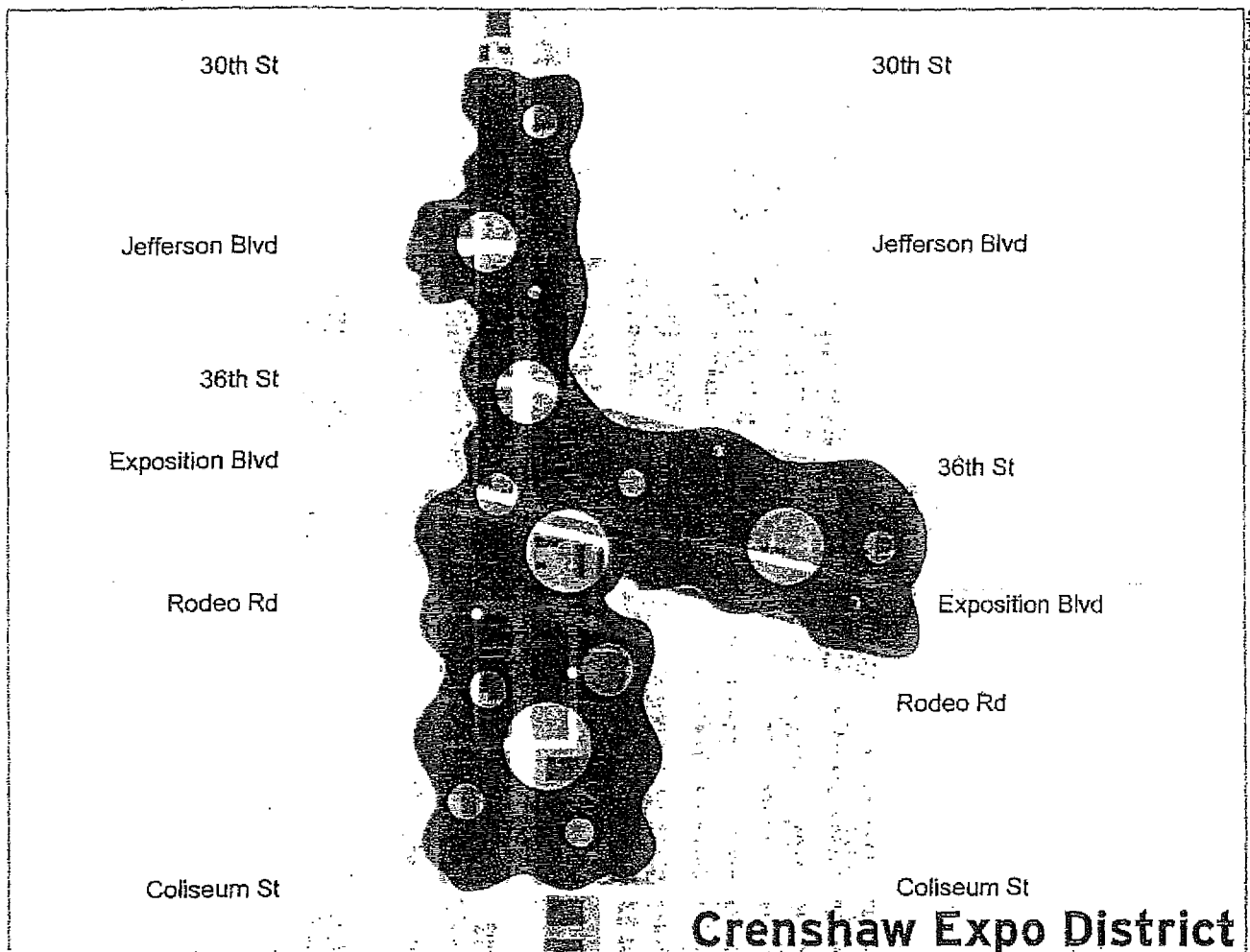
Vicinity Map

Charles Company

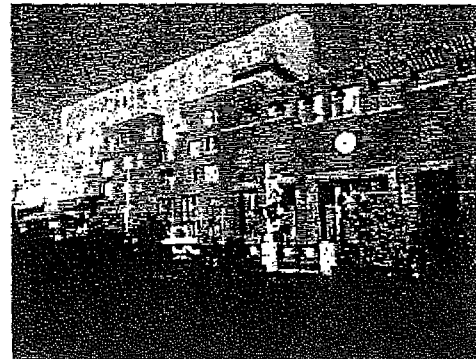
200 W. Sunset Blvd.
 Suite 1000
 Los Angeles, CA 90069
 TEL: 310.247.0900 FAX: 310.286.0932

Create A Transit-Oriented District

The Crenshaw Expo District builds upon the new Expo Light-Rail Line Station at Exposition Boulevard encouraging mixed-use developments that create a transit-oriented district.



Transit-oriented mixed-use developments and intensities are proposed in the Crenshaw Expo District.

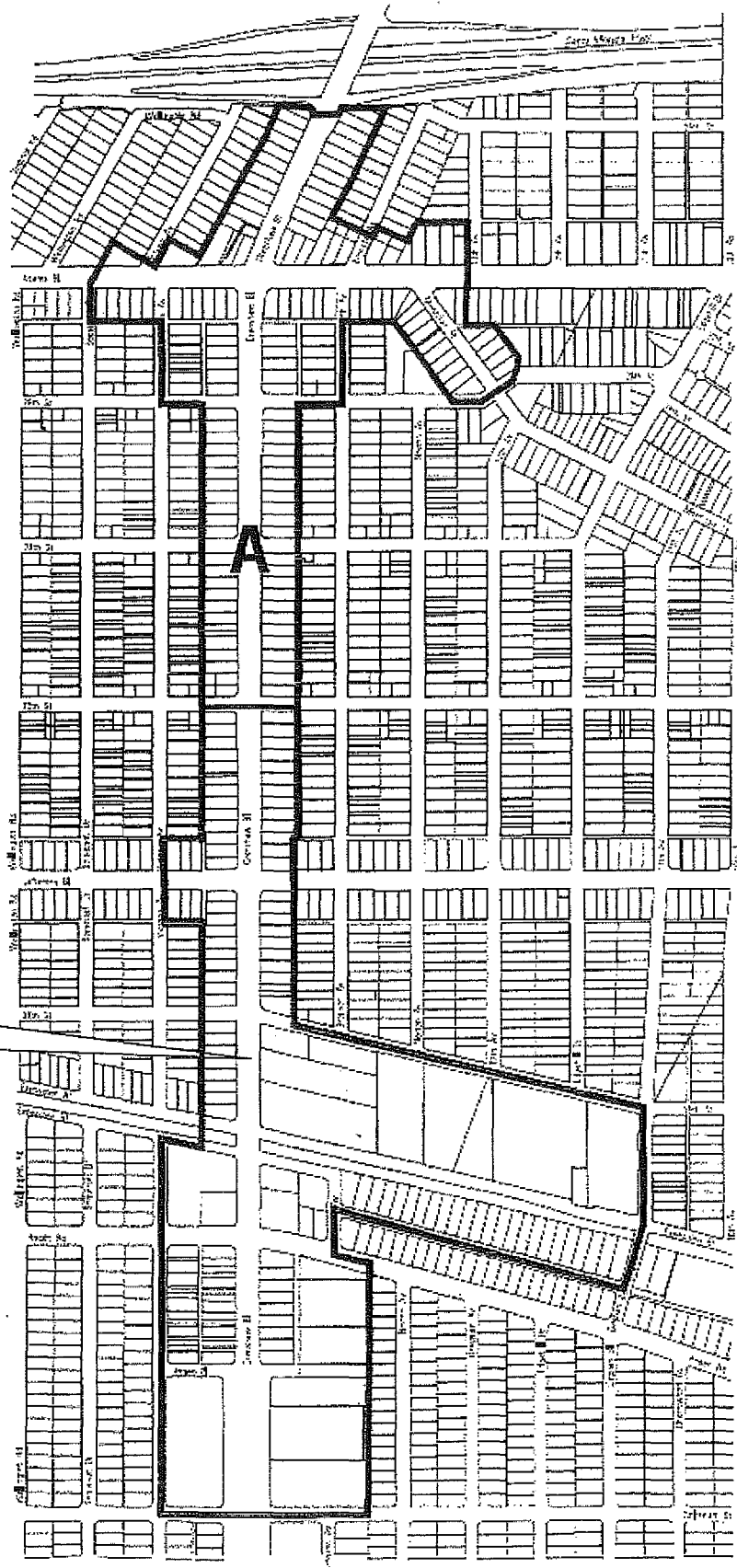


Del Mar Station in Pasadena, California is a pedestrian-friendly mixed-use development with restaurants, housing, and a publicly accessible courtyard that provides convenient access to the Metro Gold Line.

Exhibit A5

CRA-Crenshaw Expo District

Crenshaw Expo
District
(Transit Oriented Area)



Map 2
Subarea A

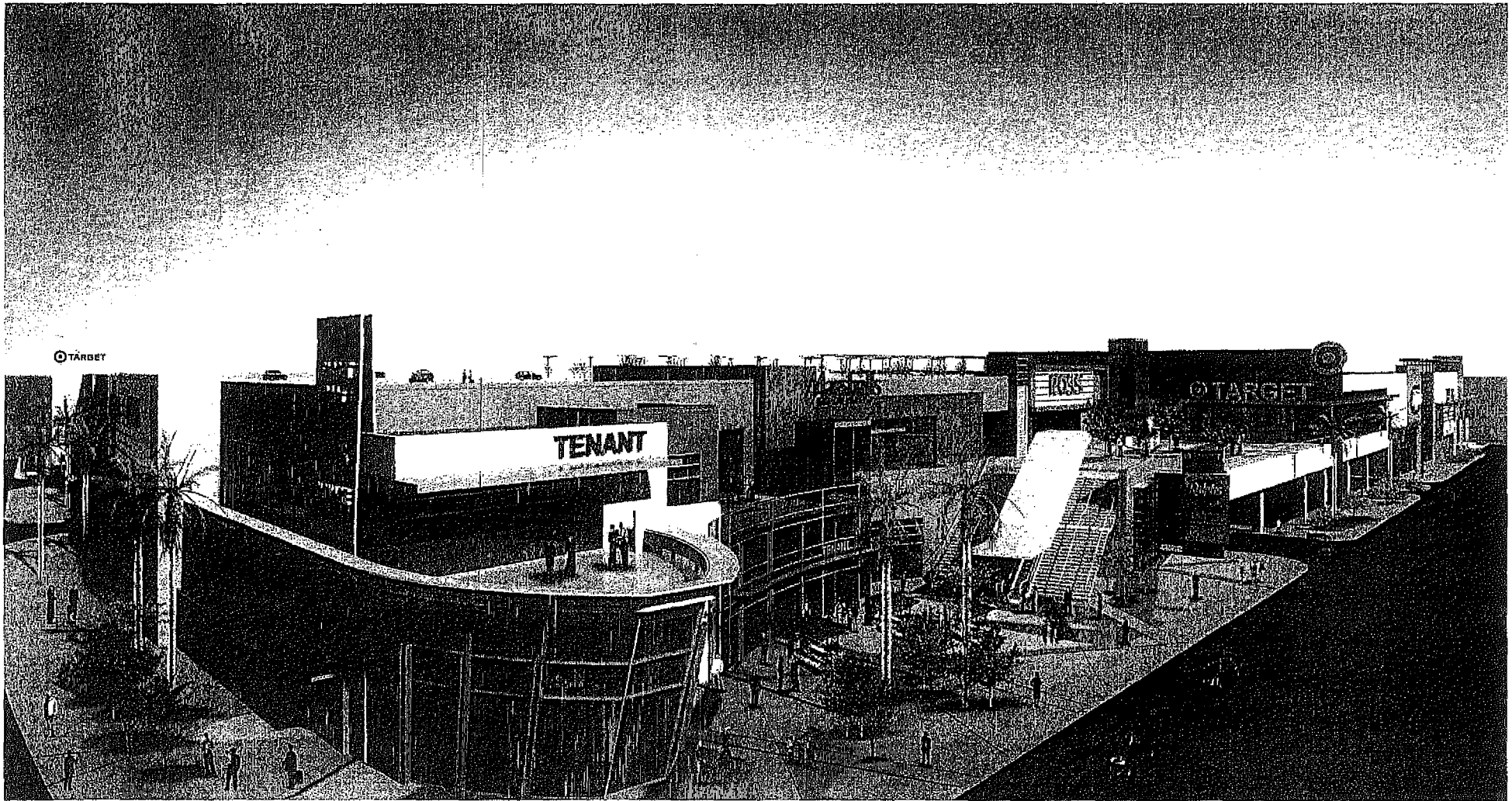
Prepared by City of Los Angeles Planning

Exhibit A6

Crenshaw Corridor S. P.

DISTRICT SQUARE RETAIL DEVELOPMENT SEC OF CRENSHAW BLVD. & RODEO DRIVE

03.17.10



Charles Company

241 W. Sunset Blvd.
Los Angeles, CA 90069
TEL: 310.247.0900 FAX: 310.286.0932

Exhibit B1

Conceptual Renderings

DISTRICT SQUARE RETAIL DEVELOPMENT SEC OF CRENSHAW BLVD. & RODEO DRIVE

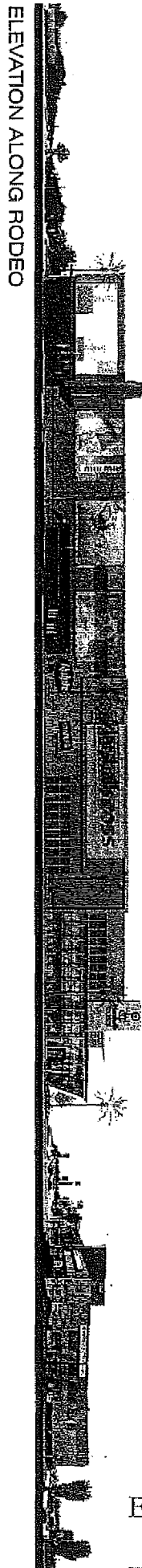
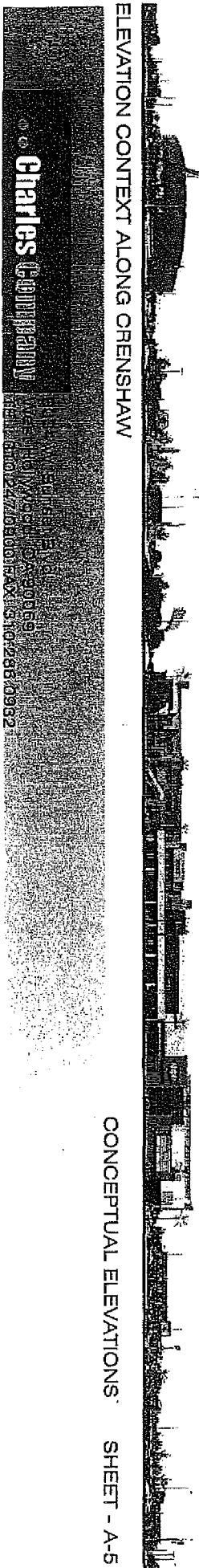
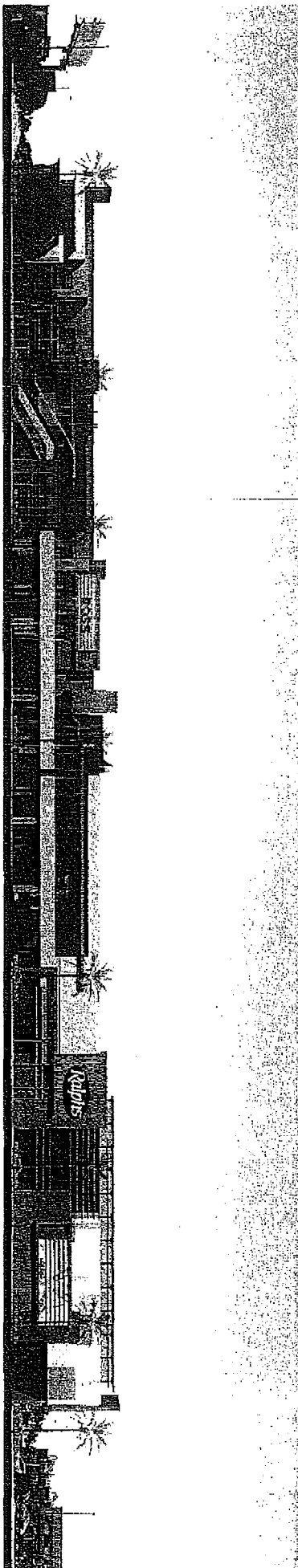


Exhibit B2
Elevations (A)



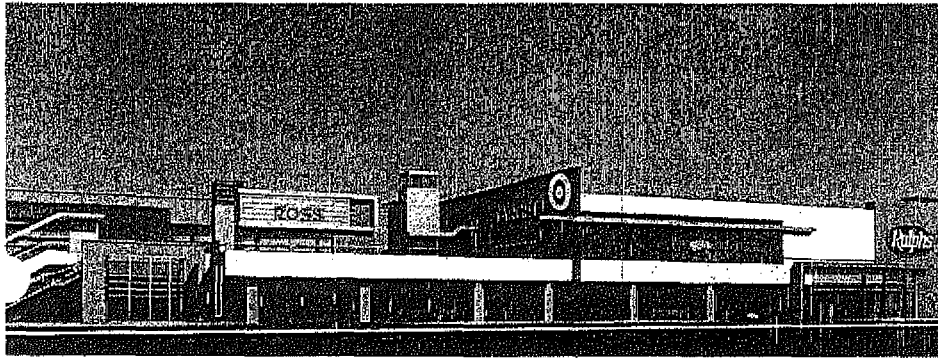
CONCEPTUAL ELEVATIONS SHEET - A-5

Charles Company

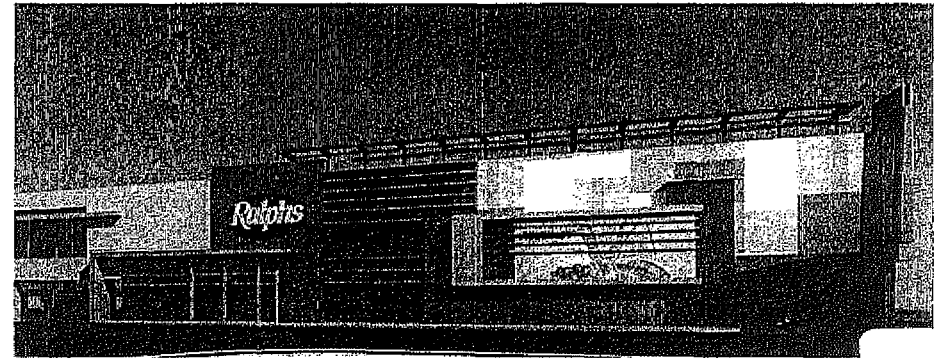
1000 S. BROADWAY, SUITE 100
LOS ANGELES, CA 90069
TEL: 213.227.0800 FAX: 213.227.0802

DISTRICT SQUARE RETAIL DEVELOPMENT SEC OF CRENSHAW BLVD. & RODEO DRIVE

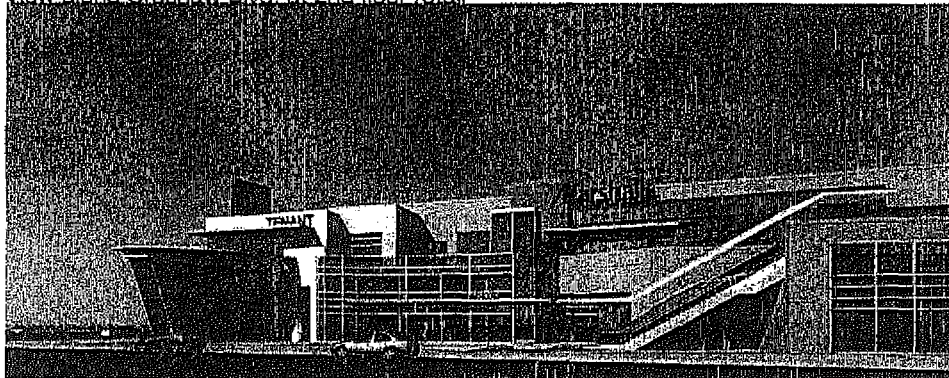
03.17.10



View along Crenshaw Blvd. at 2nd floor retail



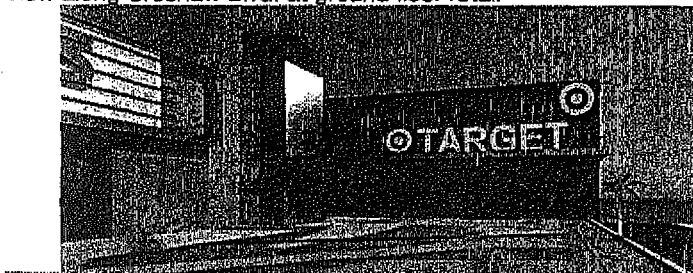
View along Crenshaw Blvd. at ground floor retail



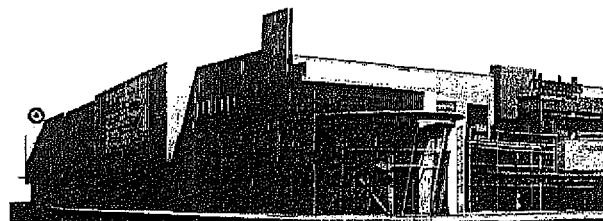
View along Crenshaw Blvd. at ground floor retail



View along Crenshaw Blvd. at ground and second floor retail



View along Crenshaw Blvd. at ground floor retail



View at intersection of Rodeo Dr and Crenshaw Blvd.



800 W. Sunset Blvd.
West Hollywood, CA 90069
TEL: 310.247.0900 FAX: 310.286.0932

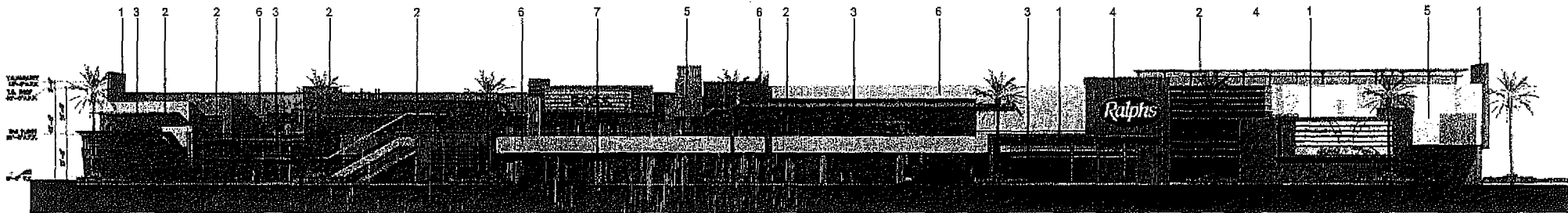
CONCEPTUAL RENDERING SHEET - A-15

Exhibit B2

Elevations (B)

DISTRICT SQUARE RETAIL DEVELOPMENT SEC OF CRENSHAW BLVD. & RODEO DRIVE

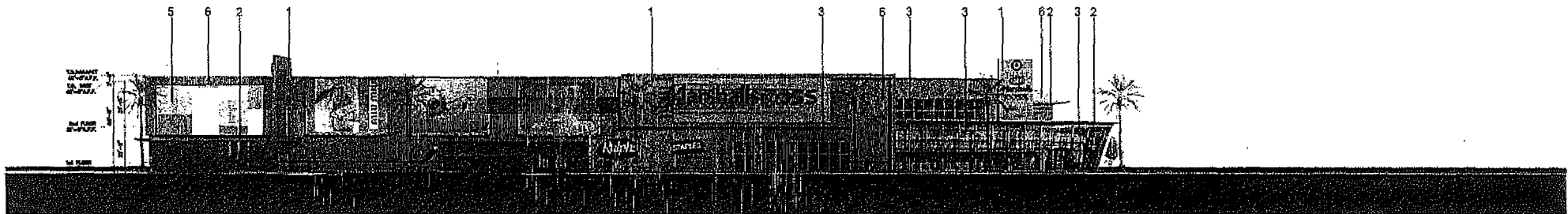
03.17.10



ELEVATION ALONG CRENSHAW BLVD.

Legend:

- 1. Aluminum Composite Panel
- 2. Metal Canopy
- 3. System Glass Dual-Front Glazed Storefronts
- 4. CMU Integrated Color, Compatible Color Palette
- 5. Stucco Finish 20/30 Painted
- 6. Precast Concrete Panel Painted
- 7. Precast Concrete Column



ELEVATION ALONG RODEO ROAD.

CONCEPTUAL ELEVATIONS SHEET - A-11

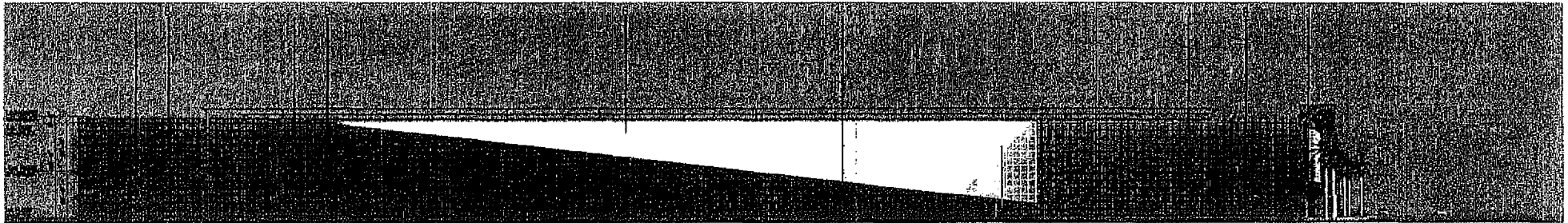


Exhibit B2

Elevations (C)

DISTRICT SQUARE RETAIL DEVELOPMENT SEC OF CRENSHAW BLVD. & RODEO DRIVE

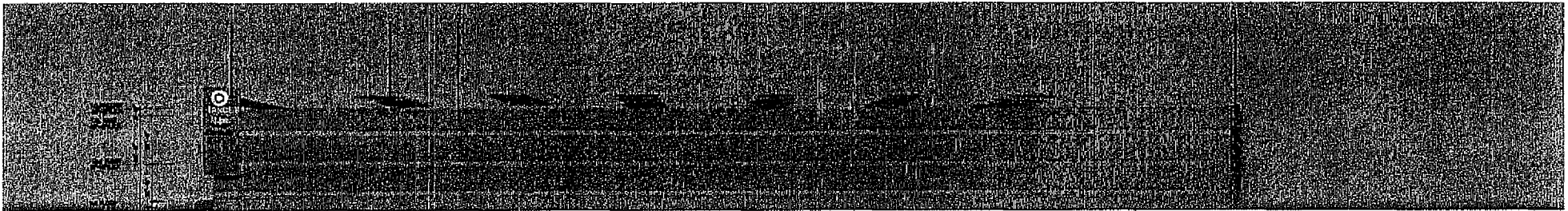
03.17.10



REAR ELEVATION

Legend:

1. Aluminum Composite Panel
2. Metal Canopy
3. System Glass Dual-Front Glazed Storefronts
4. CMU Integrated Color, Compatible Color Palette
5. Stucco Finish 20/30 Painted
6. Precast Concrete Panel Painted
7. Precast Concrete Column



RIGHT ELEVATION

CONCEPTUAL ELEVATIONS SHEET - A-12

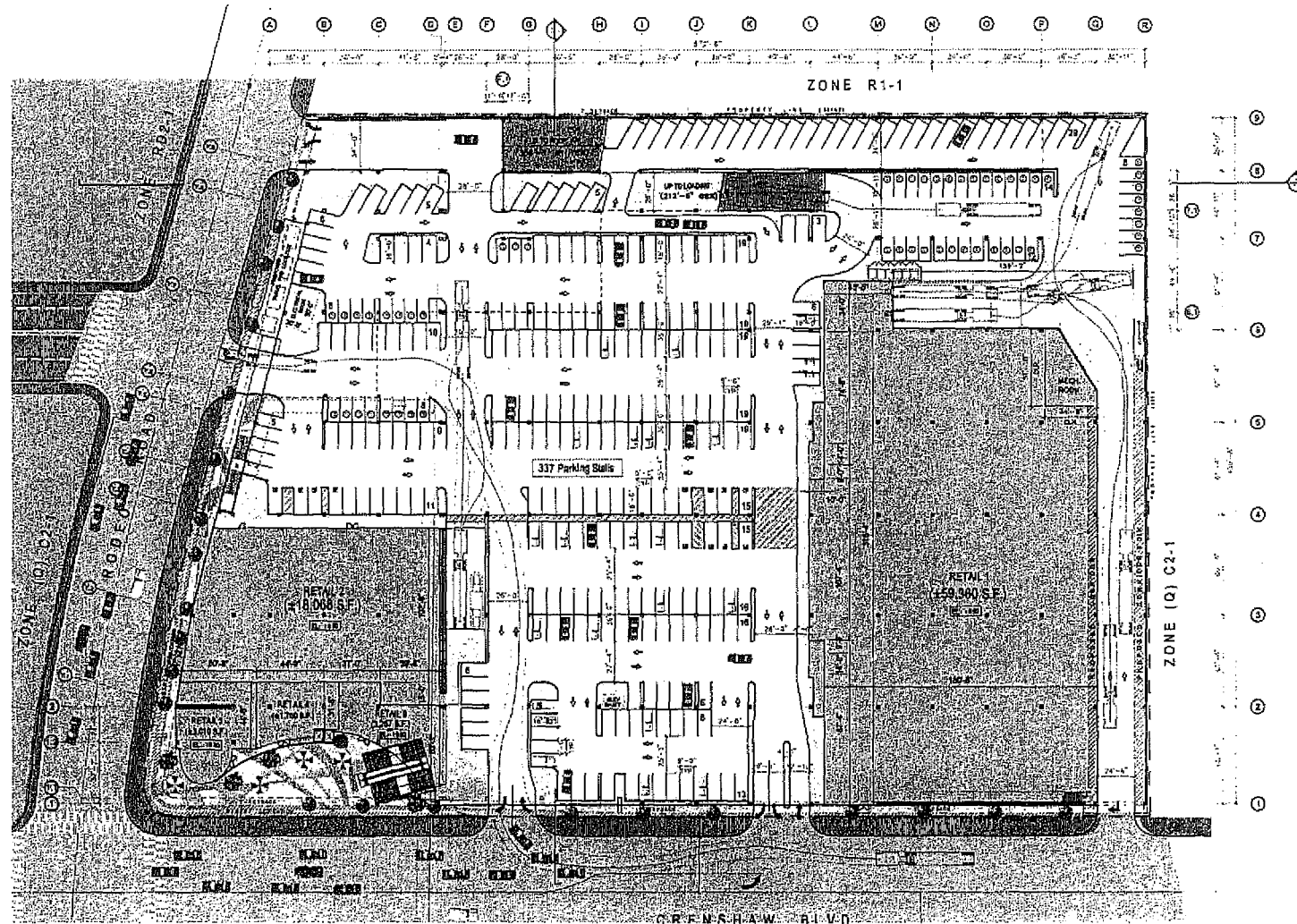


Exhibit B2

Elevations (D)

DISTRICT SQUARE RETAIL DEVELOPMENT SEC OF CRENSHAW BLVD. & RODEO DRIVE

03.17.10



SUMMARY

Lot Area = 283,140 sf / 6.6 acres

Building Area	55,395 sf
Ground Floor	210,770 sf
Second Floor	296,165 sf
Total	

Area of Hardscape 14,780 sf

Floor Area Ratio (FAR) 1.04
Landscaping 1 trees per 4 stalls

% of hardscape 5.22 %
Building Coverage 95.82%

Leasable Area	
Ground	85,395 sf
2nd	210,770 sf

TOTAL LEASABLE AREA 296,165 sf

Parking Required @ 4/1000 1,164 stalls

Parking Provided	
On-grade parking (8'-4"x18')	387 stalls
Roof level parking (8'-10"x18')	619 stalls
Total	956 stalls

Parking Provided Ratio 3.23 / 1000

KEYNOTES

Ground Flr (Retail)

Retail 1	59,360 sf
Retail 2	18,088 sf
Retail 3	3,010 sf
Retail 4	1,700 sf
Retail 9	3,257 sf

Total 85,395 sf

2nd Flr (Retail)

Retail 5	150,000 sf
Retail 6	30,000 sf
Retail 7	28,060 sf
Retail 8	1,710 sf

Total 210,770 sf



SITE DEVELOPMENT PLAN

SHEET - A-8

Charles Company

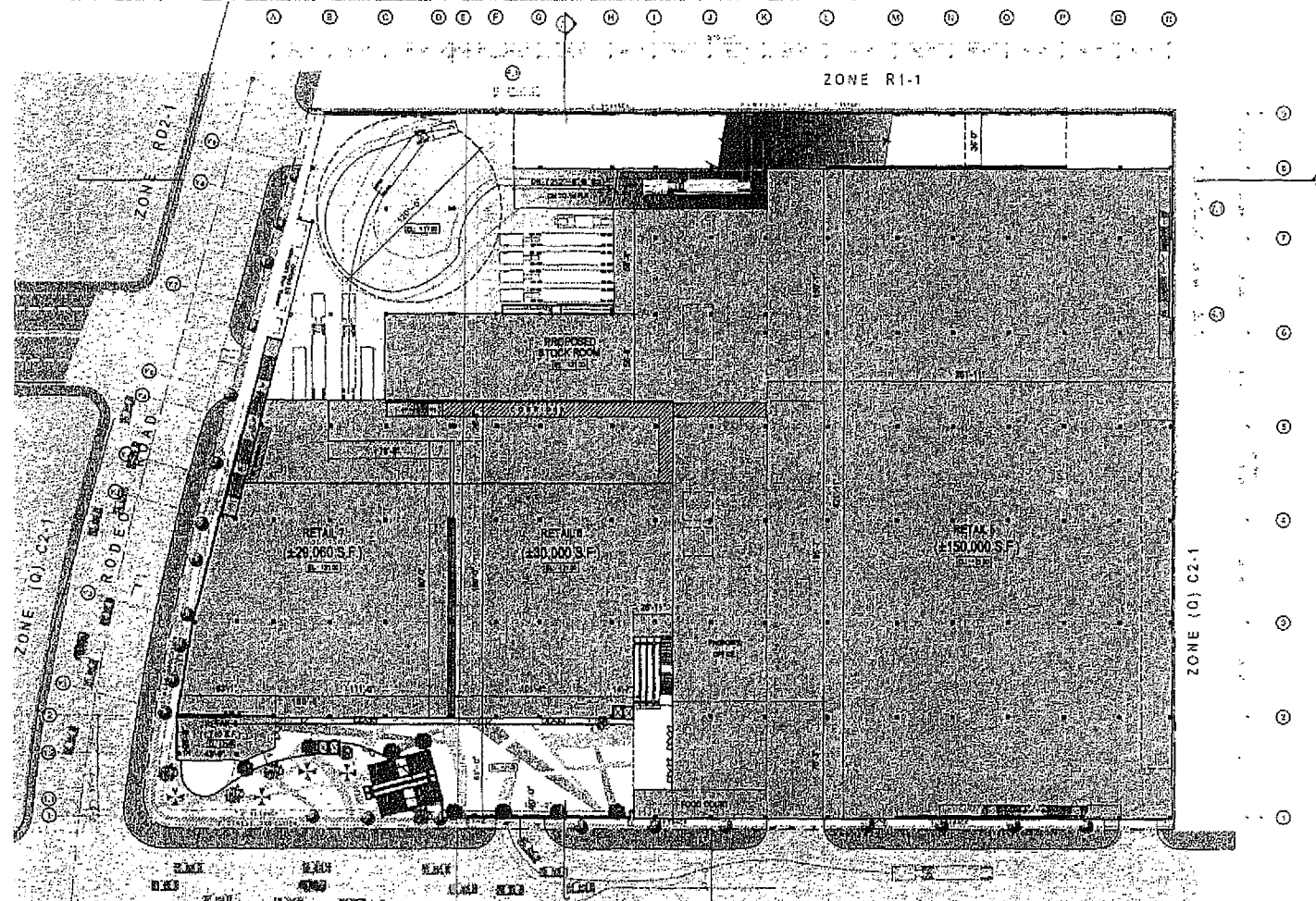
10111 W. SUMMIT BLVD
SUITE 100
LOS ANGELES, CA 90035
TEL: 310.237.0900 FAX: 310.286.0932

Exhibit B4

Site Plan (A)

DISTRICT SQUARE RETAIL DEVELOPMENT SEC OF GRENSHAW BLVD. & RODEO DRIVE

03.17.10



SECOND LEVEL PLAN SHEET - A-9

Exhibit B4

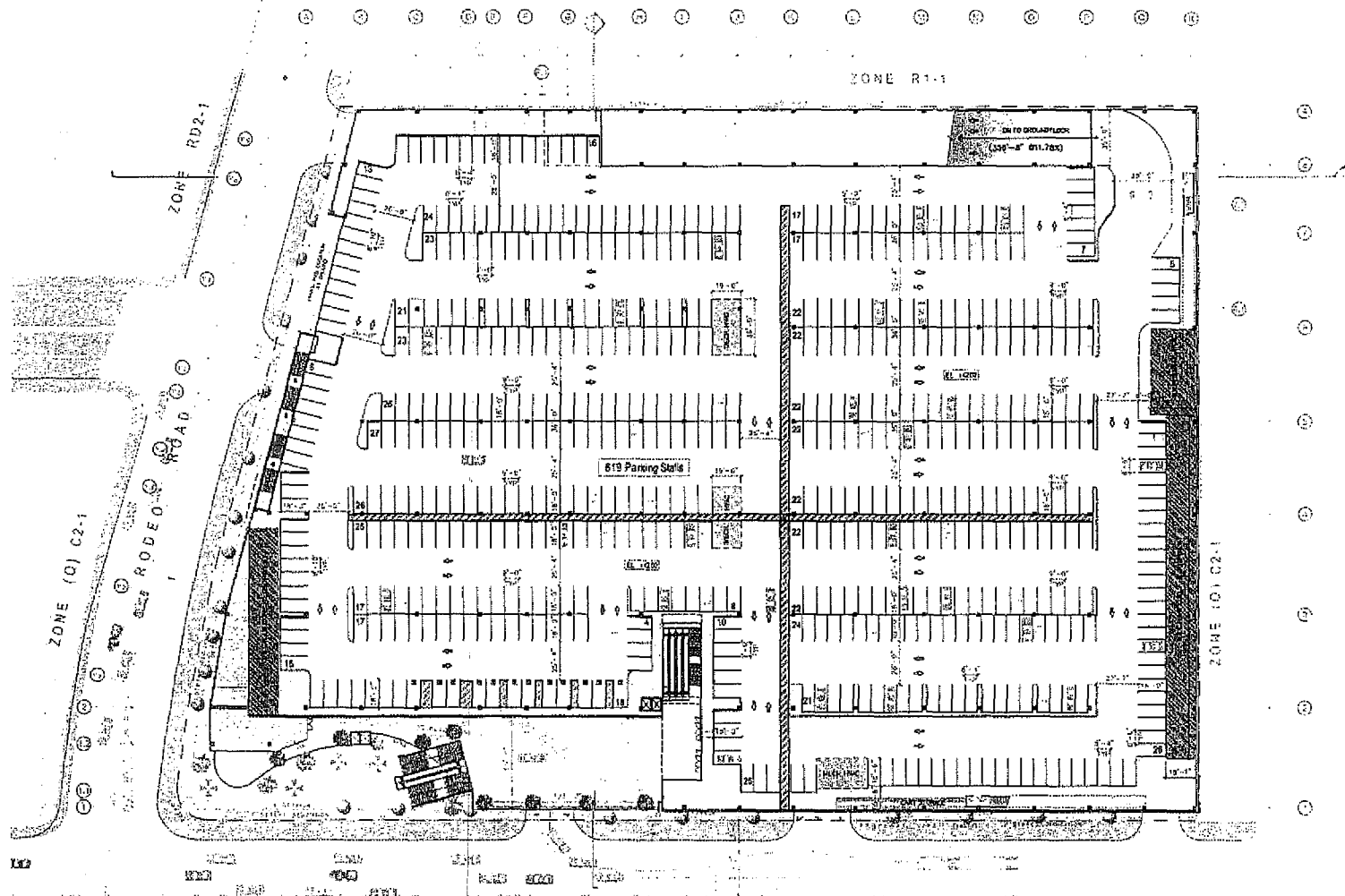
Site Plan (B)

Charles Company

10000 N. GRENSHAW BLVD. SUITE 100
DALLAS, TX 75243-2090 FAX: 214.286.0932

DISTRICT SQUARE RETAIL DEVELOPMENT SEC OF ORENSHAW BLVD. & RODEO DRIVE

03.17.10



THIRD LEVEL PLAN

SHEET - A-10

Charles Company

10000 Sunset Blvd.
West Hollywood, CA 90069
TEL: 310 247-0900 FAX: 310 286-0932

Exhibit B4

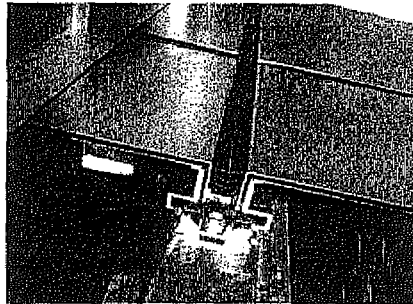
Site Plan (C)

DISTRICT SQUARE

RETAIL DEVELOPMENT

SEC OF CRENSHAW BLVD. & RODEO DRIVE

03.17.10



1 Aluminum Composite Panel



Spitface



Precision

4 CMU Intergrated Color, Compatible Color Pallette

5

Stucco Finish
20/30 Painted

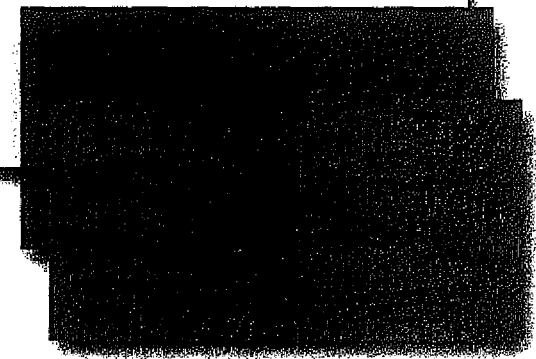
Paint: Dunn Edwards

DE5432 Haystacks

DE5500 Olive Hills

DE0715 Sandals

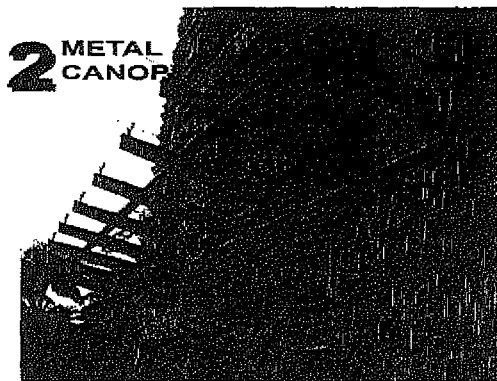
DE6225 Fossil



color pallette

3

System GL
Dual +_Fre
Storefronts

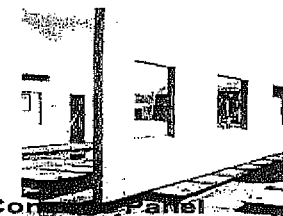


2 METAL CANOPY



6

Precast Concrete Panel
Painted



COLOR BOARD SHEET - A-14

Charles Company

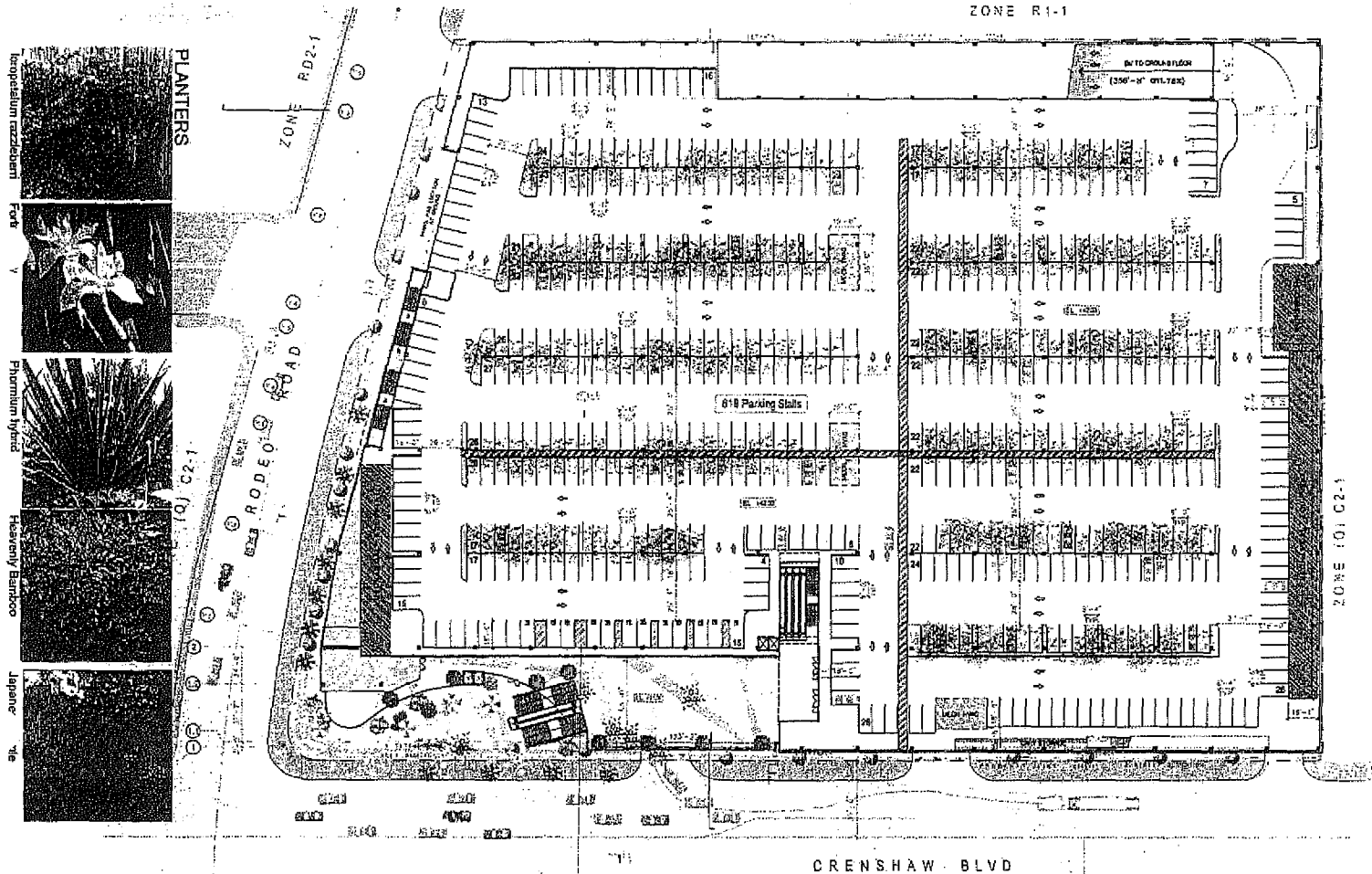
10000 Rodeo Drive
Suite 100
Beverly Hills, CA 90210
Tel: 310.286.0932 Fax: 310.286.0932

Exhibit B5

Color Board

DISTRICT SQUARE RETAIL DEVELOPMENT SEC OF CRENSHAW BLVD. & ROPEO DRIVE

03.17.10



SHRUB AND GROUND COVER LEGEND

SYM	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS
	Dianella Vegeta	Fern-like Lily	5-GAL	
	Dwarf myrtle	Mitella caroliniana compacta	5-GAL	
	Cerise Divulax	Barkley Sedge	1-GAL	
	Dodonea v. 'hennipg'	Hopwood bush	5-GAL	

TREE LEGEND

SYM	BOTANICAL NAME	COMMON NAME	REMARKS
	WASHINGTONIA FILIFERA	California Fan Palm	
	PISTACIA CHINENSIS	Chinese Pistachio	
	MAGNOLIA G. 'ST. MARY'S'	St. Mary's Magnolia	
	ZELKOVA SERRATA	Sawleaf zelkova	

PLANTING NOTES

1. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE FOLLOWING SPECIFICATIONS:

2. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE FOLLOWING SPECIFICATIONS:

3. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE FOLLOWING SPECIFICATIONS:

4. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE FOLLOWING SPECIFICATIONS:

5. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE FOLLOWING SPECIFICATIONS:

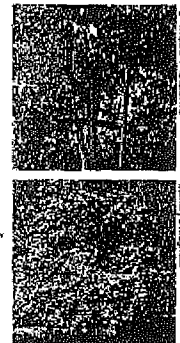
6. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE FOLLOWING SPECIFICATIONS:

7. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE FOLLOWING SPECIFICATIONS:

8. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE FOLLOWING SPECIFICATIONS:

9. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE FOLLOWING SPECIFICATIONS:

10. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE FOLLOWING SPECIFICATIONS:



PLANTING PLAN SHEET - A-16

Exhibit B6

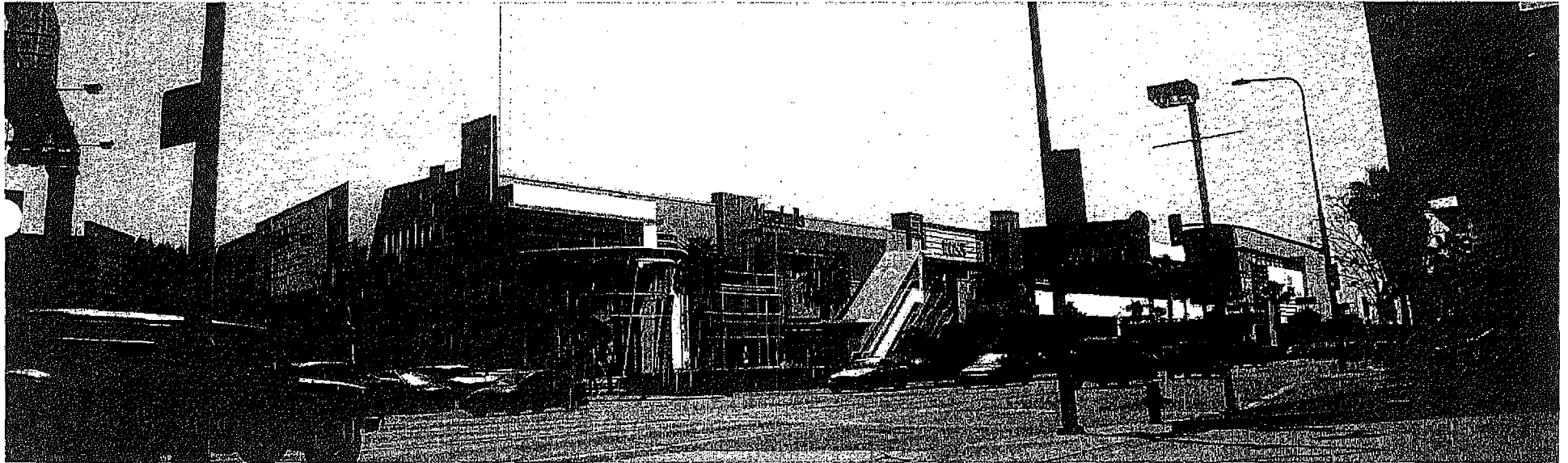
Landscaping

Charles Company

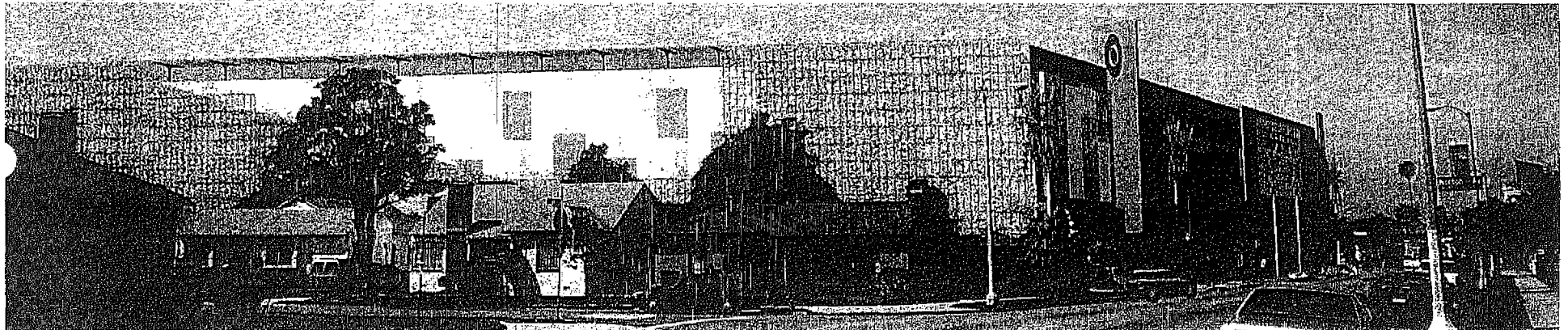
3000 CRENSHAW BLVD
 NEW YORK, NY 10008
 (212) 340-2237 / (800) 340-2861 / (212) 340-2861

DISTRICT SQUARE RETAIL DEVELOPMENT SEC OF CRENSHAW BLVD. & RODEO DRIVE

03.17.10



PERSPECTIVE AT CRENSHAW BLVD.



PERSPECTIVE AT RODEO RD.

PERSPECTIVE SHEET - A-6

Charles Company

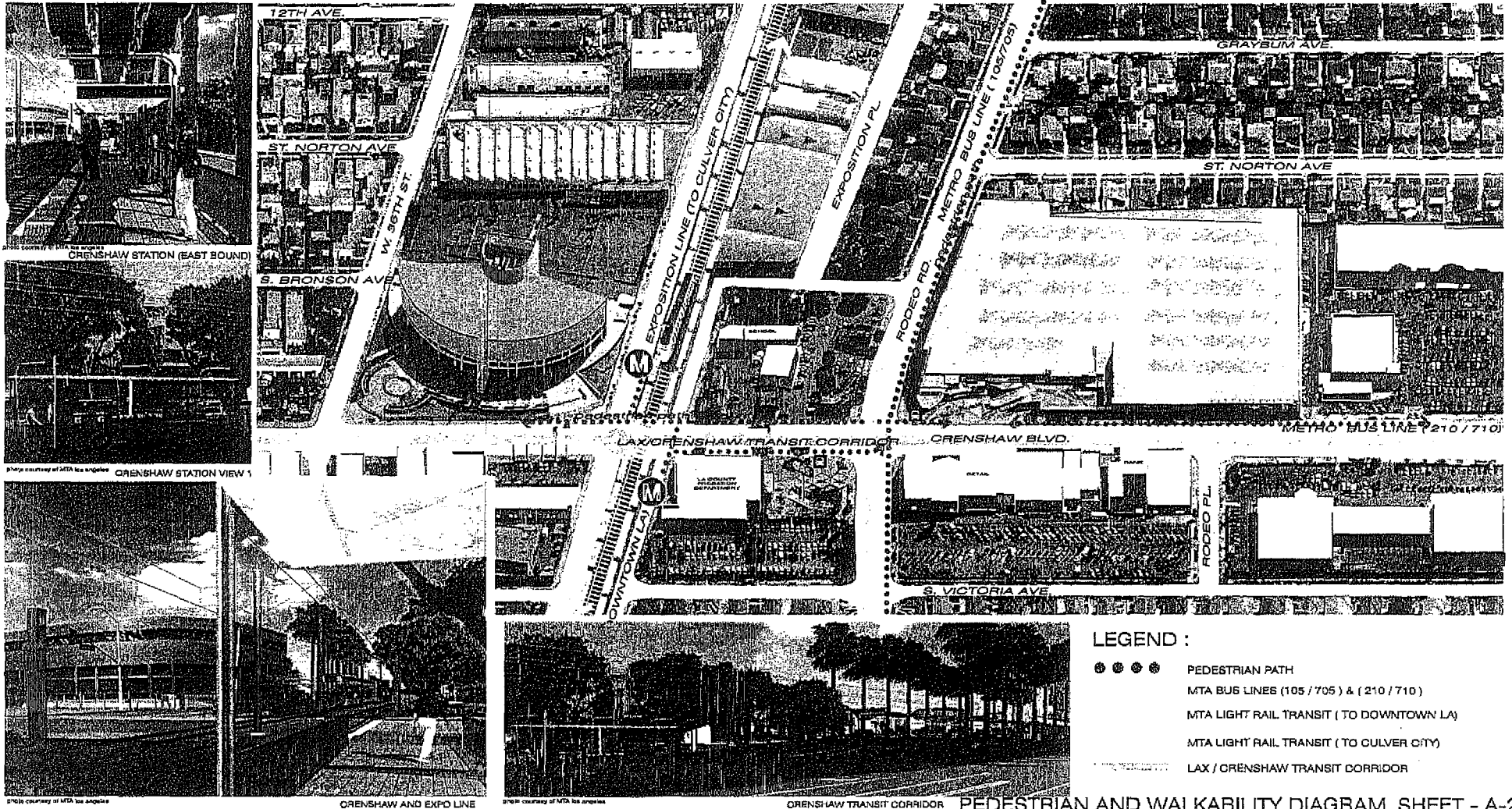
8000 W. Sunset Blvd.
West Hollywood, CA 90069
TEL: 310.247.0900 FAX: 310.286.0932

Exhibit B7

Transitional Height

DISTRICT SQUARE RETAIL DEVELOPMENT SEC OF CRENSHAW BLVD. & RODEO DRIVE

03.17.10



PEDESTRIAN AND WALKABILITY DIAGRAM SHEET - A-2

Charles *Consulting*

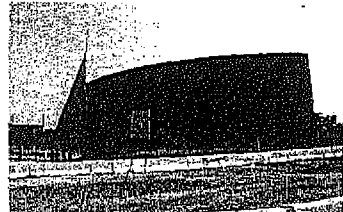
1000 W. 15th Street, Suite 100
Los Angeles, CA 90069
TEL: 310-247-0900 FAX: 310-286-0932

Exhibit B8

Pedestrian and Walkability

DISTRICT SQUARE RETAIL DEVELOPMENT SEC OF CRENSHAW BLVD. & RODEO DRIVE

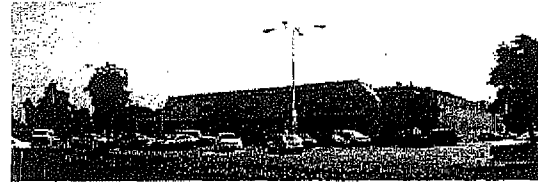
03.17.10



CHURCH



SINGLE FAMILY RESIDENCE(SFR)



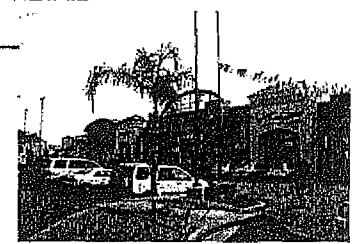
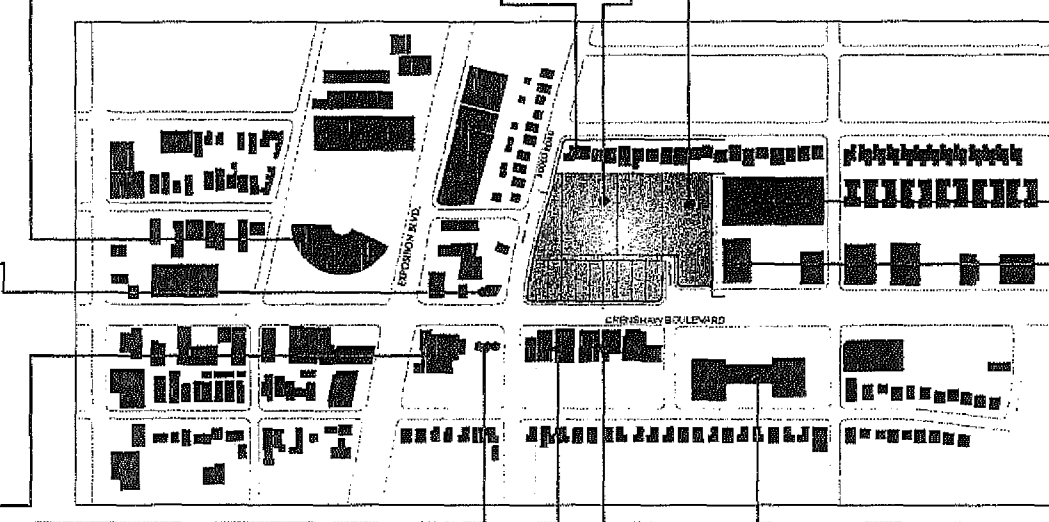
RETAIL



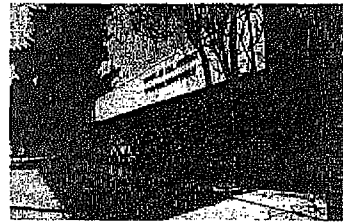
RETAIL



RETAIL



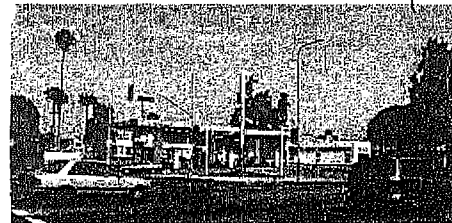
RETAIL



PUBLIC OFFICE



RETAIL



GAS STATION



RETAIL/OFFICE



RETAIL



RETAIL

SITE PICTURES

SHEET - A-3

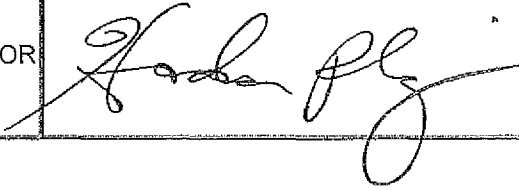
Charles Company

1000 W. 10th St. Suite 100
 Los Angeles, CA 90059
 TEL: 310.247.0006 FAX: 310.286.0932

Exhibit B9

Surrounding Sites

CITY OF LOS ANGELES
OFFICE OF THE CITY CLERK
ROOM 395, CITY HALL
LOS ANGELES, CALIFORNIA 90012
CALIFORNIA ENVIRONMENTAL QUALITY ACT
PROPOSED MITIGATED NEGATIVE DECLARATION

LEAD CITY AGENCY City of Los Angeles		COUNCIL DISTRICT 10	
PROJECT TITLE ENV-2007-4662-MND		CASE NO. CPC-2007-4661-CUB-CU	
PROJECT LOCATION 3650 SOUTH CRENSHAW BOULEVARD; 90018			
PROJECT DESCRIPTION Construction of a new, approximately 300,000-square-foot retail shopping center ("District Square") consisting of two two-story commercial buildings having a maximum height of 45 feet, and a total of 1,001 on-site parking spaces between on-grade and rooftop parking areas, on an approximately 6.5-acre (283,140-square-foot) parcel in the [Q]C2-1 Zones. The existing commercial improvements on the property, totaling approximately 85,100 square feet and a 406-stall on-grade parking lot, will be demolished and portions of Crenshaw Boulevard, Rodeo Place and an Alley are proposed to be vacated. As proposed, the project requires Conditional Use approvals to permit: 1) a 289,800-square-foot commercial development; 2) a height of 45 feet in lieu of the 25 feet and 33 feet otherwise permitted pursuant to transitional height regulations; 3) the sale and dispensing of alcoholic beverages for off-site consumption in conjunction with three retailers: a supermarket, a pharmacy, and a retail sales store; and 4) to permit the sale and dispensing of alcoholic beverages for on-site consumption in conjunction with two restaurants.			
NAME AND ADDRESS OF APPLICANT IF OTHER THAN CITY AGENCY Milan A. Garrison MG Resolutions Inc. 595 E Colorado Boulevard, #528 Pasadena, CA 91101			
FINDING: The City Planning Department of the City of Los Angeles has Proposed that a mitigated negative declaration be adopted for this project because the mitigation measure(s) outlined on the attached page(s) will reduce any potential significant adverse effects to a level of insignificance (CONTINUED ON PAGE 2) SEE ATTACHED SHEET(S) FOR ANY MITIGATION MEASURES IMPOSED. Any written comments received during the public review period are attached together with the response of the Lead City Agency. The project decision-maker may adopt the mitigated negative declaration, amend it, or require preparation of an EIR. Any changes made should be supported by substantial evidence in the record and appropriate findings made. THE INITIAL STUDY PREPARED FOR THIS PROJECT IS ATTACHED.			
NAME OF PERSON PREPARING THIS FORM JONATHAN HERSHEY		TITLE City Planning Associate	TELEPHONE NUMBER (213) 978-1349
ADDRESS 200 N. SPRING STREET, 7th FLOOR LOS ANGELES, CA. 90012	SIGNATURE (Official) 		DATE DECEMBER 16, 2009

I b2. Aesthetics (Landscaping)

- Environmental impacts to the character and aesthetics of the neighborhood may result from project implementation. However, the potential impacts will be mitigated to a level of insignificance by the following measure:
- All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the decision maker.
- The landscape plan shall incorporate clinging vines along the eastern side of the project such that they will cover the exposed portions of the building/parking structure visible to the eastern abutting residential properties. A higher priority for coverage shall be given to the portions of the building higher than 25 feet.

I b3. Aesthetics (Surface Parking)

- Environmental impacts may result from project implementation due to excessive ambient heat gain resulting from the new open-spaced parking lot. However, these impacts will be mitigated to a level of insignificance by the following measures:
- The average albedo of all surfaces of the entire project (including buildings, walls, surfaces, building roofs, etc., not limited to landscape) shall be 0.45 or greater.

I b4. Aesthetics (Graffiti)

- Environmental impacts may result from project implementation due to graffiti and accumulation of rubbish and debris along the wall(s) adjacent to public rights-of-way. However, this potential impact will be mitigated to a level of insignificance by the following measures:
- Every building, structure, or portion thereof, shall be maintained in a safe and sanitary condition and good repair, and free from graffiti, debris, rubbish, garbage, trash, overgrown vegetation or other similar material, pursuant to Municipal Code Section 91.8104.
- The exterior of all buildings and fences shall be free from graffiti when such graffiti is visible from a public street or alley, pursuant to Municipal Code Section 91,8104.15.

I b5. Aesthetics (Signage)

- Environmental impacts may result from project implementation due to on-site signage in excess of that allowed under the Los Angeles Municipal Code Section 91.6205. However, the potential impact will be mitigated to a level of insignificance by the following measures:
- On-site signs shall be limited to the maximum allowable under the Code.
- Multiple temporary signs in the store windows and along the building walls are not permitted.

I c1. Aesthetics (Light)

- Environmental impacts to the adjacent residential properties may result due to excessive illumination on the project site. However, the potential impacts will be mitigated to a level of insignificance by the following measure:
- Outdoor lighting shall be designed and installed with shielding, so that the light source cannot be seen from adjacent residential properties.

I c2. Aesthetics (Glare)

- Environmental impacts to adjacent residential properties may result from glare from the proposed project. However, the potential impacts will be mitigated to a level of insignificance by the following measure:
- The exterior of the proposed building shall be constructed of materials such as high-performance tinted non-reflective glass and pre-cast concrete or fabricated wall surfaces.

III 0. Greenhouse Gas Emissions

- The project shall either: a) Exceed 2005 Title 24 building energy efficiency minimum requirements by a minimum of 14%, or b) meet/exceed 2008 Title 24 building energy efficiency minimum requirements.
- Only low- and non-VOC-containing paints, sealants, adhesives, and solvents shall be utilized in the construction and maintenance of the project.
- The applicant shall install demand (tankless or instantaneous) water heater systems sufficient to serve the anticipated needs of the restrooms within the project.

III d1. Air Pollution (Stationary)

- Adverse impacts upon future occupants may result from the project implementation due to existing ambient air pollution levels in the project vicinity. However, this impact can be mitigated to a level of insignificance by the following measure:

- **COMMERCIAL/INSTITUTIONAL** - An air filtration system shall be installed and maintained with filters meeting or exceeding the ASHRAE Standard 52.2 Minimum Efficiency Reporting Value (MERV) of 12, to the satisfaction of the Department of Building and Safety.

III e1i. Air Quality (Objectionable Odors)

- Environmental impacts may result from project implementation due to the location of trash receptacles near adjacent residences. However, these impacts will be mitigated to a level of insignificance by the following measure:
- The trash receptacle shall be relocated at least 50 feet from the property line of any adjacent residential property.

IV f. Tree Removal (Non-Protected Trees)

- Environmental impacts from project implementation may result due to the loss of significant trees on the site. However, the potential impacts will be mitigated to a level of insignificance by the following measures:
- Prior to the issuance of any permit, a plot plan shall be prepared indicating the location, size, type, and general condition of all existing trees on the site and within the adjacent public right(s)-of-way.
- All significant trees (8-inch or greater trunk diameter, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) on the site proposed for removal shall be replaced at a 1:1 ratio with a minimum 24-inch box tree.
- A Landscape Plan shall be prepared, indicating the location of all replacement trees, to the satisfaction of the decision-maker. Net, new trees, located within the parkway of the adjacent public right(s)-of-way, may be counted toward replacement tree requirements.
- Removal or planting of any tree in the public right-of-way requires approval of the Board of Public Works. Contact Urban Forestry Division at: 213-485-5675. All trees in the public right-of-way shall be provided per the current standards of the Urban Forestry Division the Department of Public Works, Bureau of Street Services.

V b. Cultural Resources (Archaeological)

- Environmental impacts may result from project implementation due to the project's location in an area likely to yield unrecorded archaeological sites. However, the potential impacts will be mitigated to a level of insignificance by the following measures:
- **(Human Remains)** In the event that human remains are discovered during excavation activities, the following procedure shall be observed:
 - Stop immediately and contact the County Coroner:
1104 N. Mission Road
Los Angeles, CA 90033
323-343-0512 (8 a.m. to 5 p.m. Monday through Friday) or
323-343-0714 (After Hours, Saturday, Sunday, and Holidays)
 - The coroner has two working days to examine human remains after being notified by the responsible person. If the remains are Native American, the Coroner has 24 hours to notify the Native American Heritage Commission.
 - The Native American Heritage Commission will immediately notify the person it believes to be the most likely descendent of the deceased Native American.
 - The most likely descendent has 48 hours to make recommendations to the owner, or representative, for the treatment or disposition, with proper dignity, of the human remains and grave goods.
 - a. If the descendent does not make recommendations within 48 hours the owner shall reinter the remains in an area of the property secure from further disturbance, or;
 - b. If the owner does not accept the descendant's recommendations, the owner or the descendent may request mediation by the Native American Heritage Commission.

Discuss and confer means the meaningful and timely discussion careful consideration of the views of each party.

- If any archaeological materials are encountered during the course of project development, all further development activity shall halt and:
 - a. The services of an archaeologist shall then be secured by contacting the South Central Coastal Information Center (657-278-5395) located at California State University Fullerton, or a member of the Society of Professional Archaeologist (SOPA) or a SOPA-qualified archaeologist, who shall assess the discovered material(s) and evaluate the impact.
 - b. The archaeologist's survey, study or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource.
 - c. The applicant shall comply with the recommendations of the evaluating archaeologist, as contained in the survey, study or report.

survey, study or report.

- d. Project development activities may resume once copies of the archaeological survey, study or report are submitted to:

SCCIC Department of Anthropology
McCarthy Hall 477
CSU Fullerton
800 North State College Boulevard
Fullerton, CA 92834

- A covenant and agreement binding the applicant to this condition shall be recorded prior to obtaining a grading permit.

V c. Cultural Resources (Paleontological)

- Environmental impacts may result from project implementation due to the project's location in an area likely to yield unrecorded paleontological sites. However, the potential impacts will be mitigated to a level of insignificance by the following measures:
- If any paleontological materials are encountered during the course of project development, all further development activities shall halt and:
 - a. The services of a paleontologist shall then be secured by contacting the Center for Public Paleontology - USC, UCLA, California State University Los Angeles, California State University Long Beach, or the Los Angeles County Natural History Museum, who shall assess the discovered material(s) and evaluate the impact.
 - b. The paleontologist's survey, study or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource.
 - c. The applicant shall comply with the recommendations of the evaluating paleontologist, as contained in the survey, study or report.
 - d. Project development activities may resume once copies of the paleontological survey, study or report are submitted to the Los Angeles County Natural History Museum.
- A covenant and agreement binding the applicant to this condition shall be recorded prior to obtaining a grading permit.

VI aii. Seismic

- Environmental impacts may result to the safety of future occupants due to the project's location in an area of potential seismic activity. However, this potential impact will be mitigated to a level of insignificance by the following measure:
- The design and construction of the project shall conform to the California Building Code seismic standards as approved by the Department of Building and Safety.

VI b1. Haul Routes

- Environmental impacts on pedestrians and vehicles may result from project implementation due to haul routes. However, the potential impact will be mitigated to a level of insignificance by the following measures:
- Projects involving the import/export of 1,000 cubic yards or more of dirt shall obtain haul route approval by the Department of Building and Safety.
- The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.
- Fences shall be constructed around the site to minimize trespassing, vandalism, short-cut attractions and attractive nuisances.

VI b2. Erosion/Grading/Short-Term Construction Impacts

- Short-term air quality and noise impacts may result from the construction of the proposed project. However, these impacts can be mitigated to a level of insignificance by the following measures:
- **Air Quality**
- All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50 percent.
- The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by construction and hauling, and at all times provide reasonable control of dust caused by wind.
- All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.

- All clearing, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
- General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
- **Noise**
- The project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
- Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.
- Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously.
- The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- The project sponsor shall comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment.
- **General Construction**
- Sediment carries with it other work-site pollutants such as pesticides, cleaning solvents, cement wash, asphalt, and car fluids that are toxic to sea life.
- All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, wood, and vegetation. Non recyclable materials/wastes shall be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.
- Leaks, drips and spills shall be cleaned up immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- Pavement shall not be hosed down at material spills. Dry cleanup methods shall be used whenever possible.
- Dumpsters shall be covered and maintained. Uncovered dumpsters shall be placed under a roof or be covered with tarps or plastic sheeting.
- Gravel approaches shall be used where truck traffic is frequent to reduce soil compaction and the tracking of sediment into streets shall be limited.
- All vehicle/equipment maintenance, repair, and washing shall be conducted away from storm drains. All major repairs shall be conducted off-site. Drip pans or drop clothes shall be used to catch drips and spills.

VI c1. Liquefaction

- Environmental impacts may result due to the proposed project's location in an area with liquefaction potential. However, these potential impacts will be mitigated to a level of insignificance by the following measures:
- The project shall comply with measures addressing liquefaction potential, based upon a geotechnical report approved by the Department of Building and Safety (Log # 67043), and as such Approval Letter may be later modified or amended.

VII 0. Perchloroethylene (PCE) Remediation

- Prior to the issuance of any permit, including demolition, grading, use of land, or construction, the applicant shall obtain a sign-off from the Los Angeles Fire Department indicating that either: 1) identified soil and groundwater contamination originating from the property has been remediated to the satisfaction of the California Regional Water Quality Control Board; or 2) that a remediation plan has been approved by the RWQCB, and that the project design does not impair its implementation. In either case, a copy of the communication from the RWQCB shall be submitted to the Planning Department's environmental case file ENV 2007-4662-MND for retention.

VII b5. Explosion/Release (Asbestos Containing Materials)

- Due to the age of the building(s) being demolished, asbestos-containing materials (ACM) may be located in the structure(s). Exposure to ACM during demolition could be hazardous to the health of the demolition workers as well as area residents and employees. However, these impacts can be mitigated to a level of insignificance by the following measure:
- Prior to the issuance of any demolition permit, the applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant that no ACM are present in the building. If ACM are found to be present, it will need to be abated in compliance with the South Coast Air Quality Management District's Rule 1403 as well as all other State and Federal rules and regulations.

- Prior to issuance of any permit for demolition or alteration of the existing structure(s), a lead-based paint survey shall be performed to the written satisfaction of the Department of Building and Safety. Should lead-based paint materials be identified, standard handling and disposal practices shall be implemented pursuant to OSHA regulations.

VIII c3. Commercial & Industrial Development (Lot Size 43,560 sf)

- Environmental impacts may result from the release of toxins into the stormwater drainage channels during the routine operation of commercial development projects. However, the potential impacts will be mitigated to a level of insignificance by incorporating stormwater pollution control measures. Ordinance No. 172,176 and Ordinance No. 173,494 specify Stormwater and Urban Runoff Pollution Control which requires the application of Best Management Practices (BMPs). Chapter IX, Division 70 of the Los Angeles Municipal Code addresses grading, excavations, and fills. Applicants must meet the requirements of the Standard Urban Stormwater Mitigation Plan (SUSMP) approved by Los Angeles Regional Water Quality Control Board, including the following: (A copy of the SUSMP can be downloaded at: <http://www.swrcb.ca.gov/rwqcb4/>).
- Project applicants are required to implement stormwater BMPs to treat and infiltrate the runoff from a storm event producing 3/4 inch of rainfall in a 24 hour period. The design of structural BMPs shall be in accordance with the Development Best Management Practices Handbook Part B Planning Activities. A signed certificate from a California licensed civil engineer or licensed architect that the proposed BMPs meet this numerical threshold standard is required.
- Post development peak stormwater runoff discharge rates shall not exceed the estimated pre-development rates for developments where the increase peak stormwater discharge rate will result in increased potential for downstream erosion.
- Maximize trees and other vegetation at each site by planting additional vegetation, clustering tree areas, and promoting the use of native and/or drought tolerant plants.
- Promote natural vegetation by using parking lot islands and other landscaped areas.
- Cover loading dock areas or design drainage to minimize run-on and run-off of stormwater.
- Direct connections to storm drains from depressed loading docks (truck wells) are prohibited.
- Repair/maintenance bays must be indoors or designed in such a way that doesn't allow stormwater run-on or contact with stormwater runoff.
- Design repair/maintenance bay drainage system to capture all washwater, leaks and spills. Connect drains to a standard sump for collection and disposal. Direct connection of the repair/maintenance bays to the storm drain system is prohibited. If required, obtain an Industrial Waste Discharge Permit.
- Vehicle/equipment wash areas must be self-contained and/or covered, equipped with a clarifier, or other pretreatment facility, and properly connected to the sanitary sewer.
- Any connection to the sanitary sewer must have authorization from the Bureau of Sanitation.
- The following activities are to be conducted under proper cover with drain routed to the sanitary sewer.
 - Storage of industrial wastes
 - Handling or storage of hazardous wastes
 - Metal fabrication or Pre-cast concrete fabrication
 - Welding, Cutting or Assembly
 - Painting, Coating or Finishing
- Store above ground liquid storage tanks (drums and dumpsters) in areas with impervious surfaces in order to contain leaks and spills. Install a secondary containment system such as berms, dikes, liners, vaults, and double-wall tanks. Where used oil or dangerous waste is stored, a dead-end sump should be installed in the drain.
- Toxic wastes must be discarded at a licensed regulated disposal site. Store trash dumpsters both under cover and with drains routed to the sanitary sewer or use non-leaking and water-tight dumpsters with lids. Use drip pans or absorbent materials whenever grease containers are emptied. Wash containers in an area with properly connected sanitary sewer.
- Reduce and recycle wastes, including: paper; glass; aluminum; oil; and grease.
- Reduce the use of hazardous materials and waste by: using detergent-based or water-based cleaning systems; and avoid chlorinated compounds, petroleum distillates, phenols, and formaldehyde.

- Cleaning of vehicles and equipment to be performed within designated covered or bermed wash area paved with Portland concrete, sloped for wash water collection, and with a pretreatment facility for wash water before discharging to properly connected sanitary sewer with a CPI type oil/water separator. The separator unit must be: designed to handle the quantity of flows; removed for cleaning on a regular basis (at least twice a year) to remove any solids; and the oil absorbent pads must be replaced regularly, once in fall just before the wet season, and in accordance with manufacturer's specifications.
- All storm drain inlets and catch basins within the project area must be stenciled with prohibitive language (such as NO DUMPING - DRAINS TO OCEAN) and/or graphical icons to discourage illegal dumping.
- Legibility of stencils and signs must be maintained.
- Materials with the potential to contaminate stormwater must be: (1) placed in an enclosure such as, but not limited to, a cabinet, shed, or similar stormwater conveyance system; or (2) protected by secondary containment structures such as berms, dikes, or curbs.
- The storage area must be paved and sufficiently impervious to contain leaks and spills.
- The storage area must have a roof or awning to minimize collection of stormwater within the secondary containment area.
- The owner(s) of the property will prepare and execute a covenant and agreement (Planning Department General form CP-6770) satisfactory to the Planning Department binding the owners to post construction maintenance on the structural BMPs in accordance with the Standard Urban Stormwater Mitigation Plan and/or per manufacturer's instructions.

VIII c4. Food Service Industry (Restaurants, Bakeries, Food Processors)

- Environmental impacts may result from the release of toxins into the stormwater drainage channels during the routine operation of restaurants, bakeries, and food producers. However, the potential impacts will be mitigated to a level of insignificance by incorporating stormwater pollution control measures. Ordinance No. 172,176 and Ordinance No. 173,494 specify Stormwater and Urban Runoff Pollution Control which requires the application of Best Management Practices (BMPs). Chapter IX, Division 70 of the Los Angeles Municipal Code addresses grading, excavations, and fills. Applicants must meet the requirements of the Standard Urban Stormwater Mitigation Plan (SUSMP) approved by Los Angeles Regional Water Quality Control Board, including the following: (A copy of the SUSMP can be downloaded at: <http://www.swrcb.ca.gov/rwqcb4/>).
- Cleaning of oily vents and equipment to be performed within designated covered area, sloped for wash water collection, and with a pretreatment facility for wash water before discharging to properly connected sanitary sewer with a CPI type oil/water separator. The separator unit must be: designed to handle the quantity of flows; removed for cleaning on a regular basis to remove any solids; and the oil absorbent pads must be replaced regularly according to manufacturer's specifications.
- Store trash dumpsters both under cover and with drains routed to the sanitary sewer or use non-leaking and water tight dumpsters with lids. Wash containers in an area with properly connected sanitary sewer.
- Store liquid storage tanks (drums and dumpsters) in designated paved areas with impervious surfaces in order to contain leaks and spills. Install a secondary containment system such as berms, curbs, or dikes. Use drip pans or absorbent materials whenever grease containers are emptied.
- Prescriptive Methods detailing BMPs specific to the "Restaurant" project category are available. Applicants are encouraged to incorporate the prescriptive methods into the design plans. These Prescriptive Methods can be obtained at the Public Counter or downloaded from the City's website at www.lastormwater.org. (See Exhibit A).

VIII c8. Parking Lots with 25 or More Spaces or 5,000 Square-feet of Lot Area (Residential, Commercial, Industrial, Public Facility)

- Environmental impacts may result from delivery vehicles and customer and employee vehicles transferring contaminants (gasoline, oil, grease, sediments) to the parking lot and release toxins into the stormwater drainage channels. However, the potential impacts will be mitigated to a level of insignificance by incorporating stormwater pollution control measures. Ordinance No. 172,176 and Ordinance No. 173,494 specify Stormwater and Urban Runoff Pollution Control which requires the application of Best Management Practices (BMPs). Chapter IX, Division 70 of the Los Angeles Municipal Code addresses grading, excavations, and fills. Applicants must meet the requirements of the Standard Urban Stormwater Mitigation Plan (SUSMP) approved by Los Angeles Regional Water Quality Control Board, including the following: (A copy of the SUSMP can be downloaded at: <http://www.swrcb.ca.gov/rwqcb4/>).
- Trash container areas must have drainage from adjoining roofs and pavement diverted around the area(s).
- Trash container areas must be screened or walled to prevent off-site transport of trash.
- Reduce impervious land coverage of parking lot areas.

EXHIBIT A

CITY OF LOS ANGELES – STORMWATER PROGRAM Prescriptive Method Standard Urban Stormwater Mitigation Plan

RESTAURANTS

OBJECTIVE

The prescriptive method described in this bulletin meets the minimum requirements of the Standard Urban Stormwater Mitigation Plan (SUSMP) for a "stand alone" restaurant (SIC Code 5812 – Eating Places). As a prescriptive method, all requirements specified herein shall be incorporated into the approved development plan. Should an alternate method of compliance or an alternate product/manufacture be used, the applicant shall prepare a site-specific plan indicating the alternate and its details. Such plan must be submitted for review and approval.

REQUIREMENTS

Equipment/Accessory Wash Area

- For indoor wash area, provisions shall be made to properly connect to a sanitary sewer. For sewer connection, obtain Industrial Waste Discharge permit from Department of Public Works - Bureau of Sanitation – Industrial Waste Management Division.
- For outdoor wash area, area shall be bermed (berm height shall be $\frac{1}{2}$ inch), equipped with a grease trap and rain diversion system, and connected to the sanitary sewer. A plumbing permit from Department of Building and Safety will be required for grease trap. IWD permit will be required from the Bureau of Sanitation – Industrial Waste Management Division for sewer connection. Refer to Appendix F of the *Development Planning Handbook* for the rain diversion system description.

Outdoor Material Storage Area (If included)

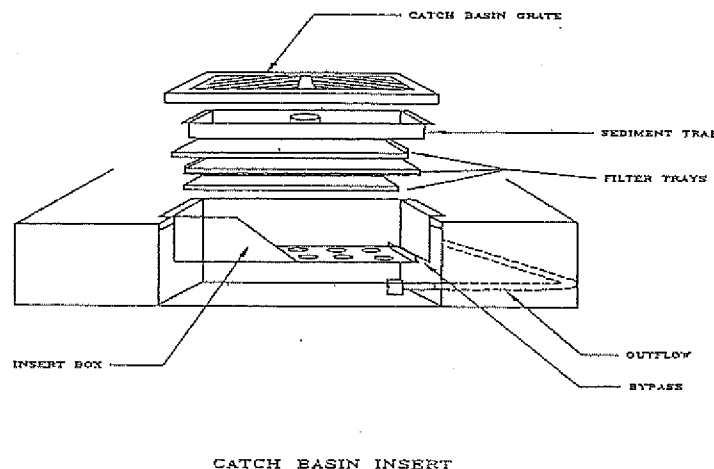
- Must be placed in an enclosure or bermed (secondary containment). The berm height shall be $\frac{1}{2}$ inch.
- Must be paved to contain leaks and spills.

Trash Storage Area (If included)

- Must be screened or walled to prevent off-site transport of trash.

FIGURE 1

Example Catch Basin Insert



- Infiltrate runoff before it reaches the storm drain system.
- Runoff must be treated prior to release into the storm drain. Three types of treatments are available, (1) dynamic flow separator, (2) a filtration or (3) infiltration. Dynamic flow separator uses hydrodynamic force to remove debris, and oil and grease, and are located underground. Filtration involves catch basins with filter inserts. Filter inserts must be inspected every six months and after major storms, cleaned at least twice a year. Infiltration methods are typically constructed on-site and are determined by various factors such as soil types and groundwater table.
- Prescriptive Methods detailing BMPs specific to this project category are available. Applicants are encouraged to incorporate the prescriptive methods into the design plans. These Prescriptive Methods can be obtained at the Public Counter or downloaded from the City's website at: www.lastormwater.org. (See Exhibit D).

VIII f,g&h. Flooding/Tidal Waves

- Environmental impacts may result due to the location of the proposed project in an area which is potentially subject to flood hazards. However, any flood hazard that exists will be mitigated to a level of insignificance by the following measure:
- The project shall comply with the requirements of the Flood Hazard Management Specific Plan, Ordinance No. 172081 effective 7/3/98.

IX c. Land Use

- The proposed project would permit a land use which is not compatible with that of the surrounding projects. However, the potential impacts would be mitigated to a level of insignificance by the following measure:
- The applicant shall comply with mitigation measures required by this MND.

XI a1. Increased Noise Levels (Parking Wall)

- Environmental impacts to the adjacent residential properties may result due to noise from parking on the site. However, this potential impact will be mitigated to a level of insignificance by the following measure:
- A minimum 6-foot in height solid decorative masonry wall shall be constructed between any ground-level driveway or parking area and abutting residentially-zoned properties if no such wall exists.

XI a2. Increased Noise Levels (Parking Structure Ramps)

- Environmental impacts may result from project implementation due to noise from cars using the parking ramp. However, the potential impacts will be mitigated to a level of insignificance by the following measures:
- Concrete, not metal, shall be used for construction of parking ramps.
- The interior ramps shall be textured to prevent tire squeal at turning areas.
- Parking lots located adjacent to residential buildings shall have a solid decorative wall adjacent to the residential.

XI a11. Increased Noise Levels (Retail Markets, Bars, Entertainment etc...)

- Environmental impacts to adjacent residential properties may result from project implementation due to noise from the proposed project's activities and parking on the site. However, the potential impacts will be mitigated to a level of insignificance by the following measures:
- No window openings shall be permitted along the residential sides of the building.

XIII a. Public Services (Fire)

- Environmental impacts may result from project implementation due to the location of the project in an area having marginal fire protection facilities. However, this potential impact will be mitigated to a level of insignificance by the following measure:
- The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.
- Prior to the review and approval of plans by the Department of Building and Safety, the applicant shall obtain written communication from the Fire Department indicating the need, if any, for upgrades necessary to the capacity of existing fire mains in order to adequately serve the project. The need for such upgrades shall be so noted on the plans.
- Prior to the issuance of a building permit, and to the satisfaction of the Fire Department, the applicant shall provide for adequate off-site public and on-site private fire hydrants.

XIII b1. Public Services (Police General)

EXHIBIT D

CITY OF LOS ANGELES – STORMWATER PROGRAM

Prescriptive Method Standard Urban Stormwater Mitigation Plan

PARKING LOTS

OBJECTIVE

The prescriptive method described in this bulletin meets the minimum requirements of the Standard Urban Stormwater Mitigation Plan (SUSMP) for a parking lot $\geq 5,000$ square feet (sf) but not more than 20,000 sf, or ≥ 25 parking spaces but not more than 50 parking spaces. As a prescriptive method, all requirements specified herein shall be incorporated into the development plan. Should an alternate method of compliance or an alternate product/manufacture be used, the applicant shall prepare a site-specific plan indicating the alternate and its details. Such plan must be submitted for review and approval.

REQUIREMENTS

Site Drainage

The site drainage alternatives for a parking lot development can include one, or a combination of, the following: an infiltration trench; a hydrodynamic system; or a catch basin (CB) with filter insert. The infiltration trench or CB with filter insert, if selected, shall be used for every 5,000 sf area. The hydrodynamic system shall be used for lot areas up to 20,000 sf. The site shall be graded to drain to the drainage system.

- Hydrodynamic system can be one of the following:
 - StormCeptor® 450i (StormCeptor® Corp., Web Site: <http://www.csrstormceptor.com>)
 - Vortech™ 1000 (Vortech, Inc., Web Site: <http://www.vortech.com>)
 - Jensen® Interceptor JPHV-750 (Jensen® Precast, Web Site: <http://www.jensenprecast.com>)
 - V2B1™ V2-3 (Environment 21, Web Page: <http://www.env21.com>)
- Infiltration trench
 - Infiltration trench must **not** be used if either one of the following site conditions exist:
 - Project is located in the San Fernando Valley/Upper Los Angeles River Area watershed
 - Groundwater table/depth beneath the site is less than 10 feet below ground surface.
 - Site soil lithology consists primarily of clay
 - Parking lot is located in industrial areas or areas of industrial activity as defined in the State of California NPDES General Permit for Discharges of Stormwater Associated with Industrial Activities.
 - Parking lot is located in an area immediately adjacent to, or if the project receives and/or has a potential to receive stormwater run on from areas subject to high vehicular traffic activity (25,000 or greater average daily traffic [ADT] on main roadway or 15,000 or more ADT on any intersecting roadway)
 - Project is located in hillside area (area with known erosive soil conditions, where the development contemplates grading on any natural slope that is twenty five percent or greater)
 - The following factors must be considered if infiltration trench is selected:
 - Local site geology/soil characterization – The developer shall demonstrate that the site soil geology is appropriate for infiltration.
 - Location(s) of nearby or surrounding water supply wells – The developer shall demonstrate that risk of impact on nearby water supply wells due to infiltration, is not likely to occur.
 - Groundwater depth.
 - Drainage site location.
 - Potential pollutants arising from use of the lot.
 - A soil report to address the feasibility of infiltration will be required to be submitted with the plan to LADBS for review and approval.
 - The infiltration trench configuration shall follow the specifications indicated in Figures 1 through 4. The primary components shall consist of the following:
 - Trench shall be 5'4" wide by 4'6" deep and 15' in length
 - Bottom infiltration layer shall be 18" thick & consist of fine sand

- Top infiltration layer shall be 3' thick & consist of $\frac{3}{4}$ inch clean and washed gravel free of organic material. The gravel shall be placed in lifts and compacted per ASTM D-1557.
- Geotextile fabric filter liner
- Shall contain a vegetated buffer 10' wide at inflow side and cable concrete mat as shown in Figures 1 and 5.
- Two inch diameter observation well (cap secured with lock) located at center of trench
- Overflow inlet
- Inflow curb openings for sheet flow to the trench
- Figure 5 shows an example infiltration trench
- Single grating CB with filter insert. CB shall be in accordance with the City of Los Angeles Standard Plan S-355-0 with depth modified to accommodate drainage elevations. Minimum depth of CB insert shall be 24 inches. Figure 6 shows an example CB insert. CB filter insert can be either of the following:
 - Aqua-Guard™ (AquaShield/Remedial Solutions, Inc., Web Site: <http://www.aquashieldinc.com>)
 - Ultra-Urban™ Filter Series DI2020 (Abtech Industries, Inc., Web Site: <http://www.abtechindustries.com>)
 - DrainPac™ (United Storm Water, Inc., Web Site: <http://www.unitedstormwater.com>)
 - Enviro-Drain® (Enviro-Drain®, Inc., Web Site: <http://www.members.aa.net/~filters>)
- Proofs of ongoing system maintenance shall be kept on site indicating at the minimum, type of system, operator name, activity date, and activity type. Refer to Provision No. 8 of the Final SUSMP.

Outdoor Material Storage Area (If included)

- Must be placed in an enclosure or bermed (secondary containment). The berm height shall be $\frac{1}{2}$ inch.
- Must be paved to contain leaks and spills.

Trash Storage Area (If included)

- Must be screened or walled to prevent off-site transport of trash.

FIGURE 1

Infiltration Trench Configuration

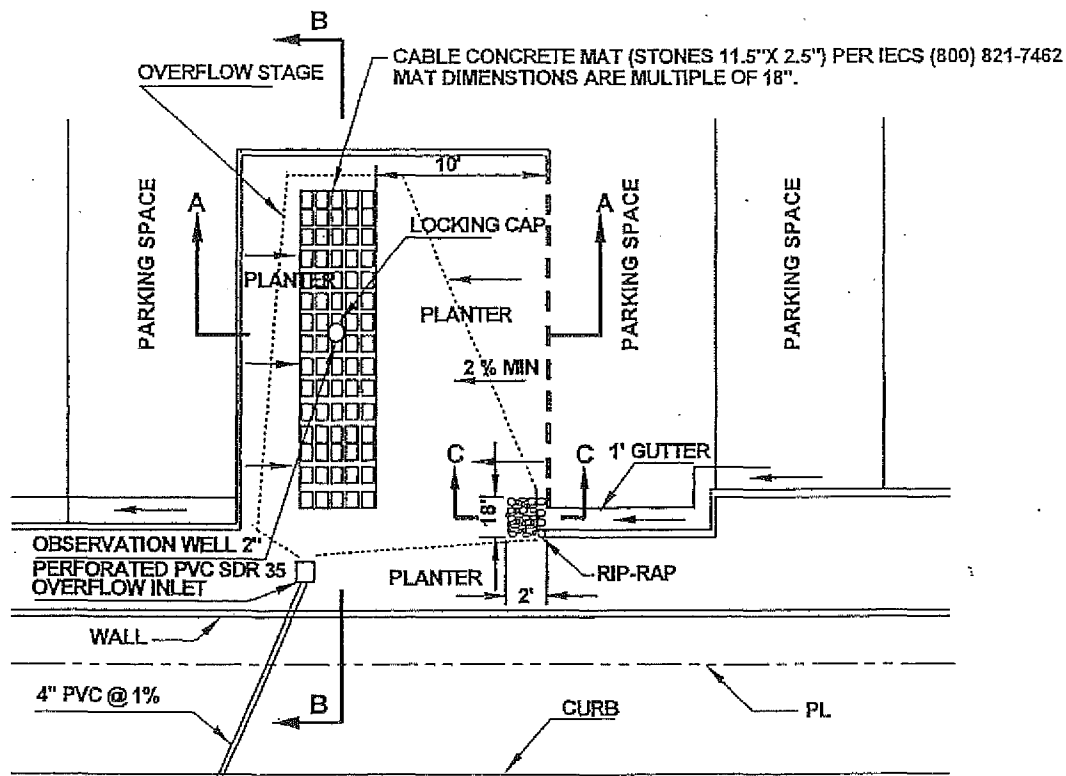
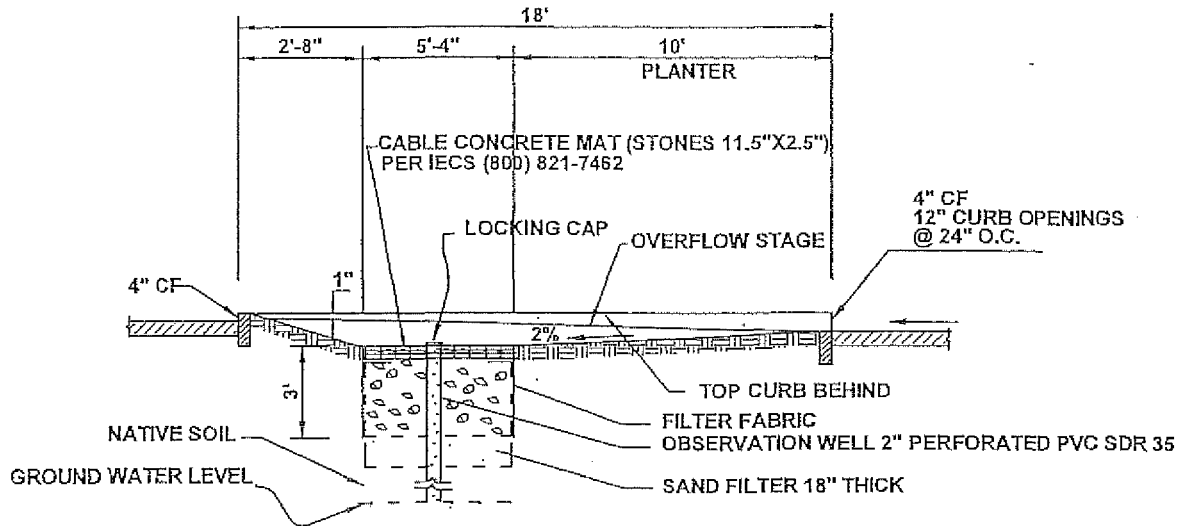


FIGURE 2

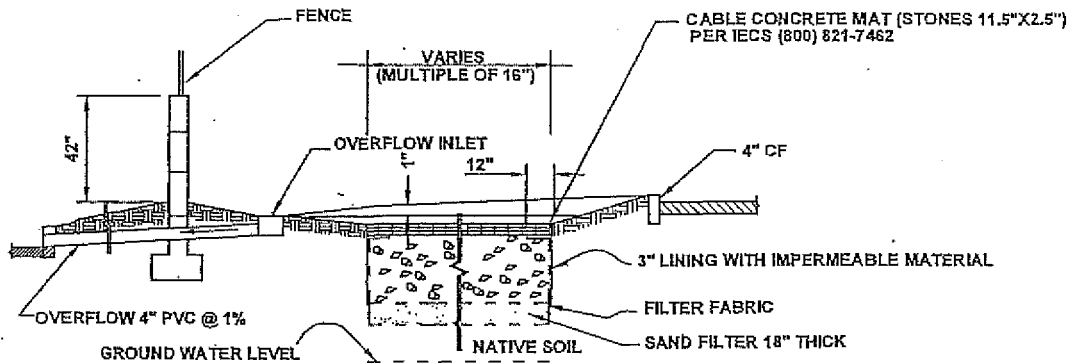
Infiltration Trench Configuration (Section A-A)



SECTION A-A
NTS

FIGURE 3

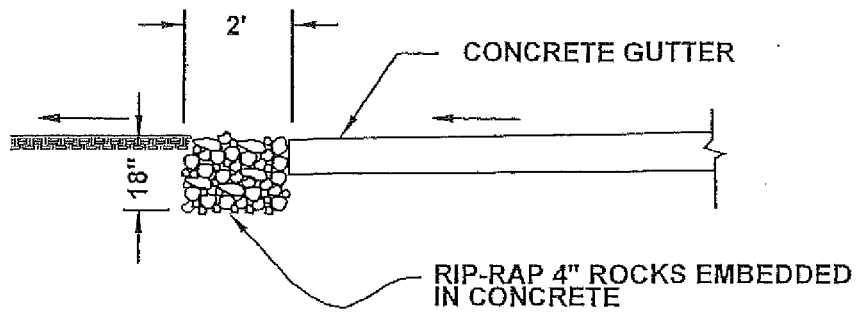
Infiltration Trench Configuration (Section B-B)



SECTION B-B
NTS

FIGURE 4

Infiltration Trench Configuration (Section C-C)



SECTION C-C
NTS

FIGURE 5

Example Infiltration Trench

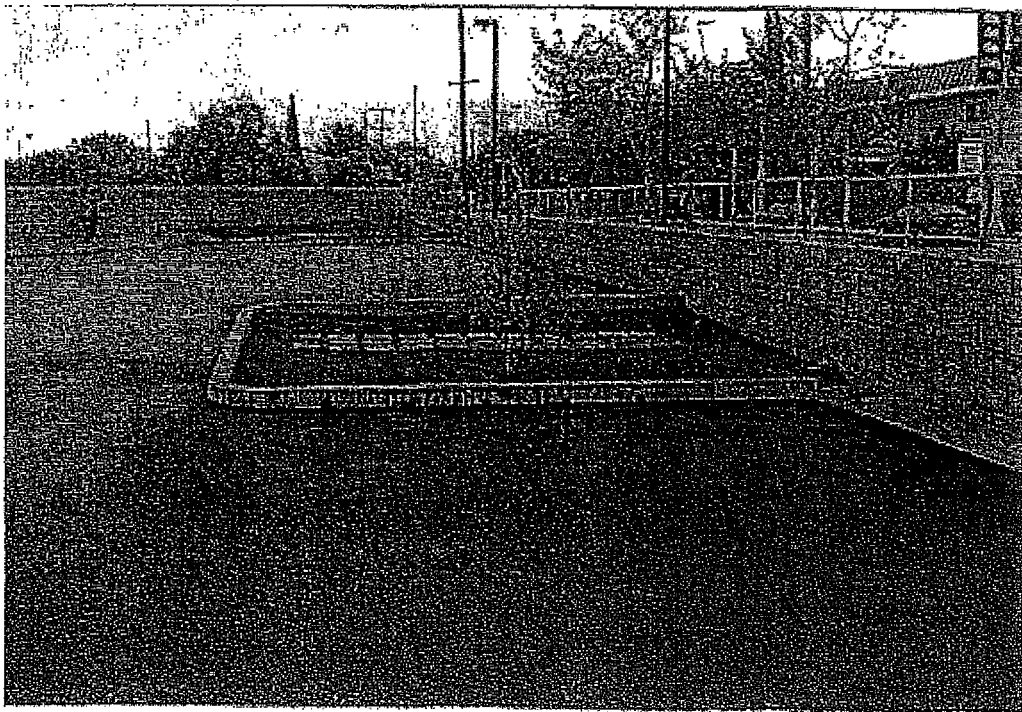
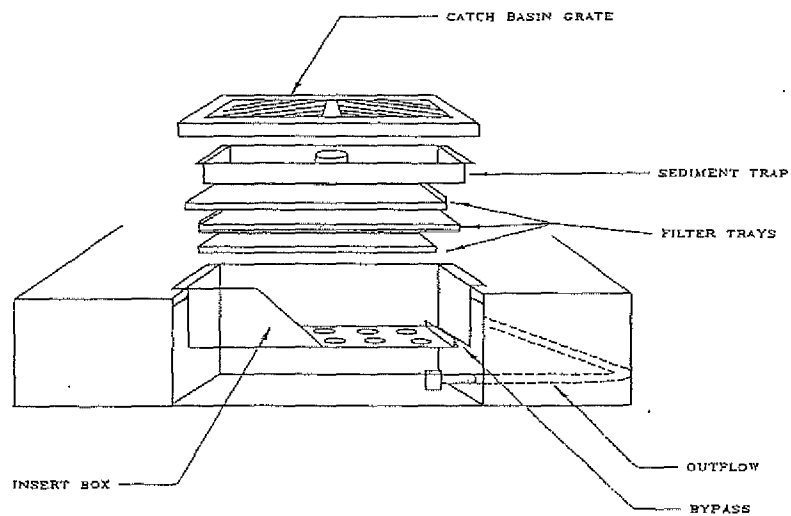


FIGURE 6
Example Catch Basin Insert



CATCH BASIN INSERT

- Environmental impacts may result from project implementation due to the location of the project in an area having marginal police services. However, this potential impact will be mitigated to a level of insignificance by the following measure:
- The plans shall incorporate the design guidelines relative to security, semi-public and private spaces, which may include but not be limited to access control to building, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provision of security guard patrol throughout the project site if needed. Please refer to Design Out Crime Guidelines: Crime Prevention Through Environmental Design published by the Los Angeles Police Department's Crime Prevention Section (located at Parker Center, 150 N. Los Angeles Street, Room 818, Los Angeles, (213)485-3134. These measures shall be approved by the Police Department prior to the issuance of building permits.
- Upon completion of construction, the applicant shall provide the local Commanding Officer with as-built floor plans of the entire property. The plan(s) shall include access routes, unit numbers, and any information that might facilitate police response.
- The project shall not incorporate features that preclude installation of video surveillance of all publically accessible areas, including parking areas.

XIII e. Public Services (Street Improvements Not Required By DOT)

- Environmental impacts may result from project implementation due to the deterioration of street quality from increased traffic generation. However, the potential impact will be mitigated to a level of insignificance by the following measure:
- The project shall comply with the Bureau of Engineering's requirements for street dedications and improvements that will reduce traffic impacts in direct portion to those caused by the proposed project's implementation.
- To the satisfaction of the Department of Public Works, all existing water main, sewer, stormdrain, power, telecommunication, television cable, or any other such infrastructure located within or above the rights-of-way proposed for vacation shall be relocated.

XV d. Bus stop Displacement

- Prior to the issuance of a building permit, the applicant shall prepare and record a Covenant and Agreement, to the satisfaction of the decision-maker, which requires the following to be fulfilled by the applicant, owner, heir, or assign at a time prior to the issuance of a temporary or final Certificate of Occupancy:
 - a. Relocate any Metropolitan Transportation Authority bus stop or infrastructure temporarily displaced as a result of construction activities and upgrade shelters, benches, and lighting according to the agency's standard plan for that location.
 - b. Relocate any Los Angeles Department of Transportation bus stop or infrastructure temporarily displaced as a result of construction activities and upgrade shelters, benches, and lighting according to the agency's standard plan for that location.

XV a1. Increased Vehicle Trips/Congestion

- An adverse impact may result from the project's traffic generation. An investigation and analysis conducted by the Department of Transportation has identified significant project-related traffic impacts which can be mitigated to an acceptable level by the following measure:
- Prior to the issuance a building permit, the applicant shall submit a Construction Site Traffic Control Plan to the Department of Transportation for review and approval. The plan shall show the location of any roadwork or sidewalk closures, traffic detours, haul routes, hours of operation, protective devices, warning signs and access to abutting properties.
- Prior to the issuance of a building permit, the applicant shall, to the satisfaction of the decision-maker, prepare and submit a Transportation Demand Management plan for review and approval. Such plan must have been reviewed and approved by the Department of Transportation and Community Redevelopment Agency prior to submittal.
- Prior to the issuance of a building permit, the applicant shall, to the satisfaction of the decision-maker, prepare and record a Covenant and Agreement to monitor and submit annual reports on the implementation of the Transportation Demand Management plan to the Department of Transportation.
- All construction-related traffic shall be restricted to off-peak hours.

XV d. Safety Hazards

- Environmental impacts may result from project implementation due to hazards to safety from design features (e.g., sharp curves or dangerous intersections) or incompatible uses. However, the potential impacts can be mitigated to a level of insignificance by the following measure:

- The applicant shall submit a parking and driveway plan that incorporates design features that reduce accidents, to the Bureau of Engineering and the Department of Transportation for approval.
- Prior to plan check submittal to LADBS, submit a site and/or driveway plan, scaled at least 1 inch = 40 feet, to: LADOT Construction Services Center, 201 N Figueroa Street, #400 (Counter No. 3), Los Angeles, 90012.
- Two-way driveways shall be 30 feet wide and one-way driveways shall be 16 feet wide, exclusive of side slopes.
- Street improvements required per LAMC 12.37-A must be cleared by the Bureau of Engineering prior to issuance of LADOT project approval.

XV e. Inadequate Emergency Access

- Environmental impacts may result from project implementation due to inadequate emergency access. However, these impacts can be mitigated to a level of insignificance by the following measure:
- The applicant shall submit a parking and driveway plan to the Bureau of Engineering and the Department of Transportation for approval that provides code-required emergency access.

XVI d. Wastewater Generation

- Prior to the issuance of a building permit, the applicant shall post a bond to provide for upgrades to the existing sanitary sewer system infrastructure, as determined by the Bureau of Sanitation, in order to adequately serve the project.

XVI d. Utilities (Local or Regional Water Supplies)

- Environmental impacts may result from project implementation due to the cumulative increase in demand on the City's water supplies. However, this potential impact will be mitigated to a level of insignificance by the following measures:
 - The project shall comply with Ordinance No. 170,978 (Water Management Ordinance), which imposes numerous water conservation measures in landscape, installation, and maintenance (e.g. use drip irrigation and soak hoses in lieu of sprinklers to lower the amount of water lost to evaporation and overspray, set automatic sprinkler systems to irrigate during the early morning or evening hours to minimize water loss due to evaporation, and water less in the cooler months and during the rainy season).
 - If conditions dictate, the Department of Water and Power may postpone new water connections for this project until water supply capacity is adequate.
 - **(All New Construction, Commercial/Industrial Remodel, Condominium Conversions, and Adaptive Reuse)**
Unless otherwise required, and to the satisfaction of the Department of Building and Safety, the applicant shall install:
 - a. High-efficiency toilets (maximum 1.28 gpf), including dual-flush water closets, and high-efficiency urinals (maximum 0.5 gpf), including no-flush or waterless urinals, in all restrooms as appropriate. Rebates may be offered through the Los Angeles Department of Water and Power to offset portions of the costs of these installations.
 - b. Restroom faucets with a maximum flow rate of 1.5 gallons per minute.
- Single-pass cooling equipment shall be strictly prohibited from use. Prohibition of such equipment shall be indicated on the building plans and incorporated into tenant lease agreements. (Single-pass cooling refers to the use of potable water to extract heat from process equipment, e.g. vacuum pump, ice machines, by passing the water through equipment and discharging the heated water to the sanitary wastewater system.)
- **(All New Commercial and Industrial)**
Unless otherwise required, all restroom faucets shall be of a self-closing design, to the satisfaction of the Department of Building and Safety.
 - **(Landscaping)**
In addition to the requirements of the Landscape Ordinance, the landscape plan shall incorporate the following:
 - a. Weather-based irrigation controller with rain shutoff;
 - b. Matched precipitation (flow) rates for sprinkler heads;
 - c. Drip/microspray/subsurface irrigation where appropriate;
 - d. Minimum irrigation system distribution uniformity of 75 percent;
 - e. Proper hydro-zoning, turf minimization and use of native/drought tolerant plan materials; and
 - f. Use of landscape contouring to minimize precipitation runoff.
 - g. A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for irrigated landscape areas totaling 5,000 sf. and greater, to the satisfaction of the Department of Building and Safety.

XVI f. Utilities (Solid Waste)

- Environmental impacts may result from project implementation due to the creation of additional solid waste. However, this potential impact will be mitigated to a level of insignificance by the following measure:

MITIGATED NEGATIVE DECLARATION

ENV-2007-4662-MND

- Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. These bins shall be emptied and recycled accordingly as a part of the project's regular solid waste disposal program.
- Prior to the issuance of any demolition or construction permit, the applicant shall provide a copy of the receipt or contract from a waste disposal company providing services to the project, specifying recycled waste service(s), to the satisfaction of the Department of Building and Safety. The demolition and construction contractor(s) shall only contract for waste disposal services with a company that recycles demolition and/or construction-related wastes.
- To facilitate onsite separation and recycling of demolition and construction-related wastes, the contractor(s) shall provide temporary waste separation bins onsite during demolition and construction. These bins shall be emptied and recycled accordingly as a part of the project's regular solid waste disposal program.

XVII d. End

- The conditions outlined in this proposed mitigated negative declaration which are not already required by law shall be required as condition(s) of approval by the decision-making body except as noted on the face page of this document.
- Therefore, it is concluded that no significant impacts are apparent which might result from this project's implementation.

CITY OF LOS ANGELES
OFFICE OF THE CITY CLERK
ROOM 395, CITY HALL
LOS ANGELES, CALIFORNIA 90012
CALIFORNIA ENVIRONMENTAL QUALITY ACT
INITIAL STUDY
and CHECKLIST
(CEQA Guidelines Section 15063)

LEAD CITY AGENCY: City of Los Angeles	COUNCIL DISTRICT: CD 10 - HERB J. WESSON, JR.	DATE: 11/18/2009
RESPONSIBLE AGENCIES: Department of City Planning		
ENVIRONMENTAL CASE: ENV-2007-4662-MND	RELATED CASES: CPC-2007-4661-CUB-CU	
PREVIOUS ACTIONS CASE NO.:	☒ Does have significant changes from previous actions. ☐ Does NOT have significant changes from previous actions	
PROJECT DESCRIPTION: SPECIFIC PLAN EXCEPTION TO EXCEED HEIGHT, 65' IN LIEU OF 45; COMMERCIAL COR DEVELOPMENT CU; CONDITIONAL USE FOR FULL LINE ALCOHOL FOR ON-SITE AND OR OFF SITE CONSUMPTION WITH TWO RESTAURANTS AND MARK.		
ENV PROJECT DESCRIPTION: Construction of a new, approximately 300,000-square-foot retail shopping center ("District Square") consisting of two two-story commercial buildings having a maximum height of 45 feet, and a total of 1,001 on-site parking spaces between on-grade and rooftop parking areas, on an approximately 6.5-acre (283,140-square-foot) parcel in the [Q]C2-1 Zones. The existing commercial improvements on the property, totaling approximately 85,100 square feet and a 406-stall on-grade parking lot, will be demolished and portions of Crenshaw Boulevard, Rodeo Place and an Alley are proposed to be vacated. As proposed, the project requires Conditional Use approvals to permit: 1) a 289,800-square-foot commercial development; 2) a height of 45 feet in lieu of the 25 feet and 33 feet otherwise permitted pursuant to transitional height regulations; 3) the sale and dispensing of alcoholic beverages for off-site consumption in conjunction with three retailers: a supermarket, a pharmacy, and a retail sales store; and 4) to permit the sale and dispensing of alcoholic beverages for on-site consumption in conjunction with two restaurants.		
ENVIRONMENTAL SETTINGS: The property, consisting of 14 parcels and portions of Crenshaw Boulevard, Rodeo Place, and an alley, is a level, irregular-shaped, corner, approximately 283,140-square-foot parcel of land with frontages on the east side of Crenshaw Boulevard and the south side of Rodeo Road. The property has a maximum width and depth of approximately 650 feet and 470 feet, respectively. The property is located within Flood Zone B, an Inundation area, Liquefaction Zone, and is approximately 2.6 kilometers from the nearest known fault. Further, the property is located within the Crenshaw Corridor and Conditional Use Approval for Sale of Alcoholic Beverages Specific Plan areas, the Mid City Recovery Redevelopment Project Area of the Community Redevelopment Agency (ZI-2174, ZI-2280), Fast Food Interim Control Ordinance area (ZI-2393), Los Angeles State Enterprise Zone (ZI-2374), Central City Revitalization Zone, and Reporting District No. 373 of the Southwest Division of the Los Angeles Police Department. The "Q" Qualified Condition on the zoning of the property refers to compliance with the "Crenshaw Corridor Special District Plan" (Crenshaw Corridor Specific Plan). The property is developed with three one-story commercial buildings, totaling approximately 85,100 square feet, and constructed circa 1950 through 1963, several pole signs, and an associated surface parking lot area containing approximately 406 parking stalls. Though the parking lot area features seven unidentified trees, the property does not otherwise contain any significant landscaping. Crenshaw Boulevard, adjoining the property on the west, is designated as a Scenic Major Highway, Class I, dedicated an irregular width of 100 feet and 162 feet, and improved with asphalt roadway, concrete curb, gutter, sidewalk, and street trees. Rodeo Road, adjoining the property on the north, is designated as a Secondary Highway, dedicated a substandard width of 85 feet, and improved with asphalt roadway, concrete curb, gutter, and sidewalk. Rodeo Place, adjoining the property on the southwest, is a designated Local Street, dedicated a width of 54 feet, and improved with asphalt roadway, concrete curb, gutter, and sidewalks. Alley, bisecting the property between east and west, is dedicated a width of 20 feet, and improved with asphalt roadway and concrete centerline gutter. The alley provides vehicular access onto Rodeo Road to the north and Rodeo Place to the south.		

The north adjoining properties, across Rodeo Road, are zoned [Q]C2-1 and developed with a florist, fast food, laundry, and private school. The northeast adjoining properties, across the intersection of Rodeo Road and Bronson Avenue, are zoned RD2-1 and developed with single-family dwellings. The east abutting properties, fronting on Norton Avenue, are zoned R1-1 and developed with one-story single-family dwellings. The south abutting property is zoned [Q]C2-1 and developed with a commercial shopping center featuring a large discount pharmacy, sporting good store, and various smaller commercial retail and service uses. The west adjoining properties, across Crenshaw Boulevard, are zoned (Q)C2-1 and [Q]C2-1 and developed with one-, two- and four-story retail, service, office, and commercial uses. The northwest adjoining properties, across the intersection of Crenshaw Boulevard and Rodeo Road, are zoned [Q]C2-1 and developed with a gasoline station and mini-market.

More detailed information regarding a description of the property and surrounding area can be found in the Initial Study, dated November 2009, and prepared by MG Resolutions, Inc.

PROJECT LOCATION:

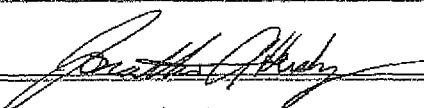
3650 SOUTH CRENSHAW BOULEVARD; 90018

COMMUNITY PLAN AREA: WEST ADAMS - BALDWIN HILLS - LEIMERT STATUS: ☒ Does Conform to Plan ☐ Does NOT Conform to Plan	AREA PLANNING COMMISSION: SOUTH LOS ANGELES	CERTIFIED NEIGHBORHOOD COUNCIL: EMPOWERMENT CONGRESS WEST AREA
EXISTING ZONING: [Q]C2-1	MAX. DENSITY/INTENSITY ALLOWED BY ZONING: 1.5:1 FAR	LA River Adjacent: NO
GENERAL PLAN LAND USE: COMMUNITY COMMERCIAL	MAX. DENSITY/INTENSITY ALLOWED BY PLAN DESIGNATION: 1.5:1 FAR	
	PROPOSED PROJECT DENSITY: Approx. 1.05:1 FAR	

Determination (To Be Completed By Lead Agency)

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions on the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

	City Planning Associate	(213) 978-1349
Signature	Title	Phone

Evaluation Of Environmental Impacts:

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of a mitigation measure has reduced an effect from "Potentially Significant Impact" to "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analysis," cross referenced).
5. Earlier analysis must be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR, or negative declaration. Section 15063 (c)(3)(D). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are "Less Than Significant With Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated
7. Supporting Information Sources: A sources list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whichever format is selected.
9. The explanation of each issue should identify:
 - a. The significance criteria or threshold, if any, used to evaluate each question; and
 - b. The mitigation measure identified, if any, to reduce the impact to less than significance.

Environmental Factors Potentially Affected:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

☒ AESTHETICS	☒ HAZARDS AND HAZARDOUS MATERIALS	☒ PUBLIC SERVICES
☐ AGRICULTURAL RESOURCES	☒ HYDROLOGY AND WATER QUALITY	☐ RECREATION
☒ AIR QUALITY	☒ LAND USE AND PLANNING	☒ TRANSPORTATION/CIRCULATION
☒ BIOLOGICAL RESOURCES	☐ MINERAL RESOURCES	☒ UTILITIES
☒ CULTURAL RESOURCES	☒ NOISE	☐ MANDATORY FINDINGS OF SIGNIFICANCE
☒ GEOLOGY AND SOILS	☐ POPULATION AND HOUSING	

INITIAL STUDY CHECKLIST

(To be completed by the Lead City Agency)

Background

PROPONENT NAME:

Milan A. Garrison
MG Resolutions Inc.

PHONE NUMBER:

(626) 584-1098

APPLICANT ADDRESS:

595 E Colorado Boulevard, #528
Pasadena, CA 91101

AGENCY REQUIRING CHECKLIST:

Department of City Planning

DATE SUBMITTED:

09/27/2007

PROPOSAL NAME (if Applicable):

District Square

Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
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I. AESTHETICS				
a.	HAVE A SUBSTANTIAL ADVERSE EFFECT ON A SCENIC VISTA?			✓
b.	SUBSTANTIALLY DAMAGE SCENIC RESOURCES, INCLUDING, BUT NOT LIMITED TO, TREES, ROCK OUTCROPPINGS, AND HISTORIC BUILDINGS, OR OTHER LOCALLY RECOGNIZED DESIRABLE AESTHETIC NATURAL FEATURE WITHIN A CITY-DESIGNATED SCENIC HIGHWAY?		✓	
c.	SUBSTANTIALLY DEGRADE THE EXISTING VISUAL CHARACTER OR QUALITY OF THE SITE AND ITS SURROUNDINGS?	✓		
d.	CREATE A NEW SOURCE OF SUBSTANTIAL LIGHT OR GLARE WHICH WOULD ADVERSELY AFFECT DAY OR NIGHTTIME VIEWS IN THE AREA?	✓		
II. AGRICULTURAL RESOURCES				
a.	CONVERT PRIME FARMLAND, UNIQUE FARMLAND, OR FARMLAND OF STATEWIDE IMPORTANCE, AS SHOWN ON THE MAPS PREPARED PURSUANT TO THE FARMLAND MAPPING AND MONITORING PROGRAM OF THE CALIFORNIA RESOURCES AGENCY, TO NON-AGRICULTURAL USE?			✓
b.	CONFLICT THE EXISTING ZONING FOR AGRICULTURAL USE, OR A WILLIAMSON ACT CONTRACT?			✓
c.	INVOLVE OTHER CHANGES IN THE EXISTING ENVIRONMENT WHICH, DUE TO THEIR LOCATION OR NATURE, COULD RESULT IN CONVERSION OF FARMLAND, TO NON-AGRICULTURAL USE?			✓
III. AIR QUALITY				
a.	CONFLICT WITH OR OBSTRUCT IMPLEMENTATION OF THE SCAQMD OR CONGESTION MANAGEMENT PLAN?		✓	
b.	VIOLATE ANY AIR QUALITY STANDARD OR CONTRIBUTE SUBSTANTIALLY TO AN EXISTING OR PROJECTED AIR QUALITY VIOLATION?	✓		
c.	RESULT IN A CUMULATIVELY CONSIDERABLE NET INCREASE OF ANY CRITERIA POLLUTANT FOR WHICH THE AIR BASIN IS NON-ATTAINMENT (OZONE, CARBON MONOXIDE, & PM 10) UNDER AN APPLICABLE FEDERAL OR STATE AMBIENT AIR QUALITY STANDARD?	✓		
d.	EXPOSE SENSITIVE RECEPTORS TO SUBSTANTIAL POLLUTANT CONCENTRATIONS?	✓		
e.	CREATE OBJECTIONABLE ODORS AFFECTING A SUBSTANTIAL NUMBER OF PEOPLE?	✓		
IV. BIOLOGICAL RESOURCES				
a.	HAVE A SUBSTANTIAL ADVERSE EFFECT, EITHER DIRECTLY OR THROUGH HABITAT MODIFICATION, ON ANY SPECIES IDENTIFIED AS A CANDIDATE, SENSITIVE, OR SPECIAL STATUS SPECIES IN LOCAL OR REGIONAL PLANS, POLICIES, OR REGULATIONS BY THE CALIFORNIA DEPARTMENT OF FISH AND GAME OR U.S. FISH AND WILDLIFE SERVICE ?			✓
b.	HAVE A SUBSTANTIAL ADVERSE EFFECT ON ANY RIPARIAN HABITAT OR OTHER SENSITIVE NATURAL COMMUNITY IDENTIFIED IN THE CITY OR REGIONAL PLANS, POLICIES, REGULATIONS BY THE CALIFORNIA DEPARTMENT OF FISH AND GAME OR U.S. FISH AND WILDLIFE SERVICE ?			✓
c.	HAVE A SUBSTANTIAL ADVERSE EFFECT ON FEDERALLY PROTECTED WETLANDS AS DEFINED BY SECTION 404 OF THE CLEAN WATER ACT (INCLUDING, BUT NOT LIMITED TO, MARSH VERNAL POOL, COASTAL, ETC.) THROUGH DIRECT REMOVAL, FILLING, HYDROLOGICAL INTERRUPTION, OR OTHER MEANS?			✓
d.	INTERFERE SUBSTANTIALLY WITH THE MOVEMENT OF ANY NATIVE RESIDENT OR MIGRATORY FISH OR WILDLIFE SPECIES OR WITH ESTABLISHED NATIVE RESIDENT OR MIGRATORY WILDLIFE CORRIDORS, OR IMPEDE THE USE OF NATIVE WILDLIFE NURSERY SITES?			✓

Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
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e.	CONFLICT WITH ANY LOCAL POLICIES OR ORDINANCES PROTECTING BIOLOGICAL RESOURCES, SUCH AS TREE PRESERVATION POLICY OR ORDINANCE (E.G., OAK TREES OR CALIFORNIA WALNUT WOODLANDS)?		✓		
f.	CONFLICT WITH THE PROVISIONS OF AN ADOPTED HABITAT CONSERVATION PLAN, NATURAL COMMUNITY CONSERVATION PLAN, OR OTHER APPROVED LOCAL, REGIONAL, OR STATE HABITAT CONSERVATION PLAN?				✓
V. CULTURAL RESOURCES					
a.	CAUSE A SUBSTANTIAL ADVERSE CHANGE IN SIGNIFICANCE OF A HISTORICAL RESOURCE AS DEFINED IN STATE CEQA 15064.5?				✓
b.	CAUSE A SUBSTANTIAL ADVERSE CHANGE IN SIGNIFICANCE OF AN ARCHAEOLOGICAL RESOURCE PURSUANT TO STATE CEQA 15064.5?		✓		
c.	DIRECTLY OR INDIRECTLY DESTROY A UNIQUE PALEONTOLOGICAL RESOURCE OR SITE OR UNIQUE GEOLOGIC FEATURE?		✓		
d.	DISTURB ANY HUMAN REMAINS, INCLUDING THOSE INTERRED OUTSIDE OF FORMAL CEMETERIES?			✓	
VI. GEOLOGY AND SOILS					
a.	EXPOSURE OF PEOPLE OR STRUCTURES TO POTENTIAL SUBSTANTIAL ADVERSE EFFECTS, INCLUDING THE RISK OF LOSS, INJURY OR DEATH INVOLVING : RUPTURE OF A KNOWN EARTHQUAKE FAULT, AS DELINEATED ON THE MOST RECENT ALQUIST-PRIOLO EARTHQUAKE FAULT ZONING MAP ISSUED BY THE STATE GEOLOGIST FOR THE AREA OR BASED ON OTHER SUBSTANTIAL EVIDENCE OF A KNOWN FAULT? REFER TO DIVISION OF MINES AND GEOLOGY SPECIAL PUBLICATION 42.			✓	
b.	EXPOSURE OF PEOPLE OR STRUCTURES TO POTENTIAL SUBSTANTIAL ADVERSE EFFECTS, INCLUDING THE RISK OF LOSS, INJURY OR DEATH INVOLVING : STRONG SEISMIC GROUND SHAKING?		✓		
c.	EXPOSURE OF PEOPLE OR STRUCTURES TO POTENTIAL SUBSTANTIAL ADVERSE EFFECTS, INCLUDING THE RISK OF LOSS, INJURY OR DEATH INVOLVING : SEISMIC-RELATED GROUND FAILURE, INCLUDING LIQUEFACTION?		✓		
d.	EXPOSURE OF PEOPLE OR STRUCTURES TO POTENTIAL SUBSTANTIAL ADVERSE EFFECTS, INCLUDING THE RISK OF LOSS, INJURY OR DEATH INVOLVING : LANDSLIDES?				✓
e.	RESULT IN SUBSTANTIAL SOIL EROSION OR THE LOSS OF TOPSOIL?		✓		
f.	BE LOCATED ON A GEOLOGIC UNIT OR SOIL THAT IS UNSTABLE, OR THAT WOULD BECOME UNSTABLE AS A RESULT OF THE PROJECT, AND POTENTIAL RESULT IN ON- OR OFF-SITE LANDSLIDE, LATERAL SPREADING, SUBSIDENCE, LIQUEFACTION, OR COLLAPSE?			✓	
g.	BE LOCATED ON EXPANSIVE SOIL, AS DEFINED IN TABLE 18-1-B OF THE UNIFORM BUILDING CODE (1994), CREATING SUBSTANTIAL RISKS TO LIFE OR PROPERTY?			✓	
h.	HAVE SOILS INCAPABLE OF ADEQUATELY SUPPORTING THE USE OF SEPTIC TANKS OR ALTERNATIVE WASTE WATER DISPOSAL SYSTEMS WHERE SEWERS ARE NOT AVAILABLE FOR THE DISPOSAL OF WASTE WATER?				✓
VII. HAZARDS AND HAZARDOUS MATERIALS					
a.	CREATE A SIGNIFICANT HAZARD TO THE PUBLIC OR THE ENVIRONMENT THROUGH THE ROUTINE TRANSPORT, USE, OR DISPOSAL OF HAZARDOUS MATERIALS?				✓
b.	CREATE A SIGNIFICANT HAZARD TO THE PUBLIC OR THE ENVIRONMENT THROUGH REASONABLY FORESEEABLE UPSET AND ACCIDENT CONDITIONS INVOLVING THE RELEASE OF HAZARDOUS MATERIALS INTO THE ENVIRONMENT?		✓		

Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
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c.	EMIT HAZARDOUS EMISSIONS OR HANDLE HAZARDOUS OR ACUTELY HAZARDOUS MATERIALS, SUBSTANCES, OR WASTE WITHIN ONE-QUARTER MILE OF AN EXISTING OR PROPOSED SCHOOL?		✓		
d.	BE LOCATED ON A SITE WHICH IS INCLUDED ON A LIST OF HAZARDOUS MATERIALS SITES COMPILED PURSUANT TO GOVERNMENT CODE SECTION 65962.5 AND, AS A RESULT, WOULD IT CREATE A SIGNIFICANT HAZARD TO THE PUBLIC OR THE ENVIRONMENT?		✓		
e.	FOR A PROJECT LOCATED WITHIN AN AIRPORT LAND USE PLAN OR, WHERE SUCH A PLAN HAS NOT BEEN ADOPTED, WITHIN TWO MILES OF A PUBLIC AIRPORT OR PUBLIC USE AIRPORT, WOULD THE PROJECT RESULT IN A SAFETY HAZARD FOR PEOPLE RESIDING OR WORKING IN THE PROJECT AREA?				✓
f.	FOR A PROJECT WITHIN THE VICINITY OF A PRIVATE AIRSTRIP, WOULD THE PROJECT RESULT IN A SAFETY HAZARD FOR THE PEOPLE RESIDING OR WORKING IN THE AREA?				✓
g.	IMPAIR IMPLEMENTATION OF OR PHYSICALLY INTERFERE WITH AN ADOPTED EMERGENCY RESPONSE PLAN OR EMERGENCY EVACUATION PLAN?			✓	
h.	EXPOSE PEOPLE OR STRUCTURES TO A SIGNIFICANT RISK OF LOSS, INJURY OR DEATH INVOLVING WILDLAND FIRES, INCLUDING WHERE WILDLANDS ARE ADJACENT TO URBANIZED AREAS OR WHERE RESIDENCES ARE INTERMIXED WITH WILDLANDS?				✓

VIII. HYDROLOGY AND WATER QUALITY

a.	VIOLATE ANY WATER QUALITY STANDARDS OR WASTE DISCHARGE REQUIREMENTS?			✓	
b.	SUBSTANTIALLY DEplete GROUNDWATER SUPPLIES OR INTERFERE WITH GROUNDWATER RECHARGE SUCH THAT THERE WOULD BE A NET DEFICIT IN AQUIFER VOLUME OR A LOWERING OF THE LOCAL GROUNDWATER TABLE LEVEL (E.G., THE PRODUCTION RATE OF PRE-EXISTING NEARBY WELLS WOULD DROP TO A LEVEL WHICH WOULD NOT SUPPORT EXISTING LAND USES OR PLANNED LAND USES FOR WHICH PERMITS HAVE BEEN GRANTED)?			✓	
c.	SUBSTANTIALLY ALTER THE EXISTING DRAINAGE PATTERN OF THE SITE OR AREA, INCLUDING THROUGH THE ALTERATION OF THE COURSE OF A STREAM OR RIVER, IN A MANNER WHICH WOULD RESULT IN SUBSTANTIAL EROSION OR SILTATION ON- OR OFF-SITE?			✓	
d.	SUBSTANTIALLY ALTER THE EXISTING DRAINAGE PATTERN OF THE SITE OR AREA, INCLUDING THROUGH THE ALTERATION OF THE COURSE OF A STREAM OR RIVER, OR SUBSTANTIALLY INCREASE THE RATE OR AMOUNT OF SURFACE RUNOFF IN A MANNER WHICH WOULD RESULT IN FLOODING ON- OR OFF SITE?			✓	
e.	CREATE OR CONTRIBUTE RUNOFF WATER WHICH WOULD EXCEED THE CAPACITY OF EXISTING OR PLANNED STORMWATER DRAINAGE SYSTEMS OR PROVIDE SUBSTANTIAL ADDITIONAL SOURCES OF POLLUTED RUNOFF?			✓	
f.	OTHERWISE SUBSTANTIALLY DEGRADE WATER QUALITY?		✓		
g.	PLACE HOUSING WITHIN A 100-YEAR FLOOD PLAIN AS MAPPED ON FEDERAL FLOOD HAZARD BOUNDARY OR FLOOD INSURANCE RATE MAP OR OTHER FLOOD HAZARD DELINEATION MAP?				✓
h.	PLACE WITHIN A 100-YEAR FLOOD PLAIN STRUCTURES WHICH WOULD IMPEDE OR REDIRECT FLOOD FLOWS?			✓	
i.	EXPOSE PEOPLE OR STRUCTURES TO A SIGNIFICANT RISK OF LOSS, INJURY OR DEATH INVOLVING FLOODING, INCLUDING FLOODING AS A RESULT OF THE FAILURE OF A LEVEE OR DAM?		✓		
j.	INUNDATION BY SEICHE, TSUNAMI, OR MUDFLOW?				✓

IX. LAND USE AND PLANNING

a.	PHYSICALLY DIVIDE AN ESTABLISHED COMMUNITY?				✓
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Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
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b.	CONFLICT WITH APPLICABLE LAND USE PLAN, POLICY OR REGULATION OF AN AGENCY WITH JURISDICTION OVER THE PROJECT (INCLUDING BUT NOT LIMITED TO THE GENERAL PLAN, SPECIFIC PLAN, COASTAL PROGRAM, OR ZONING ORDINANCE) ADOPTED FOR THE PURPOSE OF AVOIDING OR MITIGATING AN ENVIRONMENTAL EFFECT?		✓		
c.	CONFLICT WITH ANY APPLICABLE HABITAT CONSERVATION PLAN OR NATURAL COMMUNITY CONSERVATION PLAN?				✓
X. MINERAL RESOURCES					
a.	RESULT IN THE LOSS OF AVAILABILITY OF A KNOWN MINERAL RESOURCE THAT WOULD BE OF VALUE TO THE REGION AND THE RESIDENTS OF THE STATE?				✓
b.	RESULT IN THE LOSS OF AVAILABILITY OF A LOCALLY-IMPORTANT MINERAL RESOURCE RECOVERY SITE DELINEATED ON A LOCAL GENERAL PLAN, SPECIFIC PLAN, OR OTHER LAND USE PLAN?				✓
XI. NOISE					
a.	EXPOSURE OF PERSONS TO OR GENERATION OF NOISE IN LEVEL IN EXCESS OF STANDARDS ESTABLISHED IN THE LOCAL GENERAL PLAN OR NOISE ORDINANCE, OR APPLICABLE STANDARDS OF OTHER AGENCIES?		✓		
b.	EXPOSURE OF PEOPLE TO OR GENERATION OF EXCESSIVE GROUND-BORNE VIBRATION OR GROUND-BORNE NOISE LEVELS?		✓		
c.	A SUBSTANTIAL PERMANENT INCREASE IN AMBIENT NOISE LEVELS IN THE PROJECT VICINITY ABOVE LEVELS EXISTING WITHOUT THE PROJECT?			✓	
d.	A SUBSTANTIAL TEMPORARY OR PERIODIC INCREASE IN AMBIENT NOISE LEVELS IN THE PROJECT VICINITY ABOVE LEVELS EXISTING WITHOUT THE PROJECT?		✓		
e.	FOR A PROJECT LOCATED WITHIN AN AIRPORT LAND USE PLAN OR, WHERE SUCH A PLAN HAS NOT BEEN ADOPTED, WITHIN TWO MILES OF A PUBLIC AIRPORT OR PUBLIC USE AIRPORT, WOULD THE PROJECT EXPOSE PEOPLE RESIDING OR WORKING IN THE PROJECT AREA TO EXCESSIVE NOISE LEVELS?				✓
f.	FOR A PROJECT WITHIN THE VICINITY OF A PRIVATE AIRSTRIP, WOULD THE PROJECT EXPOSE PEOPLE RESIDING OR WORKING IN THE PROJECT AREA TO EXCESSIVE NOISE LEVELS?				✓
XII. POPULATION AND HOUSING					
a.	INDUCE SUBSTANTIAL POPULATION GROWTH IN AN AREA EITHER DIRECTLY (FOR EXAMPLE, BY PROPOSING NEW HOMES AND BUSINESSES) OR INDIRECTLY (FOR EXAMPLE, THROUGH EXTENSION OF ROADS OR OTHER INFRASTRUCTURE)?			✓	
b.	DISPLACE SUBSTANTIAL NUMBERS OF EXISTING HOUSING NECESSITATING THE CONSTRUCTION OF REPLACEMENT HOUSING ELSEWHERE?				✓
c.	DISPLACE SUBSTANTIAL NUMBERS OF PEOPLE NECESSITATING THE CONSTRUCTION OF REPLACEMENT HOUSING ELSEWHERE?				✓
XIII. PUBLIC SERVICES					
a.	FIRE PROTECTION?		✓		
b.	POLICE PROTECTION?		✓		
c.	SCHOOLS?				✓
d.	PARKS?				✓
e.	OTHER GOVERNMENTAL SERVICES (INCLUDING ROADS)?		✓		
XIV. RECREATION					

Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
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a.	WOULD THE PROJECT INCREASE THE USE OF EXISTING NEIGHBORHOOD AND REGIONAL PARKS OR OTHER RECREATIONAL FACILITIES SUCH THAT SUBSTANTIAL PHYSICAL DETERIORATION OF THE FACILITY WOULD OCCUR OR BE ACCELERATED?				✓
b.	DOES THE PROJECT INCLUDE RECREATIONAL FACILITIES OR REQUIRE THE CONSTRUCTION OR EXPANSION OF RECREATIONAL FACILITIES WHICH MIGHT HAVE AN ADVERSE PHYSICAL EFFECT ON THE ENVIRONMENT?				✓

XV. TRANSPORTATION/CIRCULATION

a.	CAUSE AN INCREASE IN TRAFFIC WHICH IS SUBSTANTIAL IN RELATION TO THE EXISTING TRAFFIC LOAD AND CAPACITY OF THE STREET SYSTEM (I.E., RESULT IN A SUBSTANTIAL INCREASE IN EITHER THE NUMBER OF VEHICLE TRIPS, THE VOLUME TO RATIO CAPACITY ON ROADS, OR CONGESTION AT INTERSECTIONS)?		✓		
b.	EXCEED, EITHER INDIVIDUALLY OR CUMULATIVELY, A LEVEL OF SERVICE STANDARD ESTABLISHED BY THE COUNTY CONGESTION MANAGEMENT AGENCY FOR DESIGNATED ROADS OR HIGHWAYS?			✓	
c.	RESULT IN A CHANGE IN AIR TRAFFIC PATTERNS, INCLUDING EITHER AN INCREASE IN TRAFFIC LEVELS OR A CHANGE IN LOCATION THAT RESULTS IN SUBSTANTIAL SAFETY RISKS?				✓
d.	SUBSTANTIALLY INCREASE HAZARDS TO A DESIGN FEATURE (E.G., SHARP CURVES OR DANGEROUS INTERSECTIONS) OR INCOMPATIBLE USES (E.G., FARM EQUIPMENT)?		✓		
e.	RESULT IN INADEQUATE EMERGENCY ACCESS?		✓		
f.	RESULT IN INADEQUATE PARKING CAPACITY?				✓
g.	CONFLICT WITH ADOPTED POLICIES, PLANS, OR PROGRAMS SUPPORTING ALTERNATIVE TRANSPORTATION (E.G., BUS TURNOUTS, BICYCLE RACKS)?		✓		

XVI. UTILITIES

a.	EXCEED WASTEWATER TREATMENT REQUIREMENTS OF THE APPLICABLE REGIONAL WATER QUALITY CONTROL BOARD?			✓	
b.	REQUIRE OR RESULT IN THE CONSTRUCTION OF NEW WATER OR WASTEWATER TREATMENT FACILITIES OR EXPANSION OF EXISTING FACILITIES, THE CONSTRUCTION OF WHICH COULD CAUSE SIGNIFICANT ENVIRONMENTAL EFFECTS?			✓	
c.	REQUIRE OR RESULT IN THE CONSTRUCTION OF NEW STORMWATER DRAINAGE FACILITIES OR EXPANSION OF EXISTING FACILITIES, THE CONSTRUCTION OF WHICH COULD CAUSE SIGNIFICANT ENVIRONMENTAL EFFECTS?			✓	
d.	HAVE SUFFICIENT WATER SUPPLIES AVAILABLE TO SERVE THE PROJECT FROM EXISTING ENTITLEMENTS AND RESOURCE, OR ARE NEW OR EXPANDED ENTITLEMENTS NEEDED?		✓		
e.	RESULT IN A DETERMINATION BY THE WASTEWATER TREATMENT PROVIDER WHICH SERVES OR MAY SERVE THE PROJECT THAT IT HAS ADEQUATE CAPACITY TO SERVE THE PROJECTS PROJECTED DEMAND IN ADDITION TO THE PROVIDERS		✓		
f.	BE SERVED BY A LANDFILL WITH SUFFICIENT PERMITTED CAPACITY TO ACCOMMODATE THE PROJECTS SOLID WASTE DISPOSAL NEEDS?		✓		
g.	COMPLY WITH FEDERAL, STATE, AND LOCAL STATUTES AND REGULATIONS RELATED TO SOLID WASTE?			✓	

XVII. MANDATORY FINDINGS OF SIGNIFICANCE

a.	DOES THE PROJECT HAVE THE POTENTIAL TO DEGRADE THE QUALITY OF THE ENVIRONMENT, SUBSTANTIALLY REDUCE THE HABITAT OF FISH OR WILDLIFE SPECIES, CAUSE A FISH OR WILDLIFE POPULATION TO DROP BELOW SELF-SUSTAINING LEVELS, THREATEN TO ELIMINATE A PLANT OR ANIMAL COMMUNITY, REDUCE THE NUMBER OR RESTRICT THE RANGE OF A RARE OR ENDANGERED PLANT OR ANIMAL OR ELIMINATE IMPORTANT EXAMPLES OF THE				✓
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Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
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	MAJOR PERIODS OF CALIFORNIA HISTORY OR PREHISTORY?				
b.	DOES THE PROJECT HAVE IMPACTS WHICH ARE INDIVIDUALLY LIMITED, BUT CUMULATIVELY CONSIDERABLE? (CUMULATIVELY CONSIDERABLE MEANS THAT THE INCREMENTAL EFFECTS OF AN INDIVIDUAL PROJECT ARE CONSIDERABLE WHEN VIEWED IN CONNECTION WITH THE EFFECTS OF PAST PROJECTS, THE EFFECTS OF OTHER CURRENT PROJECTS, AND THE EFFECTS OF PROBABLE FUTURE PROJECTS).			✓	
c.	DOES THE PROJECT HAVE ENVIRONMENTAL EFFECTS WHICH CAUSE SUBSTANTIAL ADVERSE EFFECTS ON HUMAN BEINGS, EITHER DIRECTLY OR INDIRECTLY?			✓	

DISCUSSION OF THE ENVIRONMENTAL EVALUATION (Attach additional sheets if necessary)

The Environmental Impact Assessment includes the use of official City of Los Angeles and other government source reference materials related to various environmental impact categories (e.g., Hydrology, Air Quality, Biology, Cultural Resources, etc.). The State of California, Department of Conservation, Division of Mines and Geology - Seismic Hazard Maps and reports, are used to identify potential future significant seismic events; including probable magnitudes, liquefaction, and landslide hazards. Based on applicant information provided in the Master Land Use Application and Environmental Assessment Form, impact evaluations were based on stated facts contained therein, including but not limited to, reference materials indicated above, field investigation of the project site, and any other reliable reference materials known at the time.

Project specific impacts were evaluated based on all relevant facts indicated in the Environmental Assessment Form and expressed through the applicant's project description and supportive materials. Both the Initial Study Checklist and Checklist Explanations, in conjunction with the City of Los Angeles's Adopted Thresholds Guide and CEQA Guidelines, were used to reach reasonable conclusions on environmental impacts as mandated under the California Environmental Quality Act (CEQA).

The project as identified in the project description may cause potentially significant impacts on the environment without mitigation. Therefore, this environmental analysis concludes that a Mitigated Negative Declaration shall be issued to avoid and mitigate all potential adverse impacts on the environment by the imposition of mitigation measures and/or conditions contained and expressed in this document; the environmental case file known as **ENV-2007-4662-MND** and the associated case(s), **CPC-2007-4661-CUB-CU**. Finally, based on the fact that these impacts can be feasibly mitigated to less than significant, and based on the findings and thresholds for Mandatory Findings of Significance as described in the California Environmental Quality Act, section 15065, the overall project impact(s) on the environment (after mitigation) will not:

- Substantially degrade environmental quality.
- Substantially reduce fish or wildlife habitat.
- Cause a fish or wildlife habitat to drop below self sustaining levels.
- Threaten to eliminate a plant or animal community.
- Reduce number, or restrict range of a rare, threatened, or endangered species.
- Eliminate important examples of major periods of California history or prehistory.
- Achieve short-term goals to the disadvantage of long-term goals.
- Result in environmental effects that are individually limited but cumulatively considerable.
- Result in environmental effects that will cause substantial adverse effects on human beings.

ADDITIONAL INFORMATION:

All supporting documents and references are contained in the Environmental Case File referenced above and may be viewed in the EIR Unit, Room 763, City Hall.

For City information, addresses and phone numbers: visit the City's website at <http://www.lacity.org> ; City Planning - and Zoning Information Mapping Automated System (ZIMAS) cityplanning.lacity.org/ or EIR Unit, City Hall, 200 N Spring Street, Room 763.

Seismic Hazard Maps - <http://gmw.consrv.ca.gov/shmp/>

Engineering/Infrastructure/Topographic Maps/Parcel Information - <http://boemaps.eng.ci.la.ca.us/index01.htm> or City's main website under the heading "Navigate LA".

PREPARED BY:	TITLE:	TELEPHONE NO.:	DATE:
JONATHAN HERSHEY	City Planning Associate	(213) 978-1349	11/23/2009

Impact?	Explanation	Mitigation Measures
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APPENDIX A: ENVIRONMENTAL IMPACTS EXPLANATION TABLE

I. AESTHETICS

a.	NO IMPACT	The property is not located within an area having an identified scenic vista, nor does the project impede identified scenic views.	
b.	LESS THAN SIGNIFICANT IMPACT	The project proposes the demolition of existing commercial structures and the construction of a new commercial development, adjacent to a locally designated scenic highway. The buildings proposed for demolition have not been found to be historically or culturally significant, and the property contains no recognized desirable aesthetic natural feature.	
c.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	The project generally proposes the redevelopment of a commercial shopping center with a larger commercial shopping center. As proposed, the project would have a height of 45 feet, and substantially cover the entire project site. The project is located within an established urban community and is likely to experience increased incidence of vandalism and litter.	I b2, I b3, I b4, I b5 The project is required to submit a landscape plan and maintain the property free from graffiti, litter, trash and debris.
d.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	The project generally proposes the redevelopment of a commercial shopping center with a larger commercial shopping center. The project will become a new source for nighttime lighting and potential glare effects.	I c1, I c2 The project is required to incorporate non-reflective and low-glare exterior finish materials; outdoor light sources are required to be shielded from view.

II. AGRICULTURAL RESOURCES

a.	NO IMPACT	The project property is not located on land designated as prime, unique or important farmland.	
b.	NO IMPACT	The property is not zoned for agricultural use, nor is encumbered by a Williamson Act contract.	
c.	NO IMPACT	The project property is located within an established urban community, with no significant farmland or agricultural uses within the vicinity. The project has no impact on the conversion of farmland to non-agricultural uses.	

III. AIR QUALITY

Impact?	Explanation	Mitigation Measures
a.	LESS THAN SIGNIFICANT IMPACT	Based on analysis conducted in conjunction with the Initial Study prepared by MG Resolutions, Inc., dated November 2009, the project was found to be consistent with all applicable air quality and congestion management plans. Please refer to the Initial Study prepared by MG Resolutions, Inc., dated November 2009, for further detail and analysis.
b.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	The project site is located within the South Coast Air Basin, which is characterized by relatively poor air quality. State and federal air quality standards are often exceeded in many parts of the Basin, including those monitoring stations nearest to the project location. The project would contribute to local and regional air pollutant emissions during construction (short-term) and project occupancy (long-term). However, construction and operation of the project would result in less than significant impacts relative to the daily significance thresholds for criteria air pollutant emissions established by the City of Los Angeles and SCAQMD for construction and operational phases. Despite this, short-term air quality impacts may result from routine demolition and construction activities. Refer to the Initial Study prepared by MG Resolutions, Inc., dated November 2009, for more detailed analysis. Air quality impacts associated with short-term demolition and construction activities are further minimized through compliance with measure VI b2.
c.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	Based on analysis conducted in conjunction with the Initial Study prepared by MG Resolutions, Inc., dated November 2009, project impacts on non-attainment criteria air pollutants was found to be less than significant. Greenhouse gases (GHGs) are those compounds in Earth's atmosphere that play a critical role in determining the Earth's surface temperature. Increased concentration of GHGs in the Earth's atmosphere are thought to be linked to global climate change and such conditions as rising surface temperatures, melting icebergs and snow pack, rising sea levels, and the increased frequency and magnitude of severe weather conditions. GHGs include carbon dioxide (CO₂), methane (CH₄), ozone (O₃), water vapor, nitrous oxide (N₂O), hydro fluorocarbons III D The project is required to incorporate enhanced energy efficiencies within the construction of the project; further greenhouse gas emission reductions are achieved through compliance with measures XVI d and XVI f.

Impact?	Explanation	Mitigation Measures
	(HFCs), per fluorocarbons (PFCs), and sulfur hexafluoride (SF6). CO2 is the most abundant GHG. GHGs are the result of natural and anthropogenic activities. According to the California Energy Commission (CEC), emissions from fossil fuel consumption represent approximately 81 percent of all GHG emissions and transportation creates 41 percent of all GHG emissions in California. At this time, no air agency, including SCAQMD, has established project-level significance thresholds for GHGs emissions. Although California Assembly Bill 32 did not set a significance threshold for GHG emissions, Cal/EPA, CARB, or another agency may issue regulations at some point which may set forth significance criteria for CEQA analysis. However, it can generally be assumed that increased greenhouse gas emissions will result from typical construction, use and maintenance activities associated with the more intense use of the property. Please refer to the Initial Study prepared by MG Resolutions, Inc., dated November 2009, for further detail and analysis.	
d. POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	As described in III b above, construction and operation of the project would result in a less than significant impact for regional air pollution emissions. Therefore, the project would not expose off-site sensitive receptors to substantial pollutant concentrations generated by routine operation of the project. In addition, construction activities would comply with SCAQMD Rule 403 regarding the control of fugitive dust and other specified dust control measures. As such, impacts to off-site sensitive receptors would be less than significant. Please refer to the Initial Study prepared by MG Resolutions, Inc., dated November 2009, for further detail and analysis. However, in conjunction with regional non-attainment of State and Federal air quality levels for airborne particulate	III d1 An air filtration system is required to be incorporated into the project.

Impact?	Explanation	Mitigation Measures
	matter, intensification of the use of the property will result in further exposure of project employees and patrons to diminished ambient air quality originating from Crenshaw Boulevard (a Major Highway) and nearby industrially-zoned land.	
e.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED The project would be constructed using conventional building material typical of construction projects of similar type and size, and odiferous building materials are not anticipated to be used. Any odors that may be generated during construction would be localized and temporary in nature and would not be sufficient to affect a substantial number of people or result in a nuisance as defined by SCAQMD Rule 402. According to the SCAQMD CEQA Air Quality Handbook, land uses associated with odor complaints typically including agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. The project does not include any uses identified by the SCAQMD as being associated with adverse odors. However, the project does include restaurant uses which have the potential to emit odors through cooking and char broilers. The project would minimize the release of odors from restaurant uses with odor reducing equipment as necessary. In addition, garbage collections areas also have the potential for emitting nuisance odors. While garbage collection areas for the project would be covered and situated away from the property line and sensitive uses, and good housekeeping practices should be sufficient to prevent nuisance odors, odor impacts may still result from proximity to sensitive residential uses.	III e1i . Trash and garbage collection areas are required to observe a minimum buffer distance from adjoining residential properties.
IV. BIOLOGICAL RESOURCES		
a.	NO IMPACT	The property contains no significant biological habitats.
b.	NO IMPACT	The property contains no riparian habitats or other sensitive natural communities.

Impact?	Explanation	Mitigation Measures
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c.	NO IMPACT	The property contains no wetland areas, nor proposes any construction that would result in hydrological interruption.	
d.	NO IMPACT	The property is located within an established urban community and provides no linkage between wildland areas to serve as a wildlife corridor, nor habitats suitable for use as a nursery.	
e.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	The project will result in the removal of several non-protected tree species, including those in the public right-of-way along Crenshaw Blvd.	IV f All significant-sized (8-inch trunk diameter and greater) trees that are removed are required to be replaced.
f.	NO IMPACT	The property is not located within a habitat or natural community conservation plan area.	

V. CULTURAL RESOURCES

a.	NO IMPACT	The property is developed with commercial buildings constructed circa 1950 through 1960 which are proposed to be demolished; however, none of the structures qualify for protection as either historically or culturally significant.	
b.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	The property is not located in an area known to contain archaeological resources or human remains in an archaeological context; however, routine grading, site preparation and construction activities may yield previously unknown resources.	V b Discovery of potential resources required evaluation, documentation and preservation (if deemed necessary) prior to recommencement of work.
c.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	The property is not located in an area known to contain unique geological or paleontological resources; however, routine grading, site preparation and construction activities may yield previously unknown resources.	V c Discovery of potential resources required evaluation, documentation and preservation (if deemed necessary) prior to recommencement of work.
d.	LESS THAN SIGNIFICANT IMPACT	The property is not located in an area known or suspected to contain human remains; discovery of human remains in an archaeological context is mitigated through compliance with measure V b.	

VI. GEOLOGY AND SOILS

a.	LESS THAN SIGNIFICANT IMPACT	The project site is located in the seismically active Southern California region, which is characterized by major faults and fault zones. The site is not within a currently established Alquist-Priolo Earthquake Fault Zone for surface fault rupture hazards. The closest active fault to the site with the potential for surface fault rupture is the Newport-Inglewood fault zone located approximately 1.5 miles southwest of the project site. Based on the available geologic data, active or potentially active	
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Impact?		Explanation	Mitigation Measures
		faults with the potential for surface fault rupture are not known to be located directly beneath or projecting toward the site. Therefore, the potential for surface rupture due to fault plane displacement propagating to the surface at the site during the design life of the project is considered low. As such, impacts regarding fault rupture are concluded to be less than significant.	
b.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	The project site is located in an area known to contain active faults.	VI aii The project is required to observe stricter construction standards.
c.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	The submitted geotechnical investigation report, prepared by Irvine Engineering Group, dated December 15, 2008, concluded that the property is at-risk for impacts associated with liquefaction.	VI c1 The project is required to incorporate appropriate engineering and soil compaction, as determined through a site-specific geotechnical report, to minimize liquefaction impacts.
d.	NO IMPACT	The property is not located in an area identified as at-risk for landslide.	
e.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	Routine demolition, site grading, and construction activities will expose the topsoil to wind and water erosion.	VI b1, VI b2 The applicant is required to observe standard construction-site measures to minimize loss of topsoil due to erosion.
f.	LESS THAN SIGNIFICANT IMPACT	The project site is located on relatively flat topography, and does not otherwise risk destabilizing the geology of the surrounding area. However, the site is identified as being at-risk for liquefaction. Nevertheless, compliance with measure VI c1 reduces this impact to a less than significant level. Therefore, impacts associated with on- or off-site destabilization as a result of the project are less than significant.	
g.	LESS THAN SIGNIFICANT IMPACT	The geotechnical report, prepared by Irvine Engineering Group and dated December 15, 2008, determined that the property may experience low to medium levels of soil expansion, and would not result in significant impacts.	
h.	NO IMPACT	The project is required to provide and maintain a connection to the municipal sanitary sewer system.	
VII. HAZARDS AND HAZARDOUS MATERIALS			
a.	NO IMPACT	The project will substantially result in the redevelopment of a commercial shopping center with a larger commercial shopping center. The project does not propose the routine transport, use or disposal of hazardous materials.	

Impact?	Explanation	Mitigation Measures
b.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	Due to the age of existing commercial structures on the property, they are assumed to have incorporated asbestos-containing construction materials and lead-based paints.
		VII b5 All asbestos-containing materials and lead-based paints are required to be separately removed and disposed of prior to demolition of the existing structures.
c.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	The project will result in the demolition of structures presumed to contain asbestos and lead-based paints; the property is located within one quarter mile of known schools.
		Compliance with measure VII b5 reduces the impact to a less than significant level.
d.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	The property has been identified as the source of soil and groundwater contamination by perchloroethylene (PCE) as a result of the operation of a dry cleaning and industrial laundry use. No documentation could be found to indicate that remediation efforts have been completed.
		VII 0 The applicant is required to show either contamination remediation or an approved remediation plan prior to the issuance of any permit.
e.	NO IMPACT	The property is not located within, adjacent to, or within proximity of an airport land use plan area.
	f.	NO IMPACT
f.	NO IMPACT	The property is not located within, adjacent to, or within proximity of a private airstrip.
	g.	LESS THAN SIGNIFICANT IMPACT
g.	LESS THAN SIGNIFICANT IMPACT	The project generally proposes the redevelopment of a commercial shopping center with a larger commercial shopping center, all located on existing lots within an established urban community. The project does not have a significant impact on the implementation of adopted emergency response or evacuation plans.
	h.	NO IMPACT
h.	NO IMPACT	The property is located within an established urban community with no interface with or proximity to wildland areas.
VIII. HYDROLOGY AND WATER QUALITY		
a.	LESS THAN SIGNIFICANT IMPACT	Under existing conditions, stormwater is directed to the gutters and storm drain facilities along Crenshaw Boulevard and Rodeo Road, then enter into the City's municipal storm drain system. During precipitation events in particular, construction activities associated with the project have the potential to result in soil erosion during grading and soil

Impact?	Explanation	Mitigation Measures
	stockpiling, subsequent siltation, and conveyance of other pollutants into municipal storm drains. However, project construction would comply with the requirements of the Municipal National Pollutant Discharge Elimination System (NPDES) Construction Permit and would implement City grading permit regulations that include compliance with erosion control measures. Specifically, construction would occur in accordance with City Building Code Chapter IX which requires necessary permits, plans, plan checks, and inspections to reduce the effects of sedimentation and erosion. The project would further require approval of an erosion control plan and a Storm Water Pollution Prevention Plan (SWPPP), which requires that Best Management Practices (BMPs) be implemented during construction to minimize soil erosion. Since the project would be required to prepare a SWPPP in compliance with applicable regulatory requirements, impacts to water quality during project construction would be less than significant. Additionally, should grading activities occur during the rainy season (October 1st to April 14th), a Wet Weather Erosion Control Plan (WWECP) is required pursuant to the "Manual and Guideline for Temporary and Emergency Erosion Control," adopted by the Los Angeles Board of Public Works. The WWECP addresses water pollution control from grading activities during the wet weather season by specifying the use of appropriate temporary erosion and sediment control BMPs. Compliance with the City requirement to prepare a WWECP would ensure that impacts to water quality during the rainy season would be less than significant.	
b. LESS THAN SIGNIFICANT IMPACT	The project site is presently developed with a commercial shopping center and associated on-grade parking lot. The property is substantially covered with impermeable surfaces, and does not offer significant opportunities for groundwater recharge. As the proposed project will substantially result in the same degree of lot coverage and does not propose groundwater extraction, the project has a less than significant impact on	

Impact?	Explanation	Mitigation Measures
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		groundwater recharge.	
c.	LESS THAN SIGNIFICANT IMPACT	The project will substantially result in the redevelopment of a commercial shopping center with a larger commercial shopping center. Routine demolition, site preparation and construction activities will expose the topsoil to erosive forces; however, the property features a relatively level topography and is adequately served by municipal stormwater infrastructure. The project will not result in a redirection of the flow of stormwater onto abutting properties, and is otherwise required to implement measures to minimize stormwater runoff. As such, the project will have a less than significant impact resulting from on- or off-site siltation.	
d.	LESS THAN SIGNIFICANT IMPACT	The project will substantially result in the redevelopment of a commercial shopping center with a larger commercial shopping center. Routine demolition, site preparation and construction activities will expose the topsoil to erosive forces; however, the property features a relatively level topography and is adequately served by municipal stormwater infrastructure. The project will not result in a redirection of the flow of stormwater onto abutting properties, and is otherwise required to implement measures to minimize stormwater runoff. As such, the project will have a less than significant impact resulting from on- or off-site flooding.	
e.	LESS THAN SIGNIFICANT IMPACT	The project will substantially result in the redevelopment of a commercial shopping center with a larger commercial shopping center. As the property is presently covered with impermeable surfaces, a large portion of which is utilized as a surface parking lot, and the proposed development, though larger, will result in the same degree of lot coverage and exposure, it will not result in increased amounts of stormwater runoff that the existing drainage system is able to accommodate.	
f.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	The project proposes approximately 300,000 square feet of commercial activity, including two new restaurants, and a 644-stall rooftop parking area. The project will result in increased opportunity for contamination of stormwater runoff.	VIII c3, VIII c4, VIII c8 The project is required to incorporate standard stormwater runoff measures.

Impact?	Explanation	Mitigation Measures
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g.	NO IMPACT	The project proposes no housing in conjunction with the proposed commercial development.	
h.	LESS THAN SIGNIFICANT IMPACT	The project is located within Flood Zone B, areas within the 500-year flood zone.	
i.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	The property is located in an area identified as at-risk for inundation due to failure of a reservoir dam.	VIII f,g&h The project is required to incorporate stricter construction standards.
j.	NO IMPACT	The property is not located within an area identified as at-risk for inundation by seiche, tsunami or mudflow.	

IX. LAND USE AND PLANNING

a.	NO IMPACT	The project will substantially result in the redevelopment of a commercial shopping center with a larger commercial shopping center. Through the project proposes the vacation of several public rights-of-way, the involved properties are all contiguous to each other, does not propose to alter the otherwise permitted use of the land, does not restrict or significantly alter paths of travel, and does not physically divide the existing community.	
b.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	As proposed, the project will exceed the 25-foot and 33-foot maximum transitional height otherwise permitted within 49 feet and 99 feet of the abutting residential properties; the project has requested a discretionary action to permit a height of 45 feet. However, in all other respects, the project otherwise complies with the permitted use and development of the property. Please refer to the Initial Study prepared by MG Resolutions, Inc., dated November 2009, for further detail and analysis. The Metropolitan Transportation Authority's Crenshaw Transit Corridor project is presently under consideration for the development of a light rail passenger train on- or below-grade along Crenshaw Boulevard, adjacent to the project, providing for decreased traffic congestion and increased mobility. The proposed project would impact the design of the on-grade alignment under consideration and result in the displacement of one or more lanes of vehicle travel, a reduction in the number of parallel tracks, and/or a relocation of the alignment within the Crenshaw Boulevard right-of-way.	IX c The project is required to comply with all of the measures recommended in this document.

Impact?	Explanation	Mitigation Measures
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		However, the plan has yet to be adopted, and the below-grade alignment option under consideration would not be significantly impacted by the project.	
c.	NO IMPACT	The property is not located within a habitat or natural community conservation plan area.	

X. MINERAL RESOURCES

a.	NO IMPACT	The property is not located in an area identified as containing or providing exclusive access to mineral resources of regional or state importance.	
b.	NO IMPACT	The property is not located in an area identified as containing or providing exclusive access to mineral resources of local importance.	

XI. NOISE

a.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	Short-term demolition, site preparation and construction activities will result in noise impacts. Long-term use and maintenance activities are not anticipated to result in substantial noise impacts. Please refer to the Initial Study prepared by MG Resolutions, Inc., dated November 2009, for further detail and analysis.	Compliance with measure VI b2 will minimize demolition, site preparation, and construction noise-related impacts to a less than significant level.
b.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	Short-term demolition, site preparation and construction activities may result in groundborne noise and vibration impacts. Please refer to the Initial Study prepared by MG Resolutions, Inc., dated November 2009, for further detail and analysis.	Compliance with measure VI b2 will minimize demolition, site preparation, and construction groundborne noise and vibration impacts to a less than significant level.
c.	LESS THAN SIGNIFICANT IMPACT	Use and maintenance of the proposed project is anticipated to result in increased ambient noise levels, however, such increase is not anticipated to meet or exceed guideline thresholds of significance for adverse permanent impact.	
d.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	The project will result in short-term noise impacts during demolition, site preparation, construction, use, and maintenance of the project.	XI a1, XI a2, XI a11 The project is required to incorporate features that will minimize vehicle noise from impacting abutting residential properties.
e.	NO IMPACT	The property is not located within, adjacent to, or within proximity of an airport land use plan area.	
f.	NO IMPACT	The property is not located within, adjacent to, or within proximity of a private airstrip.	

XII. POPULATION AND HOUSING

Impact?	Explanation	Mitigation Measures
LESS THAN SIGNIFICANT IMPACT	The project proposes a net increase of approximately 215,000 square feet above the existing level of development on the property. As the project does not propose any residential dwellings, the project would not result in a direct increase the City's permanent residential population. In addition, the project implementation does not propose the extension of existing roads or infrastructure which would indirectly lead to new residential development and population increases. However, the project will have an impact on employment opportunities, indirectly impacting residential population. Based on a generation factor of one employee per 300 square feet of commercial space, the project would create an estimated need for approximately 717 net new employees. Although this would result in an increase of employees to the project area when compared to the existing conditions, employee growth, as compared to the total City of Los Angeles workforce and population, would not be significantly impacted by the project. As such, population growth-inducing impacts as a result of the project are less than significant.	
NO IMPACT	The project generally proposes the redevelopment of a commercial shopping center with a larger commercial shopping center. The property contains no existing residential uses; therefore, no housing is displaced as a result of the project.	
NO IMPACT	The project generally proposes the redevelopment of a commercial shopping center with a larger commercial shopping center. The property contains no existing residential uses; therefore, no population is displaced as a result of the project.	
PUBLIC SERVICES		
POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	The project generally proposes the redevelopment of an existing commercial shopping center with a larger commercial shopping center. As the project will result in a net increase of greater than 100,000 square feet of commercial floor area, the project will impact Fire Department service. The Los Angeles Fire Department (LAFD) provides fire protection and emergency services to the project site. The adequacy of fire protection is based upon response time from	XIII a Project plans are required to be submitted to the Fire Department for review and approval.

Impact?	Explanation	Mitigation Measures
	existing fire stations, equipment access, fire hydrant water flow, and LAFD's judgment regarding the needs and service requirements for the area. The department's standard response times are an average of approximately 5 minutes, and the quantity of water necessary for fire protection varies with the type of development, occupancy rates, and the nature and extent of any hazard. The City of Los Angeles has established fire flow requirements that vary up to 12,000 gpm in higher density commercial or industrial areas. Fire Station 34 (3661 S 7th Avenue), which currently serves the project site, is located approximately 0.63 miles northeast from the project site and has an estimated response time within five minutes. Standard fire hydrants served by 6-inch mains are located along the periphery of the project site, including one located on the property, at the southeast corner of the intersection of Crenshaw Boulevard and Rodeo Place (proposed to be vacated). Submitted plans do not indicate the relocation or replacement of this hydrant.	
b. POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	The project generally proposes the redevelopment of an existing commercial shopping center with a larger commercial shopping center. In addition, the project proposes the sale of alcoholic beverages for both on- and off-site consumption in conjunction with proposed retail and restaurant uses. As the project will result in a net increase of greater than 100,000 square feet of commercial floor area and the increased availability of alcoholic beverages, the project will impact Police Department service. The Los Angeles Police Department (LAPD), which provides local municipal police protection and law enforcement services for the city, currently averages approximately one officer for every 410 persons within its jurisdiction. The project area is served by the Southwest Division (1546 Martin Luther King Jr. Boulevard), and is	XIII b1 Project plans are required to be submitted to the Police Department for review and approval.

Impact?	Explanation	Mitigation Measures
	further located within Crime Reporting District No. 373. The project proposes a net increase of approximately 215,000 square feet of commercial retail and restaurant uses. According to adopted guideline thresholds of significance, the project is equivalent to the increased service demand of approximately 645 persons. In order to maintain the existing citywide service average, 1.6 additional officers may need to be added.	
c. NO IMPACT	The project generally proposes the redevelopment of a commercial shopping center with a larger commercial shopping center. The project has no substantial impact on the use and demand for public school service.	
d. NO IMPACT	The project generally proposes the redevelopment of a commercial shopping center with a larger commercial shopping center. The project has no substantial impact on the demand for public park service.	
e. POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	The project proposes vacation of the portions of Crenshaw Boulevard, Rodeo Place, and an existing alley. As proposed, the project will impact public infrastructure located within those rights-of-way. Further, the Metropolitan Transportation Authority's Crenshaw Transit Corridor project is presently under consideration for the development of a light rail passenger train on- or below-grade along Crenshaw Boulevard, adjacent to the project, providing for decreased traffic congestion and increased mobility. The proposed project would impact the design of the on-grade alignment under consideration and result in the displacement of one or more lanes of vehicle travel, a reduction in the number of parallel tracks, and/or a relocation of the alignment within the Crenshaw Boulevard right-of-way. However, the plan has yet to be adopted, and the below-grade alignment option under consideration would not be significantly impacted by the project.	XIII e Dedications necessary to meet city-wide street standards are required; all infrastructure impacted by the proposed right-of-way vacations are required to be appropriately relocated.
XIV. RECREATION		

Impact?	Explanation	Mitigation Measures
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a.	NO IMPACT	The project generally proposes the redevelopment of a commercial shopping center with a larger commercial shopping center. The project has no substantial impact on the use and demand for public parks or recreational facilities.	
b.	NO IMPACT	The project generally proposes the redevelopment of a commercial shopping center with a larger commercial shopping center. The project proposes not recreational component, use or amenity that would itself result in an environmental impact.	

XV. TRANSPORTATION/CIRCULATION

a.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	The Los Angeles Department of Transportation (LADOT), in a letter (DOT Case No. CEN 09-5093) dated September 2, 2009, determined that the project would result in a less than significant impact on the load and capacity of the affected street system; however, to ensure that the impacts are less than significant, LADOT recommends measures for management and monitoring. Further, construction-related traffic activities may adversely impact the affected streets.	XV a1
b.	LESS THAN SIGNIFICANT IMPACT	The Los Angeles Department of Transportation, in a letter (DOT Case No. CEN 09-5093) dated September 2, 2009, determined that the project would result in a less than significant impact on the level of service at affected street intersections.	
c.	NO IMPACT	The project generally proposes the redevelopment of a commercial shopping center with a larger commercial shopping center. As proposed, the project would have a maximum height of 45 feet above ground level. As previously indicated, the property is not located in proximity to any public or private airport or airstrip, and therefore, has no impact on air traffic patterns or air traffic levels.	
d.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	The project proposes vacation of portions of existing public street rights-of-way and multiple new driveways accessing both Crenshaw Boulevard and Rodeo Road. The project may have incorporated a hazardous design in the proposed street access and/or internal circulation plan or, during construction, may introduce an incompatible use with pedestrian	XV d Project plans are required to be submitted to the Bureau of Engineering and Department of Transportation for review and approval.

Impact?	Explanation	Mitigation Measures
	access and/or vehicular travel. Further, the Metropolitan Transportation Authority's Crenshaw Transit Corridor project is presently under consideration for the development of a light rail passenger train on- or below-grade along Crenshaw Boulevard, adjacent to the project, providing for decreased traffic congestion and increased mobility. The proposed project would impact the design of the on-grade alignment under consideration and result in the displacement of one or more lanes of vehicle travel, a reduction in the number of parallel tracks, and/or a relocation of the alignment within the Crenshaw Boulevard right-of-way. In addition, proposed vehicle access to/from the project site would be impacted by the proposed on-grade alignment. However, the plan has yet to be adopted, and the below-grade alignment option under consideration would not be significantly impacted by the project.	
e. POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	The project may not have incorporated adequate emergency access.	XV e Project plans are required to be submitted to the Bureau of Engineering and Department of Transportation for review and approval.
f. NO IMPACT	The project proposes to provide more parking stalls that is otherwise required by the Code.	
g. POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	There are bus stops serving the Metropolitan Transportation Authority's Local 210 line and the Department of Transportation's Midtown DASH line on the southeastern corner of Crenshaw Boulevard and Rodeo Road. The demolition, site preparation, and construction phases of the project implementation may adversely impact use of these stops. Further, the Metropolitan Transportation Authority's Crenshaw Transit Corridor project is presently under consideration for the development of a light rail passenger train on- or below-grade along Crenshaw Boulevard, adjacent to the project, providing for decreased traffic congestion and increased mobility.	XV d The applicant is required to consult and coordinate with the MTA and LADOT on the temporary relocation and replacement of affected bus stops.

Impact?	Explanation	Mitigation Measures
	The proposed project would impact the design of the on-grade alignment under consideration and result in the displacement of one or more lanes of vehicle travel, a reduction in the number of parallel tracks, and/or a relocation of the alignment within the Crenshaw Boulevard right-of-way. However, the plan has yet to be adopted, and the below-grade alignment option under consideration would not be significantly impacted by the project.	
UTILITIES		
LESS THAN SIGNIFICANT IMPACT	The project generally proposes the redevelopment of an existing commercial shopping center with a larger commercial shopping center; the project will result in increased wastewater generation. All wastewater generated on-site is required to be disposed of into the municipal sanitary sewer system where it is treated at a regional facility operated by the City and regulated by the state. As such, project impact on wastewater treatment requirements are less than significant.	
LESS THAN SIGNIFICANT IMPACT	The project generally proposes to develop an existing commercial shopping center with a larger commercial shopping center. The project will result in increased water demand and wastewater generation over the existing uses on the site. However, such increase is not anticipated to meet or exceed thresholds to require the expansion or new construction of water and/or wastewater treatment facilities.	
LESS THAN SIGNIFICANT IMPACT	The project does result in any substantial increase in the anticipated amount of stormwater runoff from the levels presently generated.	
POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	The project proposes an approximately 215,000 square-foot net increase in commercial activity on the property, including the addition of two restaurants. The project will result in increased water demand.	XVI d The project is required to incorporate enhanced water conservation measures.
POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	The project is estimated to generate a net increase of approximately 19,000 gallons per day of wastewater over the existing uses.	XVI d Compliance with measure XVI d minimizes the impact, and the applicant is required to submit project information to the Bureau of Sanitation to ensure adequate service.

Impact?	Explanation	Mitigation Measures
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f.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	The project generally proposes the redevelopment of an existing commercial shopping center with a larger commercial shopping center; the project will result in increased solid waste generation during demolition, construction, and routine use and maintenance of the site.	XVI f The applicant shall implement, utilize, and maintain a recycling program to minimize solid wastes sent to area landfills.
g.	LESS THAN SIGNIFICANT IMPACT	The project generally proposes the redevelopment of an existing commercial shopping center with a larger commercial shopping center; the project will result in increased solid waste generation; however, the project is otherwise subject to state and federal regulations regarding the disposal of wastes, and compliance with measure XVI f reduces the impact of increased waste generation. As such, the project has a less than significant impact on federal, state and local solid waste regulations.	

XVII. MANDATORY FINDINGS OF SIGNIFICANCE

a.	NO IMPACT	The property is located within an established urban environment, and does not contain any significant biological resources that will be impacted as a result of project implementation.	
b.	LESS THAN SIGNIFICANT IMPACT	The project will result in cumulative increases in the generation of greenhouse gasses, water demand, wastewater generation, and solid waste generation. However, compliance with measures to increase building energy efficiency, increase water efficiency, and implementation of a recycling program reduce the potential impacts to a less than significant level.	
c.	LESS THAN SIGNIFICANT IMPACT	The project will result in increased greenhouse gas emissions which can result in a cumulative environmental impacts with adverse impacts on human beings; however, the project has been required to incorporate features to minimize those emissions, reducing the impact to a less than significant level.	

Determination Letter
CPC-2007-4661-CU
Mailing Date: 5/03/10

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