



SOLOMON SALTSMAN & JAMIESON

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Stephen Allen Jamieson

Partner

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March 5, 2020

Via Electronic Submittal

City Clerk

200 N. Spring Street, Room 360
Los Angeles, CA 90012

RE: Application for Determination of Public Convenience or Necessity Pursuant to Business & Professions Code Section 23958.4 for Type 21 ABC License located at
5101 Lankershim Boulevard, North Hollywood, CA 91601

To Whom It May Concern,

Amazon Retail LLC requests that the Los Angeles City Council issue a Determination of Public Convenience or Necessity for the sale of a full line of alcoholic beverages for off-site consumption in conjunction with a 26,018 square foot grocery store.

Prior to seeking a Conditional Use Permit (“CUP”), the Applicant conducted outreach within the community in an effort to address any potential concerns related to the sale of a full line of alcoholic beverages at this location.

Specifically, the request was placed before the North Hollywood Neighborhood Council (Both Land Use Committee and the Full Board) and the Neighborhood Council was unanimously supportive of the project. Please see attached North Hollywood Neighborhood Council Meeting Minutes for reference (Page 2, Item 8).

In addition, we reached out to the North Hollywood Area Vice Unit of the Los Angeles Police Department (“LAPD”) and the LAPD submitted a letter to the Los Angeles Department of City Planning, dated February 22, 2019, indicating it is not opposed to the off-site sale of alcoholic beverages at this location. For ease of reference please see attached letter from LAPD.

On April 17, 2019 the City issued a Conditional Use Permit for Case No. ZA-2018-5642-CUB to permit the sale and dispensing of a full line of alcoholic beverages for off-site consumption in conjunction with instructional alcohol tasting. That Letter of Approval and Letter of Correction for Conditional Use Permit ZA-2018-5642-CUB is attached.

City of Los Angeles
Amazon Retail LLC Application for PCN
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Amazon Retail LLC respectfully now, therefore, requests the City to issue a Public Convenience or Necessity determination for the sale of a full line of alcoholic beverages for off-site consumption (Type 21 ABC License).

Project Description

The proposed Amazon Retail LLC located at the northwest corner of Lankershim Boulevard and Ostego street within North Hollywood. More specifically, it is located within a C-4-1-CA Community Commercial Zone. The use is consistent with the Community Commercial Zone's Land Use designations.

According to the Letter of Determination for Case No. ZA-2018-5642-CUB:

“The project is consistent with the following components of the Community Plan:
Commercial Goal: Improving the function, design, and economic vitality of the commercial corridors.
Commercial Policy: To promote economic well-being and public convenience through the allocation and distribution of commercial lands for retail, service, and office facilities.”

Amazon Retail LLC will provide a full-service grocery store which will benefit the surrounding community by providing goods and services that are advantageous to the neighborhood. The overall product offering, which includes a small amount of alcohol sales for off-site consumption (Type 21) and instructional tastings (Type 86) in conjunction with the grocery store, will provide a range of goods and services to the local community. The addition of this grocery store will enhance the surrounding community by offering a unique and necessary “one-stop” shopping experience in which nearby residents, neighbors and tourists can purchase grocery items, medicine, household products, beverages, and/or other necessary retail items. The proposed Amazon Retail LLC is a desirable addition to community and will enhance the built environment in the surrounding neighborhood by utilizing an attractive, unique building design. The retail grocery store shall operate between 6 a.m. and 12 a.m. (midnight), daily, to meet the needs of the community and ensure that local customers have convenient access to their neighborhood grocery store as needed.

The subject property is located in Census Tract 1254.01. According to the California Department of Alcoholic Beverage Control, the Department authorizes two (2) off-sale licenses for this Census Tract. As of today's date, March 4, 2020, there are currently four (four) off-sale licensees within Census Tract 1254.01. Such concentration is not undue concentration in an urban, developed commercial area such as the site of this grocery store. This project site is surrounded by both commercial and residential zones, which only strengthens the need for a full-service community-based grocery store. The Letter of Approval for ZA-2018-5642-CUB states:

“The project site is located along Lankershim Boulevard, which is a vibrant commercial corridor. In these active commercial areas where there is a demand for licenses beyond the allocated number and where an undue concentration of licenses is suggested, ABC has recognized that high-activity retail and commercial centers are supported by a

significant employee population, in addition to the increasing resident population base in the area”.

The sale of a full line of alcoholic beverages is incidental to the products and services offered by this grocery store but is a vital aspect of this use, which will serve the public convenience or necessity through its offering of a variety of specialized goods.

The proposed grocery store will be compatible with the surrounding properties and uses. This project and the operational characteristic of a grocery store is consistent with the pattern of commercial uses in the immediate vicinity and will not be detrimental to the properties in the immediate vicinity and the store will operate with due regard for the adjacent uses.

According to Letter of Approval for Case No. ZA-2018-5642-CUB:

“The project will contribute to the continued vitality of the neighborhood. The subject property is zoned C4-1-CA, which allows for commercial uses and will be operated as a grocery store. The subject site along the Lankershim Boulevard maintains the character of the area and provides a convenient shopping location for the community and visitors. The subject establishment will continue to positively impact the financial health of the property and improve the economic vitality of the area via increased tax revenue and local employment.”

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

The operation of this grocery store in this area will provide an economically viable return for the City and bring a wide range of employment positions, from entry level to managerial. AMAZON RETAIL LLC expects to employ up to 200 people to staff the numerous departments and provide customer service to patrons. This will add viable employment opportunities to the community and work with the City to realize its economic goals for the future.

The Public Convenience or Necessity Will be Served by the Issuance of a Type 21 ABC License at this location (and its incidental Type 86 License)

Amazon Retail LLC will provide unique opportunities not otherwise available in this geographic area. This grocery store will help meet public convenience and necessity demand for specialized foods and products, including a full line of interesting and desired line of alcoholic beverages that are unavailable at other stores. It will also allow the attendant Instructional Tasting Type 86 License. While the legal standard is public convenience **or** necessity this location actually meets both public convenience **and** necessity. The popularity and demand of gluten-free, dairy-free, and other restrictive foods and supplements has increased tremendously over the past decade but is carried only by limited suppliers such as this grocery store. Amazon Retail LLC will supply healthy and specialized foods, provides consumers, especially those with allergens, an appropriate and necessary option. The success of the proposed grocery store depends on its ability to provide a wide range of goods and services that customers have come to expect from

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grocery retailers, including alcoholic beverages along with everyday household food and supplies. The request for the sale and distribution of off-site alcoholic beverages for the grocery store represent a relatively small, albeit very important, portion of the overall store sales; and, is crucial to the overall product offering to ensure returning customers, the viability of the grocery store, and providing the convenience and necessities to the community. Moreover, the design and landscaping of the proposed Project is intended to foster better community relations and create a social opportunity for local residents.

This grocery store with a small amount of alcohol is appropriate and compatible with such existing uses and will not have an adverse impact on these uses or nearby residential uses. The proposed use is, therefore, not an unusual offering in this urban, commercial retail area. Further, the Project is beneficial with respect to the general welfare because it will increase the economic viability of the community in which it is located. The addition of this grocery store with alcohol will improve the surrounding commercial retail uses and attract local residents and serve the convenience or necessities of this community.

Conclusion

Based on the foregoing reasons, it is respectfully requested that the City of Los Angeles City Council make a finding with respect to the California Business and Professions Code sections 23958 and 23958.4, that the issuance of a Type 21 license for the sale of alcoholic beverages will serve the Public Convenience or Necessity of this community.

Thank you for your consideration.

Sincerely,
SOLOMON SALTSMAN & JAMIESON



Stephen Jamieson
AL

Stephen Jamieson
Licensed in California, Michigan, and Wisconsin

Encl.
Letter of Determination for Case No. ZA-2018-5642-CUB
Letter of Correction for Case No. ZA-2018-5642-CUB
LAPD Letter of Non-Opposition
North Hollywood Neighborhood Council Meeting Minutes

Cc Via Email:
Anna Lambropoulos
Ryan Bissett
Allyson Wilcox
Vanessa Young

NOHO NEIGHBORHOOD COUNCIL

SPECIAL BOARD MEETING

Monday, November 19, 2018

Senior Citizens Center

5301 Tujunga, North Hollywood, CA 91601

FINAL MINUTES

Brian Allman	District 5 Biz	P
James Askew	Treasurer	P
Jonathan Brown	Community/NP	P
	District 1 Biz	
Ken Dorfman	District 4 AL	P
	Community/NP	
	Community/NP	
Peter Haderlein	District 3 Res	P; Arriv. 6:50pm
Jennifer Jackson	District 4 Biz	P
Stephanie Jaeger	Vice President - Religious Rep	P
Lisa Kallman	School Rep	P
Angele Klein	Youth Representative	A
Laura Laskay	District 3 Res	P
Richard Mandeville	District 2 Biz	A
J. R. Martin	District 3 Biz	P
Donna Moss	District 1AL	A
Patricia Murphy	District 2 Biz	P; Arriv. 6:40pm
	Community/NP	
Bob Peppermuller	District 5 AL	A
JoAnn Rivas	Community Interest Rep	P
Allan K. Salinas	District 2 AL	P
Joanna Stein	Secretary, District 4 Res	P
Kacey Spivey	Arts Org Rep	A
Paul Storiale	President	P
Charles Wiley	District 3 AL	A

1. Called to Order at 6:35pm

2. Roll Call

15 present, 0 excused, 6 absent

3. President's Opening Comments

The NoHo Neighborhood Council Christmas Party is December 15, 2018 at North Hollywood Recreation Center

NoHoHo Holiday Community Mixer is Sunday, December 9, 2018 from 4:00-6:00pm at the NoHo Plaza.

Starbucks parking lot Magnolia/Lankershim needs attention by Beautification Committee.

4. Public Officials

None.

5. Public Comments on Non-Agenda Items

Ross Hoppe – He discussed putting cross walks as needed in areas in North Hollywood.

6. Presentation, Discussion and Possible Action: The Widening of Magnolia Blvd. between Vineland Ave. and Cahuenga Blvd. This is an information only presentation. The NoHo Neighborhood Council will consider writing a letter regarding this project at a future date.

Presentation was given by Winnie Lamb – Bureau of Engineering, Carlos from DOT. (See attached comments)

7. Presentation, Discussion and Possible Action: Metro Presentation North Hollywood to Pasadena and North San Fernando Valley bus rapid transit projects.

Presentation was given by Lilian DeLoza- Gutierrez/Scott Hartwell.

8. Presentation, Discussion and Possible Action: To provide a letter of support for a conditional use permit for Whole Foods Market 5101 Lankershim Blvd., North Hollywood, CA 91601

James Askew brought a motion to provide a letter of support for a conditional use permit for Whole Foods Market 5101 Lankershim Blvd., North Hollywood, CA 91601, seconded by Laura Laskey

15 Ayes: Brian Allman, James Askew, Jonathan Brown, Ken Dorfman, Peter Haderlein, Jennifer Jackson, Stephanie Jaeger, Lisa Kallman, Laura Laskay, J.R. Martin, Patricia Murphy, JoAnn Rivas, Allan Salinas, Joanna Stein, Paul Storiale

Vote: (15-0-0) Motion passes

9. Presentation, Discussion and Possible Action: To move the Day of the NoHoHo Holiday Community Mixer from Saturday, December 8 to Sunday, December 9. Times will be the same 4pm-6pm

James Askew brought a motion to move the Day of the NoHoHo Holiday Community Mixer from Saturday, December 8 to Sunday, December 9. Times will be the same 4pm-6pm, seconded by Ken Dorfman

15 Ayes: Brian Allman, James Askew, Jonathan Brown, Ken Dorfman, Peter Haderlein, Jennifer Jackson, Stephanie Jaeger, Lisa Kallman, Laura Laskay, J.R. Martin, Patricia Murphy, JoAnn Rivas, Allan Salinas, Joanna Stein, Paul Storiale

Vote: (15-0-0) Motion passes

10. Presentation, Discussion and Possible Action: Approve Mary Garcia as Stakeholder Committee Member on the Arts and Parks Committee

James Askew brought a motion to approve Mary Garcia as Stakeholder Committee Member on the Arts and Parks Committee, seconded by Brian Allman

14 Ayes: Brian Allman, James Askew, Jonathan Brown, Ken Dorfman, Peter Haderlein, Jennifer Jackson, Stephanie Jaeger, Lisa Kallman, Laura Laskay, J.R. Martin, JoAnn Rivas, Allan Salinas, Joanna Stein, Paul Storiale

LOS ANGELES POLICE DEPARTMENT

MICHEL R. MOORE
Chief of Police



ERIC GARCETTI
Mayor

P. O. Box 30158
Los Angeles, Calif. 90030
Telephone: (818) 754-8300
TDD: (877) 275-5273
Ref #: 7.3

February 22, 2019

Los Angeles City Planning Department
200 N. Spring Street
Room 763, City Hall
Los Angeles, CA 90012
Mail Stop 395

Dear Sir or Madame:

The North Hollywood Area Vice Unit is not opposed to granting the Master Land Use Permit for Whole Foods Market (Case # ZA-2018-5642 CUB), located at 5101-5101 ½ Lankershim Boulevard North Hollywood, California, 91601. We request the conditions below be placed on the location if the Conditional Use Beverage and Conditional Use Permit are granted.

1. Within six months of the effective date of this determination, all personnel acting in the capacity of a manager or supervisor of the business and employees who dispense alcoholic beverages, shall attend a Standardized Training for Alcohol Retailers (STAR) session sponsored by the Los Angeles Police Department.
2. Electronic age verification device(s) which can be used to determine the age of any individual attempting to purchase alcoholic beverages or tobacco products shall be installed on the "On Sale" premises at each point-of-sale location. The device(s) shall be maintained in an operational condition and all employees shall be instructed in their use prior to the sale of any alcoholic beverage or tobacco products.
3. The City may grant a conditional use for a defined period of time, e.g., three years or five years, after which time the approval is null and void and the applicant would have to file and application in order to keep selling alcoholic beverages.
4. The property owner shall keep the property, including the sidewalk adjacent thereto, free of debris and litter.
5. "No loitering" and "No Public Drinking of Alcoholic Beverages" signs shall be posted at the front, side, and rear of the site. These signs shall be in English and Spanish.
6. No one shall be permitted to loiter in front of the store.
7. All graffiti on the site shall be removed or painted over in the same color as the surface to which it is applied within 48 hours of its occurrence.

8. The exterior windows and glass doors of the store shall be maintained substantially free of signs and other materials from the ground to at least six feet in height above the ground so as to permit surveillance into the store by police and private security.
9. Signs shall be posted in English and Spanish stating that California state law prohibits the sale of alcoholic beverages to people who are under 21 years of age.
10. No "Happy Hour" sales, meaning no reduced-price alcoholic beverage promotions, shall be allowed.
11. The principal business of the restaurant shall be the sale and service of food. The service of alcoholic beverages shall be incidental to the sale of food and shall be permitted only with food orders except at designated bar/lounge area.
12. No alcoholic beverages shall be consumed on any property adjacent to the "On or Off Sale" licensed premises under the control of the licensee.
13. The "On Sale" premises shall maintain a bona fide restaurant with an operational kitchen and shall provide food service at all times that alcoholic beverages are offered for consumption.
14. The "On Sale" premises shall be maintained as a bona fide restaurant with an operating kitchen and shall provide a menu containing an assortment of foods normally offered in restaurants. Food service shall be available always during normal operating hours.

If you have any questions or need additional information, please contact Sergeant Ed Arca, Officer-in-Charge, North Hollywood Area Vice Unit, at (818) 754-8368.

Respectfully,

MICHEL R. MOORE
Chief of Police

 for
DONALD R. GRAHAM Jr., Captain
Area Commanding Officer
North Hollywood Community Police Station

**APPLICATIONS:****DEPARTMENT OF CITY PLANNING APPLICATION**

THIS BOX FOR CITY PLANNING STAFF USE ONLY

Case Number			
Env. Case Number			
Application Type			
Case Filed With (Print Name)			Date Filed
Application includes letter requesting:			
<input type="checkbox"/> Waived hearing	<input type="checkbox"/> Concurrent hearing	<input type="checkbox"/> Hearing not be scheduled on a specific date (e.g. vacation hold)	
Related Case Number _____			

Provide all information requested. Missing, incomplete or inconsistent information will cause delays.

All terms in this document are applicable to the singular as well as the plural forms of such terms.

Detailed filing instructions are found on form CP-7810

1. PROJECT LOCATION	5101-5101 1/2 N. Lankershim Blvd, 5107 N. Lankershim Blvd, 5111-5113 N. Lankershim Blvd, 5125 N. Lankershim Blvd., Los Angeles, CA 91601	Suites
Street Address ¹	Unit/Space Number 100 & 200	
Legal Description ² (Lot, Block, Tract) Lot FR 2 & 3, Visser's Subdivision of a Portion of Block 170 of the Lankershim Ranch Land and Water Co. Mis.R, Book 31-39, Arb 1 & 2.		
Assessor Parcel Number	2353004023	Total Lot Area 308,168 square feet
Whole Foods Project: Approximately 26,018 sq. ft.		

2. PROJECT DESCRIPTION

Present Use 7 Story, 87-foot tall mixed-used building, totally 308,168 sq. ft. with 297 dwelling units.

Proposed Use Retail Use (Whole Foods Market) on the ground floor of the mixed-use building.

Project Name (if applicable) Whole Foods Market 365

Describe in detail the characteristics, scope and/or operation of the proposed project A CUP to allow the sale and dispensing of a full line of alcoholic beverages for on- and off-site consumption in conjunction with a 24,055 sq. ft.

Specialty Grocery Store and a 1,963 sq. ft. Restaurant with 61 interior seats and 328 sq. ft. outdoor patio with 22

Additional information attached YES NO exterior seats. Proposed hours of operation are from 6 a.m.-12 a.m. daily in the C4-1-CA Zone. See also the attached "Conditional Use Permit Application Project Description" for a full description of the Proposed Project.

Existing Site Conditions

<input checked="" type="checkbox"/> Site is undeveloped or unimproved (i.e. vacant)	<input type="checkbox"/> Site is located within 500 feet of a freeway or railroad
<input type="checkbox"/> Site has existing buildings (provide copies of building permits)	<input type="checkbox"/> Site is located within 500 feet of a sensitive use (e.g. school, park)

¹ Street Addresses must include all addresses on the subject/application site (as identified in ZIMAS—<http://zimas.lacity.org>)

² Legal Description must include all contiguously owned properties (even if they are not a part of the proposed project site)

Site is/was developed with use that could release hazardous materials on soil and/or groundwater (e.g. dry cleaning, gas station, auto repair, industrial)

Site has special designation (e.g. National Historic Register, Survey LA)

Proposed Project Information

(Check all that apply or could apply)

Demolition of existing buildings/structures
 Relocation of existing buildings/structures
 Interior tenant improvement
 Additions to existing buildings
 Grading
 Removal of any on-site tree
 Removal of any street tree

Removal of protected trees on site or in the public right of way
 New construction: _____ square feet
 Accessory use (fence, sign, wireless, carport, etc.)
 Exterior renovation or alteration
 Change of use and/or hours of operation
 Haul Route
 Uses or structures in public right-of-way
 Phased project

Housing Component Information

Number of Residential Units: Existing 0 - Demolish(ed)³ 0 + Adding 0 = Total 0

Number of Affordable Units⁴ Existing 0 - Demolish(ed) 0 + Adding 0 = Total 0

Number of Market Rate Units Existing 0 - Demolish(ed) 0 + Adding 0 = Total 0

Mixed Use Projects, Amount of Non-Residential Floor Area: 0 square feet

Public Right-of-Way Information

Have you submitted the Planning Case Referral Form to BOE? (required) YES NO

Is your project required to dedicate land to the public right-of-way? YES NO

If so, what is/are your dedication requirement(s)? 0 ft.

If you have dedication requirements on multiple streets, please indicate: N/A

3. ACTION(S) REQUESTED

Provide the Los Angeles Municipal Code (LAMC) Section that authorizes the request and (if applicable) the LAMC Section or the Specific Plan/Overlay Section from which relief is sought; follow with a description of the requested action.

Does the project include Multiple Approval Requests per LAMC 12.36? YES NO

Authorizing Code Section 12.24-W,1

Code Section from which relief is requested (if any):

Action Requested, Narrative: A CUP to allow the sale and dispensing of a full line of alcoholic beverages for on-and off-site consumption in conjunction with a 24,055 sq. ft. Specialty Grocery Store and a 1,963 sq. ft. Restaurant with 61 interior seats and a 328 sq. ft. outdoor patio with 22 exterior seats. Proposed hours of operation are from 6a-12a, daily in the C4-1-CA Zone. See also the attached "Conditional Use Permit Application Project Description."

Authorizing Code Section 12-22-A, 23

Code Section from which relief is requested (if any):

Action Requested, Narrative: A Commercial Corner Application to operate from 6 a.m. to 12 a.m., midnight, daily, in lieu of the Commercial Corner restrictions limiting hours of operation from 7 a.m. to 11 p.m. otherwise permitted.

Additional Requests Attached YES NO

³ Number of units to be demolished and/or which have been demolished within the last five (5) years.

⁴ As determined by the Housing and Community Investment Department

4. RELATED DEPARTMENT OF CITY PLANNING CASES

Are there previous or pending cases/decisions/environmental clearances on the project site? YES NO

If YES, list all case number(s) DIR-2015-2676-DB-SPR

If the application/project is directly related to one of the above cases, list the pertinent case numbers below and complete/check all that apply (provide copy).

Case No. DIR-2015-2676-DB-SPR

Ordinance No.:

- Condition compliance review
- Modification of conditions
- Revision of approved plans
- Renewal of entitlement
- Plan Approval subsequent to Master Conditional Use

- Clarification of Q (Qualified) classification
- Clarification of D (Development Limitations) classification
- Amendment to T (Tentative) classification

For purposes of environmental (CEQA) analysis, is there intent to develop a larger project?

YES NO

Have you filed, or is there intent to file, a Subdivision with this project?

YES NO

If YES, to either of the above, describe the other parts of the projects or the larger project below, whether or not currently filed with the City:

N/A

5. RELATED DOCUMENTS / REFERRALS

To help assigned staff coordinate with other Departments that may have a role in the proposed project, please provide a copy of any applicable form and reference number if known.

- a. Specialized Requirement Form N/A
- b. Geographic Project Planning Referral N/A
- c. Citywide Urban Design Guidelines Checklist N/A
- d. Affordable Housing Referral Form N/A
- e. Mello Form N/A
- f. Unpermitted Dwelling Unit (UDU) Inter-Agency Referral Form N/A
- g. HPOZ Authorization Form N/A
- h. Management Team Authorization N/A
- i. Expedite Fee Agreement N/A
- j. Department of Transportation (DOT) Referral Form N/A
- k. Bureau of Engineering (BOE) Planning Case Referral Form (PCRF) N/A
- l. Order to Comply N/A
- m. Building Permits and Certificates of Occupancy Attached.
- n. Hillside Referral Form N/A
- o. Low Impact Development (LID) Referral Form (Storm water Mitigation) N/A
- p. Proof of Filing with the Housing and Community Investment Department N/A
- q. Are there any recorded Covenants, affidavits or easements on this property? YES (provide copy) NO

PROJECT TEAM INFORMATION (Complete all applicable fields)

Applicant⁵ name Mrs. Gooch's Natural Food Markets, Inc. c/o Ryan Bissett

Company/Firm DBA: Whole Foods Market 365

Address: 550 Bowie Street Unit/Space Number _____

City Austin State TX Zip Code: 78703

Telephone (512) 542-0876 E-mail: Ryan.Bissett@wholefoods.com

Are you in escrow to purchase the subject property? YES NO

Property Owner of Record Same as applicant Different from applicant

Name (if different from applicant) NOHOLOHA, LLC; NOHO KA OI, LLC; and Camden NOHO SPV, LLC

Address 1508 17th Street; 21550 Oxnard St., Ste. 860; 4 West Red Oak Ln., Ste.107 Unit/Space Number _____

City Santa Monica; Woodland Hills; White Plains State CA;CA;NY Zip Code: 90404; 91367; 10604

Telephone (818) 886-1968 E-mail: N/A

Agent/Representative name Stephen Allen Jamieson, Esq

Company/Firm Solomon, Saltsman & Jamieson

Address: 426 Culver Blvd. Unit/Space Number _____

City Playa del Rey State CA Zip: 90293

Telephone (310) 822-9848 E-mail: sjamieson@ssjlaw.com

Other (Specify Architect, Engineer, CEQA Consultant etc.) Architect

Name DE Architects, AIA

Company/Firm DE Architects, AIA

Address: 1535 8th Street Unit/Space Number 101

City Santa Monica State CA Zip Code: 90401

Telephone (310) 451-7917 E-mail: N/A

Primary Contact for Project Information (select only one) Owner Applicant

Agent/Representative Other

To ensure notification of any public hearing as well as decisions on the project, make sure to include an individual mailing label for each member of the project team in both the Property Owners List, and the Abutting Property Owners List.

⁵ An applicant is a person with a lasting interest in the completed project such as the property owner or a lessee/user of a project. An applicant is not someone filing the case on behalf of a client (i.e. usually not the agent/representative).

PROPERTY OWNER

7. **PROPERTY OWNER AFFIDAVIT.** Before the application can be accepted, the owner of each property involved must provide a notarized signature to verify the application is being filed with their knowledge. Staff will confirm ownership based on the records of the City Engineer or County Assessor. In the case of partnerships, corporations, LLCs or trusts the agent for service of process or an officer of the ownership entity so authorized may sign as stipulated below.

- **Ownership Disclosure.** If the property is owned by a partnership, corporation, LLC or trust, a disclosure identifying the agent for service or process or an officer of the ownership entity must be submitted. The disclosure must list the names and addresses of the principal owners (25% interest or greater). The signatory must appear in this list of names. A letter of authorization, as described below, may be submitted provided the signatory of the letter is included in the Ownership Disclosure. Include a copy of the current partnership agreement, corporate articles, or trust document as applicable.
- **Letter of Authorization (LOA).** A LOA from a property owner granting someone else permission to sign the application form may be provided if the property is owned by a partnership, corporation, LLC or trust or in rare circumstances when an individual property owner is unable to sign the application form. To be considered for acceptance, the LOA must indicate the name of the person being authorized to file, their relationship to the owner or project, the site address, a general description of the type of application being filed and must also include the language in items A-D below. In the case of partnerships, corporations, LLCs or trusts the LOA must be signed and notarized by the authorized signatory as shown on the Ownership Disclosure or in the case of private ownership by the property owner. Proof of Ownership for the signatory of the LOA must be submitted with said letter.
- **Grant Deed.** Provide a Copy of the Grant Deed If the ownership of the property does not match City Records and/or if the application is for a Coastal Development Permit. The Deed must correspond exactly with the ownership listed on the application.
- **Multiple Owners.** If the property is owned by more than one individual (e.g. John and Jane Doe or Mary Smith and Mark Jones) notarized signatures are required of all owners.

a. I hereby certify that I am the owner of record of the herein previously described property located in the City of Los Angeles which is involved in this application or have been empowered to sign as the owner on behalf of a partnership, corporation, LLC or trust as evidenced by the documents attached hereto.

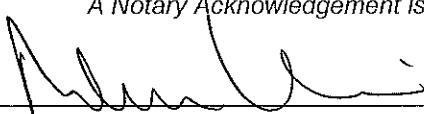
b. I hereby consent to the filing of this application on my property for processing by the Department of City Planning.

c. I understand if the application is approved, as a part of the process the City will apply conditions of approval which may be my responsibility to satisfy including, but not limited to, recording the decision and all conditions in the County Deed Records for the property.

d. By my signature below, I declare under penalty of perjury under the laws of the State of California that the foregoing statements are true and correct.

*Property Owner's signatures must be signed/notarized in the presence of a Notary Public.
The City requires an original signature from the property owner with the "wet" notary stamp.
A Notary Acknowledgement is available for your convenience on following page.*

Signature _____



Date _____

8/22/18

Print Name _____

Adam M. Heine

Signature _____

Date _____

Print Name _____

NEW YORK ALL-PURPOSE ACKNOWLEDGMENT
REAL PROPERTY LAW §309-a

State of New York }
County of Westchester } ss.

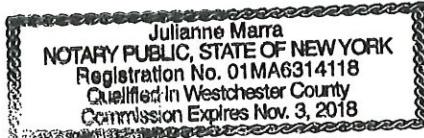
On the 2nd day of August in the year 2018 before me,
the undersigned personally appeared Adam MS Heine,
(and) personally known to me or
Name of Additional Signer, if Any

proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Julianne Marra

Signature of Notary Public
Notary Public — State of New York

Place Seal Below OR Complete Lines Below



Julianne Marra

Name of Notary

Westchester

Name of County in Which Originally Qualified

11/3/18

Commission Expiration Date

*Name of County in Which Certificate of Official
Character Filed (if required)*

OPTIONAL

*Though this section is optional, completing this information can deter alteration of the document
or fraudulent reattachment of this form to an unintended document.*

Description of Attached Document

Title or Type of Document: Dept. of City Planning Application
Document Date: 8/22/18 Number of Pages: 8

Signer(s) Other Than Named Above: _____

APPLICANT

8. **APPLICANT DECLARATION.** A separate signature from the applicant, whether they are the property owner or not, attesting to the following, is required before the application can be accepted.

- a. I hereby certify that the information provided in this application, including plans and other attachments, is accurate and correct to the best of my knowledge. Furthermore, should the stated information be found false or insufficient to fulfill the requirements of the Department of City Planning, I agree to revise the information as appropriate.
- b. I hereby certify that I have fully informed the City of the nature of the project for purposes of the California Environmental Quality Act (CEQA) and have not submitted this application with the intention of segmenting a larger project in violation of CEQA. I understand that should the City determine that the project is part of a larger project for purposes of CEQA, the City may revoke any approvals and/or stay any subsequent entitlements or permits (including certificates of occupancy) until a full and complete CEQA analysis is reviewed and appropriate CEQA clearance is adopted or certified.
- c. I understand that the environmental review associated with this application is preliminary, and that after further evaluation, additional reports, studies, applications and/or fees may be required.
- d. I understand and agree that any report, study, map or other information submitted to the City in furtherance of this application will be treated by the City as public records which may be reviewed by any person and if requested, that a copy will be provided by the City to any person upon the payment of its direct costs of duplication.
- e. I understand that the burden of proof to substantiate the request is the responsibility of the applicant. Additionally, I understand that planning staff are not permitted to assist the applicant or opponents of the project in preparing arguments for or against a request.
- f. I understand that there is no guarantee, expressed or implied, that any permit or application will be granted. I understand that each matter must be carefully evaluated and that the resulting recommendation or decision may be contrary to a position taken or implied in any preliminary discussions.
- g. I understand that if this application is denied, there is no refund of fees paid.
- i. I understand and agree to defend, indemnify, and hold harmless, the City, its officers, agents, employees, and volunteers (collectively "City"), from any and all legal actions, claims, or proceedings (including administrative or alternative dispute resolution (collectively "actions")), arising out of any City process or approval prompted by this Action, either in whole or in part. Such actions include but are not limited to: actions to attack, set aside, void, or otherwise modify, an entitlement approval, environmental review, or subsequent permit decision; actions for personal or property damage; actions based on an allegation of an unlawful pattern and practice; inverse condemnation actions; and civil rights or an action based on the protected status of the petitioner or claimant under state or federal law (e.g. ADA or Unruh Act). I understand and agree to reimburse the City for any and all costs incurred in defense of such actions. This includes, but is not limited to, the payment of all court costs and attorneys' fees, all judgments or awards, damages, and settlement costs. The indemnity language in this paragraph is intended to be interpreted to the broadest extent permitted by law and shall be in addition to any other indemnification language agreed to by the applicant.
- i. By my signature below, I declare under penalty of perjury, under the laws of the State of California, that all statements contained in this application and any accompanying documents are true and correct, with full knowledge that all statements made in this application are subject to investigation and that any false or dishonest answer to any question may be grounds for denial or subsequent revocation of license or permit.

The City requires an original signature from the applicant. The applicant's signature below does not need to be notarized.

Signature:  Date: 7/19/18
Print Name: Albert Percival

Conditional Use Permit Application Project Description

Whole Foods Market located at

5101 Lankershim Blvd., Los Angeles, CA 91601

PROJECT OVERVIEW/REQUEST

On October 21, 2016, the Director of the Los Angeles City Planning Department issued a determination for the DIR Case No. DIR-2015-2676-DB-SPR. Under the DIR, the Planning Department authorized the use and maintenance of “a seven (7)-story, 87-foot tall mixed-use building, totaling 308,168 square feet with 297 dwelling units.” (Case No. DIR-2015-2676-DB-SPR, page 1).

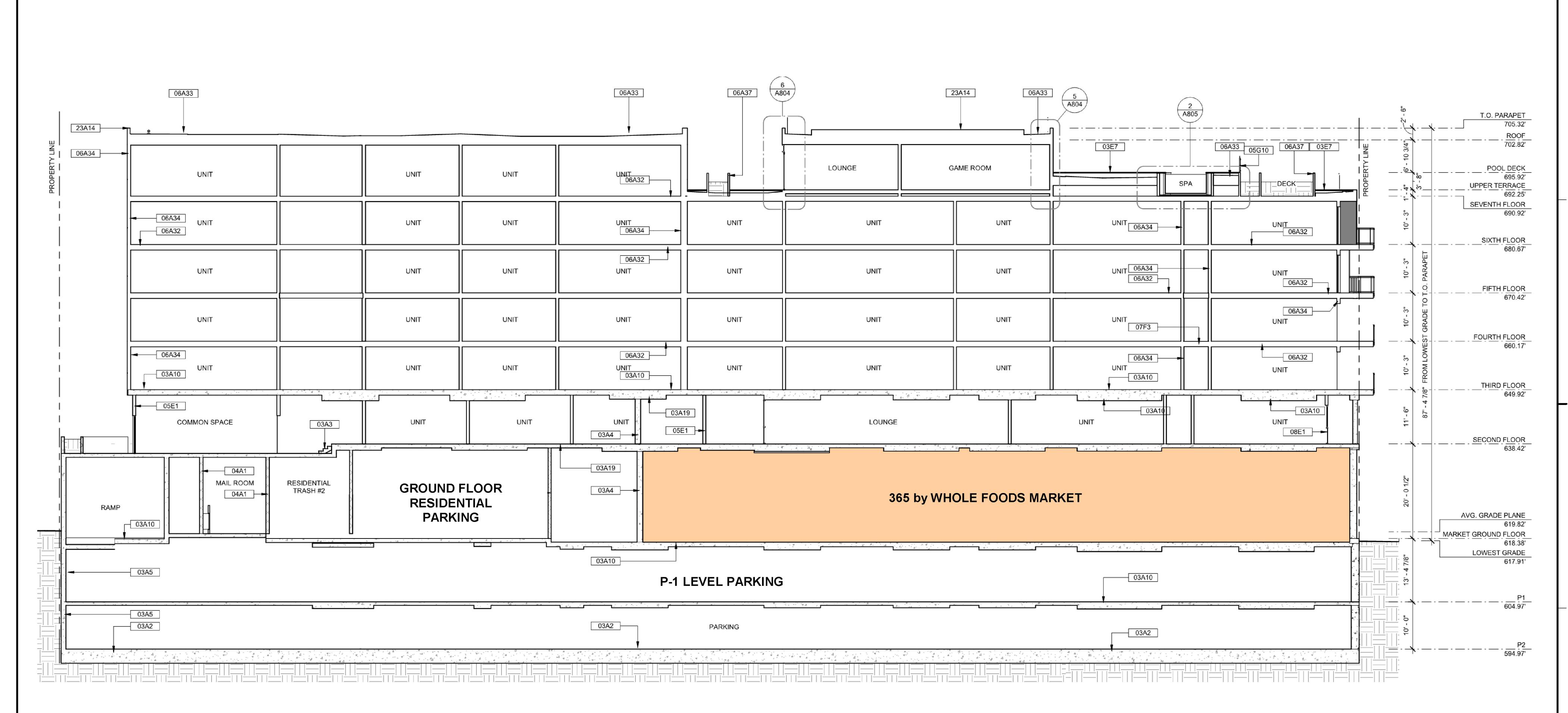
With respect to the instant request, the Applicant, Mrs. Gooch’s Natural Food Markets, Inc. dba: Whole Foods Market 365, is seeking a Conditional Use Permit, pursuant to Los Angeles Municipal Code (“LAMC”) Section 12.24-W,1 for the construction, use, and maintenance of a 26,018-square foot specialty grocery store within approved mixed-use development referenced above. The proposed Whole Foods Market 365 is requesting authorization for the sale and dispensing of a full line of alcoholic beverages including on-site instructional tasting (Type 86 ABC License), for off-site consumption (Type 21 ABC License), and for on-site consumption in conjunction with the operation of an ancillary restaurant (Type 47 ABC License) within the specialty grocery store operating from 6 a.m. to 12 a.m., daily.

The proposed Whole Foods Market 356 will be located at 5101 Lankershim Boulevard on the southwest corner of Lankershim Boulevard and Otsego Street (the “Subject Property) within the C4-1-CA Zone and the North Hollywood – Valley Village Community Plan area. The property is not located within a Specific Plan area. The Whole Foods Market staff will consist of approximately 30-45 employees per shift. The proposed Project will provide 115 automobile parking spaces in compliance with the 1 parking space per 500 square feet of commercial floor space and 13 long-term bicycle spaces and 18 short-term bicycle spaces.

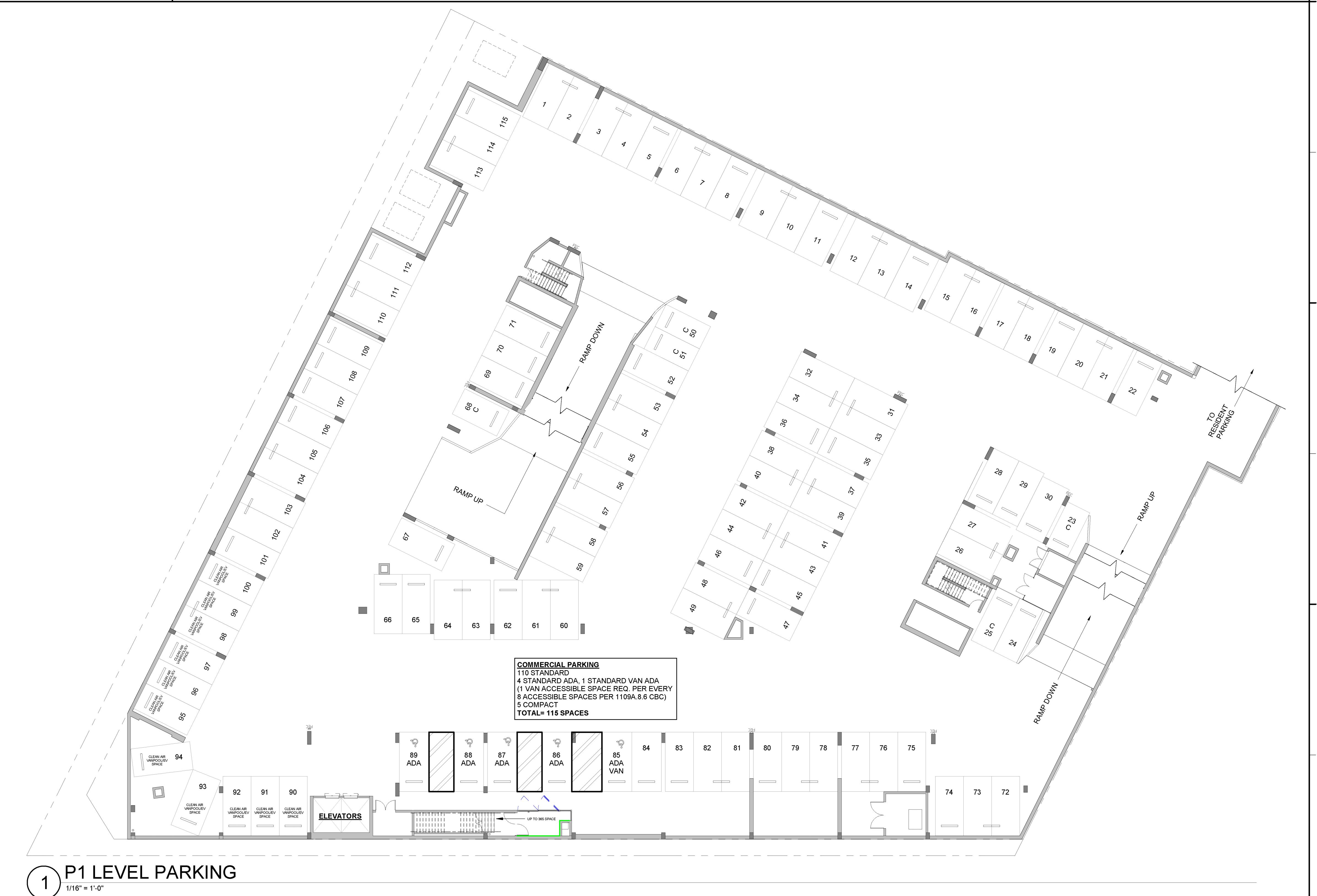
The new development at the subject property will provide a high-end, full service specialty grocery store which will be a benefit to the community by providing uses that are beneficial to the neighborhood. The overall product offering, which includes alcohol sales for on and off-site consumption in conjunction with the grocery store and the ancillary restaurant, will provide a range of goods and services to the local community. As detailed above, the proposed building and its activities will be compatible with the surrounding properties and uses. The proposed Project is consistent with the pattern of commercial uses in the immediate vicinity. The operational characteristics of the grocery store and ancillary restaurant featuring the sale of alcohol will not be detrimental to the properties in the immediate vicinity and the store will operate with due regard for the adjacent uses. As such, the proposed Project’s location, size, height, operations, and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties and the surrounding neighborhood.



2 SITE PLAN - REFERENCE ONLY



3 SHELL BUILDING SECTION



1 P1 LEVEL PARKING

